Energy Saving Performance Contracting and Other Operational Cost Saving Transactions

*Peter K. Floyd, Esq.*

**Alston & Bird, LLP**
2013 City Attorneys Section
CLE Seminar & Annual Business Meeting
Sunday, June 23, 2013
Savannah Westin
• Atlanta Headquarters with 800+ attorneys
• Attorneys ranked among the best in the U.S. and the world
• Strong practices in energy and infrastructure development
• Public and private finance
• International construction & government contracts practice
• Tax Expertise (Intl., Fed., State & Local)
  ▪ Represent: Ga. state and local governments, public and private owners, engineering and design firms, contractors and subcontractors.
  ▪ Extensive Experience with: public finance, commercial construction, tax, grants and incentives, energy regulation, hospital-medical office building projects, college and university projects, retail and hospitality projects, sporting venues, industrial plants and facilities.
A&B is counsel to Electric Cities of Georgia, MEAG Power, the Municipal Gas Authority of Georgia and a number of other local government utilities (electric/gas/water/telecom) providers and related entities in Georgia.

Also, represents private entities in public private partnerships and utility customers (e.g., customers of Georgia Power or EMCs) and traditional and renewable independent power providers (IPP) in Georgia and nationally.

My areas of expertise:

- Energy and Utilities (transactions and regulatory (Ga. PSC));
- Economic Incentives; and
- Public Finance

Disclaimer – Nothing in this presentation should be interpreted as the formal position of A&B or any of its clients.

Disclaimer – Very high level summary and not intended as legal advice re: a particular project.
Guaranteed Energy Saving Performance Contracting (ESPC)

- Main Goal: O&M Cost Savings and Sustainability/Stewardship
- Traditional approach not originally designed for your clients
- Service provider (ESCO) may be too narrowly focused as to technology, goals and options
- One of many options in procuring and financing O&M savings and efficiencies
- Be proactive and comprehensive
Energy

Efficiency
Why are my clients interested?

• Operational Cost Savings

• Sustainability/Stewardship

  “Sustainability is the capacity to endure.”

  “Stewardship is an ethic that embodies the responsible planning and management of resources. The concepts of stewardship can be applied to the environment, economics, health, property, information, theology, etc.”

  My definition: “The efficient use of limited resources.”

• Other:

  • Employment temporarily
  • Revenue opportunities
  • Compliance with Environmental Laws, e.g., trying comply with nonattainment area and other water and sewer regulations
  • Taxation (property, sales, fees, other…)
  • To attract a clean tech manufacturer. E.g., Metro Atlanta Chamber of Commerce Clean Tech Strategy
"President Barack Obama is expected to make good on his State of the Union promise to prioritize climate change through a series of policy initiatives that one top environmental policy aide said on Wednesday may roll out within the next month, according to multiple reports.

Speaking at a media event in Washington, Energy and Climate Change Deputy Assistant Heather Zichal suggested the White House is gearing up for an aggressive push that may include new limitations on greenhouse gas emissions, expanding clean and renewable energy initiatives and tightening national energy efficiency standards, Politico reported Wednesday.

According to Zichal, those measures would not require new legislation or new funding, allowing the White House to sidestep congressional gridlock — an approach that squares with President Obama’s State of the Union warning that if Congress refused to act on the issue he would direct his cabinet to develop executive actions to curb climate change and promote sustainability."
Why are my clients interested?

**Consequences of Non-Attainment**
A non-attainment designation under the Clean Air Act carries serious repercussions including the loss of federal highway funding and the loss of economic development opportunities.

**Loss of Federal Highway and Transit Funding**
One year from the date of a non-attainment designation, federally funded highway and transit projects will not be allowed to proceed unless the state demonstrates there will be no increase in emissions associated with the projects.

**Boutique Fuels**
Non-attainment areas are subjected to the Clean Air Act's reformulated gasoline program, which significantly raises the price of motor vehicle fuels for consumers.

**Enhanced Regulatory Oversight**
Once an area is designated as being in non-attainment, EPA has the authority to intervene and revise permitting decisions throughout the state.

Why are my clients interested?

**Restrictive Permitting Requirements**
New and upgraded facilities in, or near, non-attainment areas are required to install the most effective emissions reduction controls without consideration of cost. Operators of existing facilities may also be required to install more restrictive control technologies than are otherwise required for similar units in areas that are in attainment.

**Mandatory Emissions Offsetting**
Prior to permitting the construction of new facilities, a state must offset any emissions increases by achieving reductions at existing facilities.

**Loss of Economic Development Opportunities**
The added regulatory and paperwork burdens, as well as expenses associated with constructing new facilities, or expanding existing ones, limit the amount of economic investment in non-attainment communities.

Source: U.S. Chamber of Commerce,
http://www.uschamber.com/issues/environment/consequences-non-attainment
Why are my clients interested?

Metro Atlanta Chamber's Clean Tech Leadership Council

Goal: “to bring 6,000 “clean tech” jobs to Atlanta by 2017”

“The council will concentrate on seven verticals: smart grids, alternatively-fueled vehicles, solar power, water, green building and sustainability services, biofuels and batteries, and recycled products.

Clean tech is an umbrella term used to describe innovative green jobs across several different industries. Clean tech jobs include ocean-based energy production, solar-panel manufacturing, and biofuel research. "Cleantech is a large market, it's a growing market, it's a market that has high wages, and it's a market in which Atlanta starts from a very significant position of strength," said John Brock, chairman of the Metro Atlanta Chamber.

According to The Brookings Institution’s Sizing the Clean Economy’s 2011 study, Metro Atlanta is already a leader in the clean tech industry, with more than 43,000 people working in related jobs.”

Source: http://www.strategic-imperatives.com/NewsRoom/4-18-12
Why are my clients interested?

McKinsey Report Cites $1.2 Trillion in Potential Savings From Energy Efficiency

By KATE GALBRAITH

The New York Times (July 29, 2009)

“A new report on energy efficiency from the consulting firm McKinsey found that the United States could save $1.2 trillion through 2020, by investing $520 billion in improvements like sealing leaky building ducts and replacing inefficient household appliances with new, energy-saving models.”
Why are my clients interested?

- Operational Cost Savings
- Sustainability/Stewardship

"**Sustainability** is the capacity to endure."

"**Stewardship** is an ethic that embodies the responsible planning and management of resources. The concepts of stewardship can be applied to the environment, economics, health, property, information, theology, etc."

**My definition**: “The efficient use of limited resources.”

- Other:
  - Employment temporarily
  - Revenue opportunities
  - Compliance with Environmental Laws, e.g., trying comply with nonattainment area and other water and sewer regulations
  - Taxation (property, sales, fees, other…)
  - To attract a clean tech manufacturer. E.g., Metro Atlanta Chamber of Commerce Clean Tech Strategy
Traditional ESPCs: What is an ESPC, GESPC or ESC?

- Though these transactions come in many varieties, ESPCs are traditionally turnkey services with the goal of facility improvements designed to create operation and maintenance cost savings through a single contractor (the Energy Services Company or ESCO).

- **Steps:**
  - Investment grade energy (facility operational efficiency) audit performed
  - Customer selects desired improvements
  - ESCO caused improvements to be installed, developed, etc. and arranges lease financing
  - ESCO guarantees certain savings will be achieved
  - Verification agent confirms savings (or not) (most problems, if any, occur in the details of the guarantee and verification process)

- **Origins:** alternative financing mechanism designed to accelerate cost effective energy conservation measures in existing Federal buildings without up-front capital costs and without special Congressional appropriations.

*Sources: Energy and Environmental Project Finance Law and Taxation Law, Energy Saving Performance Contracts (Chapter 11), William Hughes (Alston & Bird Partner); U.S. EPA ENERGY STAR Buildings Program’s Introduction to Energy Performance Contracting, Prepared by: ICF International National Association of Energy Services Companies (October 2007); more importantly confirmed by Wikipedia…*
Brief History of EPC

- The history of EPC can be usefully divided into four stages.

- The Beginning of Demand Side Management (DSM) (pre-1985) –ESCOs were established to provide manpower and systems to enable utilities to meet federal and state mandates and offer energy conservation services.

- Emergence of EPC (1985-1993) – Utility programs evolved from purchasing services (e.g., home energy audits) to acquiring large amounts of kW or kWh as part of their Integrated Resource Plans (IRPs). ESCOs bid to provide the kW or kWh and delivered turnkey projects to large industrial and institutional customers and financed the projects themselves.

Brief History of EPC

- **Success and Consolidation (1994-2002)** – Successful experience with EPC documented in studies by the Lawrence Berkeley National Laboratory (LBNL) and the National Association of Energy Service Companies (NAESCO) encouraged the federal and state governments to promote EPC. The implementation of the International Performance Measurement and Verification Protocol (IPMVP), which provided standard methods for documenting project savings, gave commercial lenders the confidence to begin financing EPC projects on a large scale.

- **Pause and then Fast Growth (2003-present)** – The collapse of Enron*, the suspension of the federal ESPC program and the uncertainty about the deregulation of the electric utility industry caused a slowdown in the growth of EPC from 2002-2004. EPC is now growing at more than 20% per year, driven by increasing and volatile energy prices, federal and state energy savings mandates, the continued lack of capital and maintenance budgets for federal facilities, and growing awareness of the need for large-scale action to limit greenhouse gas emissions.


* Alston & Bird was the court appointed bankruptcy examiner in the Enron case.
Traditional ESPCs: Typical transaction?

- A typical EPC project is delivered by an Energy Service Company (ESCO) and consists of the following elements:
  - **Turnkey Service** – The ESCO provides all of the services required to design and implement a comprehensive project at the customer facility, from the initial energy audit through long-term Monitoring and Verification (M&V) of project savings.
  - **Comprehensive Measures** – The ESCO tailors a comprehensive set of measures to fit the needs of a particular facility, and can include energy efficiency, renewables, distributed generation, water conservation and sustainable materials and operations.
  - **Project financing** – The ESCO arranges for long-term project financing that is provided by a third-party financing company. Financing is typically in the form of an operating lease or municipal lease.
  - **Project Savings Guarantee** – The ESCO provides a guarantee that the savings produced by the project will be sufficient to cover the cost of project financing for the life of the project.

ESPC Markets

- MUSH – municipal and state governments, universities and colleges, K-12 schools, and hospitals*
- Federal
- Commercial and Industrial
- Utility Residential Programs
- Public Housing

* Ga. Energy Service Coalition is meeting monthly on how to serve your clients.
**Walk around the Conference vendor booth floor.
Role of ESPCs in Green Building

- “Savings-Paid Green Retrofits”

- Innovative approach to financing and implementing energy efficiency capital improvements

- ESCO industry has experienced rapid growth:
  - 2000 - $2 billion (total revenue)
  - 2006 - $3.6 billion
  - 2008 - $4.1 billion
  - 2011 - $7.1-7.3 billion (projected)
Why are my clients interested?

• Operational Cost Savings
• Sustainability/Stewardship

“Sustainability is the capacity to endure.”

“Stewardship is an ethic that embodies the responsible planning and management of resources. The concepts of stewardship can be applied to the environment, economics, health, property, information, theology, etc.”

My definition: “The efficient use of limited resources.”

• Other:
  • Employment temporarily
  • Revenue opportunities
  • Compliance with Environmental Laws, e.g., trying not to exceed nonattainment area limits or water and sewer requirements
  • Taxation (property, sales, fees, other…)
  • To attract a clean tech manufacturer. E.g., Metro Atlanta Chamber of Commerce Clean Tech Strategy
Georgia ESPC Legislation

- Constitutional prohibition limited multi-year contracts for certain Ga. Governmental Units


- Governmental Units
  - State government agencies
  - Colleges and universities
  - Counties and municipalities*
  - Public school districts*

- Contract for up to 20 years – solves the one year contract limit applicable to many GA gov. units

- ESCO guarantees that cost savings or revenue increases will meet or exceed project cost within the financing term

- * One of many options available for local governments.
“Energy conservation measure” means a program, or facility alteration, or technology upgrade* designed to reduce energy, water, waste-water, or other consumption or operating costs. The term may include, without limitation:

- Insulation, windows, doors, energy control systems, HVAC, lighting, water and sewer.
- Training program.
- A program to reduce energy costs through rate adjustments, load shifting to reduce peak demand, or use of alternative suppliers** as otherwise provided by law.
- Renewable generation systems owned by the governmental unit, such as solar photovoltaic, solar thermal, wind, and other tech.**

* “Program, or …Technology upgrade” – we’re not just talking about buildings.

** Must understand and comply with Georgia Territorial Electric Service Act of 1973 and Georgia Cogeneration and Distributed Generation Act of 2001. I have another presentation on these Acts if anyone would like a copy. The ESPC Act requires notice to utility providers of ESPCs.
How does that impact me and my clients?

The State is going slow and setting a cap on the aggregate amount of ESPC funded improvements by State Agencies.

ESCOs are all revved up to go in Georgia and the State’s slow go process has them beating down the door of entities that own lots of facilities:

- Cities
- Counties
- School Boards
- Hospitals

Walk through the convention vendor area and count the ESCOs and other efficiency service providers.

That’s not a bad thing unless you let the ESCO drive. Local governments have many more options than State Agencies or the Federal Government and have access to independent experts.
Georgia ESPC Legislation

- Expressly provides that “The provisions of this chapter shall apply only to contracts entered into by a governmental unit pursuant to the authority granted by this chapter.”

- Parts of the ESPC Act are different for State Agencies and Local Governments.

- Examples:
  - RFPs from at least two qualified energy services providers if available
  - public advertising
  - not required to use GEFA prequalified ESCOs

- Method of getting around certain State Agency multi-year contracting limitations; Local Governments have other options

- Like Federal ESPCs not really designed for Local Governments
Georgia ESPC Legislation

- State Agencies are subject to GEFA Regs and Review
  - GEFA - tasked with prequalifying Qualified ESCOs

- GEFA - regs and policies necessary to carry out ESCO Act contracting and procurement procedures for State Agencies

- GEFA - provide technical assistance to State Agencies

- GEFA - develop model contractual and related documents for use by State Agencies.

- State Agencies required to proposed contract or lease to GEFA for review and approval
Georgia ESPC Legislation

- GSFIC is authorized to establish certain financial criteria and policies related to State Agency ESPCs
- No State Agency ESPCs may be entered into before GEFA and GSFIC regs and policies
- State Agency ESPCs are expressly subject to appropriation limitations
- Noncompliant ESPCs are “void and of no effect”
The Georgia Environmental Finance Authority (GEFA) is pleased to announce the companies selected for the Guaranteed Energy Savings Performance Contracting (GESPC) prequalification list. Companies on the prequalification list are eligible to compete for future GESPC solicitations issued by the state of Georgia.

The initial GESPC prequalification list includes: AECOM, Chevron Energy Solutions, ConEdison Solutions, Constellation Energy, Eaton Corporation, Energy Systems Group, Honeywell, Johnson Controls, Linc Mechanical, NEXTera Energy Services, Noresco, Pepco Energy Services, Schneider Electric, Siemens and Trane.”
Potential Issues:

• Guarantee: Tool built for the Feds and State and not your clients – the “guarantee” was the reasoning behind creating the appropriations loophole, but has less utility for others.

• Guarantee is only as good as the ESCOs credit and the verification process.

• Guarantee is optional and costs $: why buy it if your client is confident that the technology will achieve the desired result.

• ESCOs may be partial to their technology and have unnecessary blinders on as to broader or innovative O&M savings opportunities.

• Local Governments have many more financing options than the Feds, so financing through the ESCO is one of many options.

• Many ESCOs are relatively new to Georgia and are not familiar with the other local gov options.
Guaranteed Energy Saving Performance Contracting

- Main Goal: O&M Cost Savings and Sustainability/Stewardship
- Traditional approach not originally designed for your clients
- Service provider (ESCO) may be too narrowly focused as to technology, goals and options
- One of many options in procuring and financing O&M savings and efficiencies
- Be proactive and comprehensive
The Guaranteed Energy Savings Performance Contracting Act, which is not being used to its fullest extent and is more limiting than other local government option provides, that:

“Energy conservation measure” means a program, or facility alteration, or technology upgrade designed to reduce energy, water, waste-water, or other consumption or operating costs.”

The Point: Don’t be limited in your thinking about potential O&M cost saving opportunities
“Facility Alteration… designed to reduce … operating costs”

One definition of “Facility” is “something designed, built, installed, etc., to serve a specific function affording a convenience or service”

Buildings

- Efficiency (energy and water savings retrofits)
- Customer generation/distributed generation
- Cogeneration

Other Facilities

- Water and waste water treatment – solar
- Landfills – pipeline quality gas (sell to utility, generate your own electricity or fuel vehicles)
“Facility Alteration… designed to reduce … operating costs”

Equipment

• Fleets (solid waste, police, fire, other) – alternative fuel vehicles (AFVs) and open it to the public for revenue/to offset costs

• Smart grid (water/electric/gas) and radio frequency (RF) and automated meter reading (AMR)

• Street lights (LED/solar)

• Parking meters (solar)
“program, ...or technology upgrade designed to ...consumption or operating costs”

Your City Citizen’s Property

• Property Assessed Clean Energy (PACE) Financing (see the Clean Energy Atlanta Program: https://ygrene.us/ga/atlanta)

• On-Bill Utility Financing (muni utilities frequently sell discount appliances to promote electric or gas use. Efficiency improvements are permitted too. See e.g., the City of Thomasville, Georgia’s Program through Electric Cities of Georgia, Inc. or the Municipal Gas Authority of Georgia program.)
  • What about AFVs and home charging/fueling stations?

* See recent changes to Development Authority and DDA Law (O.C.G.A. § 36-42-3 and 36-62-2)

Other Programs/Technology Upgrades

• Software – (example work order management (HiperWeb though ECG; see http://www.ecoga.org/Content/Default/28/68/0/hiperweb/hiperweb.html))

• Training for City Employees

• Training for the Public
Guaranteed Energy Saving Performance Contracting

- Main Goal: O&M Cost Savings and Sustainability/Stewardship
- Traditional approach not originally designed for your clients
- Service provider (ESCO) may be too narrowly focused as to technology, goals and options
- One of many options in procuring and financing O&M savings and efficiencies
- Be proactive and comprehensive
### ESPCs: One of Many Options

There’s no reason that local government’s traditional financing options can’t be used for efficiency/operational savings projects.

<table>
<thead>
<tr>
<th>Traditional “non-appropriations” lease financing, e.g., GMA or ACCG COPs programs. See O.C.G.A. § 36-60-13.</th>
<th>Many building improvements and equipment/vehicle purchases are made this way. The equipment/vehicle provider is willing to be the lender for these transactions in many cases. Be wary of the “guaranteed” part of ESPCs, which are optional, complex and in many cases unnecessary, i.e., a waste of money. The details of the verification process are the key.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue bonds under the “Revenue Bond Law” (O.C.G.A. § 36-82-60) or other applicable law. Available if there is a revenue component to your transaction, e.g., CNG or EV filling/charging station that is made available to the public or a limited number of private entities.</td>
<td>There are two versions of this: A true revenue deal like the revenue bonds described above except another local government is a customer (note: Ga. intergovernmental contracts are GO obligations unless expressly not). See the Intergovernmental Contracts Clause of the Ga. Const.</td>
</tr>
</tbody>
</table>
### ESPCs: One of Many Options (cont.)

<table>
<thead>
<tr>
<th>Back door general obligation (GO) revenue bonds through an intergovernmental contract or intergovernmental contracts</th>
<th>The second version merely uses a conduit issuer like a development authority or other authority to create a GO obligation from the true party getting the benefit of the project, e.g., the recent school district solar project in Dublin through the Dublin-Laurens Development Authority. This structure bypasses the referendum requirement for standard GO bonds.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traditional GO Bonds (hell or high water, full tax base pledged bonds).</td>
<td>The project could be the only thing financed, but more typically would be part of many projects to get the largest aggregate lending amount, which attracts more lenders/bond purchasers.</td>
</tr>
<tr>
<td>Special Option Sales Tax (SPLOST) Bonds.</td>
<td>Simply bonds sold with sales tax pledged in lieu of other credit.</td>
</tr>
<tr>
<td>Also look to combine with grants and for opportunity to share the benefits of Federal, State and Local tax and other incentives with private partners</td>
<td>In other words, know what incentives the private side of your projects are benefiting from and extract what economic benefit you can. Also, look for private incentives that a local government can’t take advantage of, but can be assigned to private partners.</td>
</tr>
</tbody>
</table>
Other Options

- Service Agreements (proprietary)
- Fuel cost commodity hedging
- Rate evaluations
Dublin High School Project
Medium Scale Example: Larger commercial customers or developers
(100kW to 1 MW)

Education notebook: Dublin schools break ground on solar project
“Dublin city school … Solar panels will be installed on the roof and on the grounds of Dublin
High School, and they are expected to be up and running by June…”

• Size: Approx. 1 MW
• Financing: Development Authority Revenue Bonds
• Security: 25 year intergovernmental lease
• Projected savings $3.5 million over term
• Equipment supplier: MAGE Solar, a German company with offices in Dublin
• Equipment owner/lessor: Greenavations, a Macon-based alternative energy company
• Likely legal structure:
  • Greenavations – Lessor (possibly lender/bond purchaser)
  • Development Authority – Lessee
  • School District - Sublessee

Source: The Macon Telegraph, March 17, 2013, By Staff : http://www.macon.com/2013/03/17/2400414/dublin-schools-break-ground-on.html#storylink=cpy
Other Examples

City of Albany, Dougherty County and School District – Joint RFP for Energy Savings

“Scope of Services

Three separate entities; the City of Albany, Dougherty County School System and Dougherty County Government, seek to identify and implement capital improvements to reduce energy and operational costs in addition to and including the information attained from the attached Electric Cities of Georgia audit that was completed in April 2013. The entities seek to identify energy conservation measures (ECMs) and related operational savings in order to pay for facility upgrades and services.” See www.dougherty.k12.ga.us/purchasing/FacRFP/13-058.pdf.
Other Examples

• Converting vehicle fleets and other equipment that burn gasoline, diesel or propane to compressed natural gas.

• Several Cities (I’m aware of approx. 10) are currently in various phases of study respecting projects like this, including Covington, Dublin and Thomasville.

• PSC Commissioner just completed a Alternative Fuel Vehicle and Clean Energy Roadshow in 7 different Georgia cities
Guaranteed Energy Saving Performance Contracting

- Main Goal: O&M Cost Savings and Sustainability/Stewardship
- Traditional approach not originally designed for your clients
- Service provider (ESCO) may be too narrowly focused as to technology, goals and options
- One of many options in procuring and financing O&M savings and efficiencies
- Be proactive and comprehensive
Energy/Efficiency/Operation Strategies

• Convergence of available and proven technologies and low interest rates means unique opportunities to develop cost saving plans.

• The larger the aggregate value of the deal and the shorter the financing term the easier it will be to finance the project, so consider combining with other improvement or refinancing transactions.

• Consider intergovernmental contracts or cooperation to maximize deal size to attract financing and more ESCOs to compete with each other. Other efficiencies include likely having common utility providers for single rate analysis and negotiation/collective bargaining and common conditions, e.g., weather and time of use of facilities.
Energy/Efficiency/Operation Strategies

Consider:

- County Wide or Region Wide Comprehensive Energy Plans and Community Wide Independent Energy Audits

- The Service Delivery Strategy Law as a forum for discussing and funding plans and audits

- Available nonprofit, independent energy experts in the state (e.g., GMA, Electric Cities of Georgia, Inc. (ECG) and Municipal Gas Authority of Georgia)
  - Example ongoing Albany, Dougherty County and School District joint ESCO RFP with the assistance of ECG

- Consider your local government utility providers and potential for choice of energy provider
Energy/Efficiency/Operation Strategies

Consider:

• Flexibility of negotiating governmental rates with local govern utilities, which are not available with IOU (i.e., GPC or natural gas marketers)

• Economic development benefits and financial and non-financial incentives, e.g., express permitting or customer service to existing “key customers.” Alternatives to tax abatements should be considered given equipment depreciation cycle.

•
Did you know?

- **Ga. Territorial Electric Service Act of 1973**
  - Provides for exclusive service areas for each electric service provider (GPC, EMC and Municipals) with limited exceptions, e.g., large load customer choice and corridor (existing line) rights.
  
  - Also, provides protections from discrimination by electric providers.

- **Ga. Cogeneration and Distributed Generation Act of 2001**
  - Provides that customers that generate their own electricity may use that electricity free from most PSC regulation.
  
  - Also, provides for the process by which customer generators may sell electricity back to an electric supplier in certain circumstances.
Did you know?

• You can develop your own robust or limited electric or natural gas utility.

• That solar developers are calling your clients looking for incentives to develop projects to participate in Georgia Power’s Solar RFP.

• That electric vehicle and natural gas vehicle developers are calling your clients to sell vehicles and for help in developing charging/fueling stations.

• That it is possible to arrange for your local municipal electric provider to be your supplier for existing public facilities and not just new “customer choice” facilities.
Guaranteed Energy Saving Performance Contracting

- Main Goal: O&M Cost Savings and Sustainability/Stewardship
- Traditional approach not originally designed for your clients
- Service provider (ESCO) may be too narrowly focused as to technology, goals and options
- One of many options in procuring and financing O&M savings and efficiencies
- Be proactive and comprehensive
PKF - Other Presentations and Events

- Alternative Fuel Vehicle Roadshow on Transportation and Clean Fuels – Georgia Local Government Financing Options - June 3-21, 2013
- Utility Perspective: June 6, 2013
- Sustainable Cities – Model Municipal Service Terms and Charter Provisions - October 21, 2013
- Solar Programs in Georgia and Proposed Amendments to the Georgia Cogeneration and Distributed Generation Act and Electric Territorial Act - March 18, 2013
- Innovative Smart Grid Projects - November 7, 2012
- Are you ready to be deposed - Engineering & Operations Exchange - June 11-13, 2012
- Finance 101 Forum for Utility Managers - May 2, 2012
- Update on the Deployment and Use of Smart Grid Technology in Georgia - October 17, 2011
- Sustainable Cities - GMA Annual Convention - June 25-28, 2011
- Green Building Focus - February 24, 2011
- Georgia’s Constitutional Amendment 4: Guaranteed Energy Savings Performance Contracting - February 23, 2011
- Energy & Sustainability Advisory: Energy Efficiency and Conservation – Successful Legislative Session in Georgia - November 10, 2010
- Georgia Territorial Electric Service Act 101 - August 27, 2009

- Green Building Focus - February 24, 2011
- Georgia’s Constitutional Amendment 4: Guaranteed Energy Savings Performance Contracting - February 23, 2011
- Energy & Sustainability Advisory: Energy Efficiency and Conservation – Successful Legislative Session in Georgia - November 10, 2010
- Georgia Territorial Electric Service Act 101 - August 27, 2009
Questions:

Contact:

Peter K. Floyd, Esq.
Phone: 404-881-4510
E-mail: peter.floyd@alston.com

Alston & Bird LLP

www.alston.com

Atlanta • Charlotte • Dallas • Los Angeles • New York • Research Triangle • Silicon Valley • Ventura County • Washington, D.C.