Energy Policy and Law
UST 693/LAW 703

Fall Semester, 2015
Levin College of Urban Affairs/Marshall College of Law
Cleveland State University
UR Room 108
4:00-5:50 P.M.
Monday, Wednesday
4.0 Credit Hours

Instructor: Andrew R. Thomas, J.D., Director – Energy Policy Center, Levin
College of Urban Affairs.
Office: UR 132
Office Phone: 687-9304; Cell phone: 216-544-2643
Email: a.r.thomas99@csuohio.edu
Office hours: Generally available weekdays. Please email or call for appointment.

This course reviews policies and laws related to energy generation, distribution and
consumption, including the transition from fossil fuel to renewable energy generation.
Focus will be primarily on laws and policies relating to the stationary power generation
and transportation sectors, including electricity, oil and natural gas. The focus will also
be on understanding the future of energy, likely changes from disruptive technologies,
and the geopolitical implications of how we generate and use energy.

The objectives for the students are to develop an understanding of:

- The forces that shape energy law and policy.
- How legislation, regulations and case law set energy policy.
- The diverse technical approaches for generating, storing, and utilizing
  energy, especially from renewable sources, and about the economic
  circumstances associated with each approach.
- What policies have been proposed and enacted to promote efficiency and
  renewable production.
- The social and economic effects of paradigm shift in energy generation
  and usage.

Content will be presented in a series of lectures, followed by discussions of policy and
case law. Students will be expected to read assigned materials before they are covered
in class, and to participate in discussions. Students will also prepare a final paper and
presentation on a chosen area of energy policy.

Papers should be approximately 15 pages long (1.5 line spacing and 12 font size)
presented in a style consistent with your college research format (e.g. for law students,
law review format). Presentations will be approximately 45 minutes each, including questions.

Textbook: *Merchants of Doubt*, Erick M. Conway, Naomi Oreskes, Bloomsbury Publishing

Additional reading materials will be provided in the form of urls for internet sites, or through distribution in class. There will be selected case law, statutes, and commentaries that we will review in preparation for each class. These will be provided to you either by email or by hand delivery in advance of class. You will be notified of additional reading assignments on a week-to-week basis. In addition, students may be asked to follow and report upon breaking energy news as it develops.

*Energy is at the forefront of policy in both State and Federal government, and is constantly in the news. Accordingly, much of the class discussion will be based upon recent articles or blogs that will be sent to you by email on a regular basis. Please be sure to look for emails from me each week, as the materials will be changing throughout the course.*

### Class Schedule
*(Subject to Change)*

<table>
<thead>
<tr>
<th>Topic</th>
<th>Reading Preparation</th>
<th>Class discussion</th>
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<tbody>
<tr>
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<tr>
<td>&quot;The Struggle for Arctic Riches&quot; by</td>
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<tr>
<td>Week</td>
<td>Dates</td>
<td>Syllabus</td>
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<tr>
<td>3</td>
<td>Weeks 5 &amp; 6 - September 21 to September 30.</td>
<td>Climate and CO2</td>
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</table>
| Renewable Energy | **SB 221 and Renewable Energy** | **Portfolios; feed in tariffs; carbon cap and trade.**
| Wind, Solar and hydroelectric power | Biomass |
| Patrick Schwageri, *The Death of the Kyoto Process*, Speigel International: [http://www.spiegel.de/international/world/0,1518,792224,00.html](http://www.spiegel.de/international/world/0,1518,792224,00.html) |  |
| Guest Lectures:  
(1) Dr. Bill Bowen, Cleveland State University College of Urban Affairs, on: the science and regulation of global warming.  
(2) Ben Hobbs, Bold Alternatives: Solar Power Industry |  |
| Centralized Generation. | Maregonelli: “Gray Power”
http://www.recycled-energy.com/newsroom/news-item/the_case_for_gray_power/ |
|------------------------|-----------------------------------------------------------------|
| Storage of electricity | Guest Speaker:
(1) TBA – centralized generation
(2) TBA – distributed generation |

<table>
<thead>
<tr>
<th>SB 3, 221, 315 and 310.</th>
<th>Combined Heat and Power</th>
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<tbody>
<tr>
<td></td>
<td>Energy Efficiency</td>
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<tr>
<td></td>
<td>Batteries</td>
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<td></td>
<td>Regulatory laws dealing with energy storage, smart grid</td>
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| 5 Weeks 9 & 10 – October 19-28. | "The End of Automania" by Bradford Plumer:
http://www.tnr.com/blog/the-vine/79419/the-end-automania |
|-------------------------------|-----------------------------------------------------------------|
| Oil and Natural Gas; Shale formation development | "Fossil Fuel Subsidies Still Dominate" by Bradford Plumer:
| Gulf Oil Spill | Andrew Morris, *Gasoline, Markets and Regulators*, University of Illinois College of Law. |
|                        | ▪ Reasons for oil paradigm. |
|                        | ▪ Security and environmental limitations of fossil fuels in transportation sector |
|                        | ▪ Peak oil and the policy problems related thereto |
|                        | ▪ Changing role of natural gas in energy consumption. |
|                        | ▪ The effects of shale plays and environmental controversies related thereto |
"Kaboom" by Steve Levine:  

DOE study on fracking and contamination of drinking water –  

Guest Speakers:

1. Shale Economics -- TBA.
2. Jim Halloran – Understanding Public Policy and Real Subsidies for the Oil and Gas Business

| 6 | **Weeks 11 & 12 – November 2-11.**  
(No class on 11/11)  
Guest speakers:  
| 7 | **Weeks 13-14 – November 16-25.**  
Economic Impact of Energy Policy  
Role of Energy in Economic Development  
Clean Energy Spurs Investments in Ohio,”  
Manufacturing Powers Clean Energy,”  
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Manufacturing Powers Clean Energy,”  
Excerpts from Cleveland State University study on the economic impact of shale development in Ohio.

Guest Speakers:
(1) Dr. Iryna Lendel, Assistant Director, Levin College Center for Economic Development, on: job creation from shale development.

Student Presentations

<table>
<thead>
<tr>
<th>Week 15</th>
<th>Student Presentations</th>
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<tr>
<td>November 30-December 2.</td>
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<table>
<thead>
<tr>
<th>November 23</th>
<th>Papers Due</th>
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<tbody>
<tr>
<td>Dec 7</td>
<td>Final Exam</td>
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Make up date for Presentations

Dec 14 Final grades due

**Grades**

Grades will be determined based upon the following: 70% written presentation, 30% oral presentation. There is no specific requirement for class participation, however classes are small, so students will be expected to engage in policy dialogue. *Note: law students have special attendance requirements that are required for accreditation.*

Grading Scale:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>A</td>
<td>94-100%</td>
</tr>
<tr>
<td>A-</td>
<td>90-93</td>
</tr>
<tr>
<td>B+</td>
<td>87-89</td>
</tr>
<tr>
<td>B</td>
<td>83-86</td>
</tr>
<tr>
<td>B-</td>
<td>80-82</td>
</tr>
<tr>
<td>C+</td>
<td>77-79</td>
</tr>
<tr>
<td>C</td>
<td>70-76</td>
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<tr>
<td>D</td>
<td>60-69</td>
</tr>
<tr>
<td>F</td>
<td>&lt;60</td>
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**University Policy Statements:**
**Plagiarism**
The CSU Student Handbook defines plagiarism as follows:
Plagiarism – Stealing and/or using the ideas or writings of another in a paper or report and claiming them as your own. This includes but is not limited to the use, by paraphrase or direct quotation, of the work of another person without full and clear acknowledgment.

The penalties for plagiarism are found in full in the Student Handbook under Academic Regulations (Policy on Academic Misconduct) at the following link:

For further information, see Writing Center web page on plagiarism: [http://www.csuohio.edu/academic/writingcenter/WAC/Plagiarism.html](http://www.csuohio.edu/academic/writingcenter/WAC/Plagiarism.html)

**Students with Special Needs**
“Educational access is the provision of classroom accommodations, auxiliary aids and services to ensure equal educational opportunities for all students regardless of their disability. Any student who feels he or she may need an accommodation based on the impact of a disability should contact the Office of Disability Services at 216/687-2015. The Office is located in MC 147. Accommodations need to be requested in advance and will not be granted retroactively.” Students should notify the instructor as soon as possible if they have been granted an accommodation through the Office of Disability Services.

**Fall Semester 2015**

**Important Dates**

- **First Weekday Class**: August 24, 2015
- **Last Day to Join a Course Waitlist**: August 28, 2015
- **Last Day to Drop with Full Refund**: August 28, 2015
- **Last Day to Add (CampusNet Registration)**: August 30, 2015
- **Last Day to Drop**: September 4, 2015
- **Course Withdrawal Period Begins - 'W' Grade Assigned**: September 5, 2015
- **Last Day to Withdraw from Courses**: October 30, 2015
- **Midterm Grades**: October 12-18, 2015
- **Last Day of Classes**: December 4, 2015
- **Final Exams**: December 7-12, 2015
- **Commencement (Sunday)**: December 13, 2015
- **Fall Semester Student Incomplete Work Deadline**: May 6, 2016
- **Labor Day (University Holiday)**: September 7, 2015
- **Columbus Day (Tuesday no classes - offices open)**: October 13, 2015
Veterans Day (University Holiday - Wednesday)  November 11, 2015
Thanksgiving Recess (no classes on Saturday)  November 26-29, 2015