Registration information
Conference Registration
EML Fall Conference registration fee includes meeting materials, refreshment breaks, hosted luncheon Thursday and hosted reception Thursday evening. Registration and $30 payment required for the Kentucky Coal Association luncheon on Friday.
Through Sept 26
After Sept 26
General Registration fee
$440
$480
EML Member fee
$340
$350
Government/NGO (landman)
250
300
Young miner (5 years or less)
250
300
Law Faculty/Better
250
300
Late student
75
125
Materials only
100 (Without materials will be returned by the conference (10% shipping charge will be added))
KCA Friday luncheon
30
50

Accommodations
Marriott Griffin Gate Resort
$185 per night, single or double plus state and local taxes
1800 Progress Park, Lexington, KY 40509
Call hotel at 800-222-5280 or 859-251-5100 and ask for EML Fall room block which is September 26–28 whenever sell-out occurs. Make your reservations early.

While in Lexington, enjoy visiting at Keeneland, October 5–26 post time 1:15, visit the Kentucky Horse Park or tour the Lexington horse farms.

Program Planning Committee
• Stephen G. Allen, Pregin Chair, Silos & Bartenso, PLLC, Lexington, KY
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• If registering by fax, dial 859-226-0485
• If registering by mail, send form and payment to EML: 340 South Broadway, Suite 101, Lexington, KY 40508

Cancellation policy
Full refunds less a $59 administrative fee will be given for written registration cancellations received by September 30. No registration cancellations will be made thereafter, but substitutions can be made by calling the Foundation at 859-231-0771. Persons not entitled to any refund will receive a copy of the conference and meeting materials. EML members who cancel their registrations after September 30 may apply their registration fees, less $75, to any future EML program.

Mandatory CLE and Professional Credit
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2:45 p.m. Carbon Constraints and the Future of Coal
This session examines Kentucky's vulnerability to the coming carbon market both as a producing state and one that relies almost entirely on coal-fired power generation for its electricity supply. It addresses the feasibility and viability of coal beyond the market as a strategic resource for the state, and discusses the ongoing and upcoming regulation that is designed to increase the efficiency of coal plants while reducing their emissions.

3 p.m. Break

3:45 p.m. A Controversial Take: The AEP Jackson Ferry—Winning 760 kV Electric Power Transmission Line Building the transmission line infrastructure necessary to supply the growing demand for electric power to the U.S. involves a complex of legal, political and financial risks. This session discusses the description and analysis of American Electric Power in building its 760 kV electric transmission line through parts of Virginia and West Virginia - a story from start to finish - ten years later.

4:30 p.m. Break

4:45 p.m. Professional Ethics
Serving Two Masters: Ethical Considerations for Regulatory Representatives in this session discusses the employee's right to representation and its implications under the Model Rules of Professional Conduct.

5:15 p.m. Return to Welcome Reception and...
Program schedule
Thursday, October 15 — General Session
8:30 a.m. Welcome and Introduction
8:30 a.m. Stephen Allen, Program Chairman; As & Barlow; PLLC, Lexington, KY
9:00 a.m. From the Highest Court
The recently noted United States Supreme Court’s most recent decisions and their projected future implications on the mineral industry will be discussed.
Helene E. Rice, Wyatt, Tarrant & Combs, LLP, Lexington, KY
9:00 a.m. What Do Lawyers Do Right and What Do Lawyers Do Wrong in Dealing With Their Clients
Mediator: Dan Stidler, Jackson Kelly PLLC, Charleston, WV
Roger L. Needleman, General Counsel, Contour Oil, Inc., Scott Depot, WV
Vahid G. Gooren, General Counsel, Alpha Natural Resources, LLC, Abingdon, VA
Nicholas Healy, President, Wilco Energy Services, PLLC, Fayetteville, AR
David Stinson, General Counsel, Trinity Coal Partners LLC, Scott Depot, WV
Jeffrey W. Wagner, General Counsel, Panhandle Coal Co., Philippines, PH
10:00 a.m. Break
10:15 a.m. Recent Developments in Reasonable Accommodation and Correlative Rights of Surface and Mineral Owners
As property development advances, the number and complexity of mineral development is occurring or where severed estates exist, the long-standing issue of the surface owner’s rights vis-à-vis the mineral owner’s rights to develop that mineral in conflict. This presentation discusses current developments in the law of “reasonable accommodation” of both surface owner and mineral owner, such as the new legislation from West Virginia.
Martin C. Cunningham, III, Greensboro Doll & McElravy, PLLC, Lexington, KY
Shane O. Flanner, Johnson & Powell PLLC, Charleston, WV
Gary Sgigi, Senior Vice President, Mohawk Coal Companies, Clay, WV, US Coal, Inc., Gin, Pittsburg, PA
11:00 a.m. Conflicts in Mineral Development
In American Energy Corp. v. Bekins, 135 S. Ct. 2150, 122 L.Ed.2d 491 (2015), MinedeMo, a surface owner, claims an underground mining company has an owner to plug and cap a well that is not commercially productive, it interferes with its owner’s mining and the Corps of Engineers concluded the company’s actions and the language of the deed affected the rights. William M. Mates, Disches & Shul, LLP, Columbus, OH
11:30 a.m. Restrictive Covenants and Trade Secrets
A review of the law governing the propriety of restrictive covenants in the employment law setting and the increasing need to protect trade secrets.
Kevin A. Douglas, Bolen, Blevins, Caudle & Zimmie, P.C., FAYETTE COUNTY FAYETTE CITY, KY
Noon
Hosted Luncheon & Good Speaker
1:00 p.m. Fundamentals of Carbon Capture and Sequestration
This talk will stress the carbon capture and sequestration industry, as well as the continued use of fossil fuels. This presentation is designed to provide a primer for lawyers on the CSF process, in nature, limits and impacts on the environment.
Michael J. Miller, P.E., Harwell Miller & Associates, Kingston, TN
2:00 p.m. Creative Strategies for State Level Regulation of Carbon Sequestration
As Congress has taken a leave on carbon capture and sequestration legislation, states are also moving toward legislation to meet the needs and demands promised. This presentation will focus upon state’s efforts to develop and promote carbon capture as a solution to manage carbon emissions.
Kathy G. Bocket, Jackson Kelly PLLC, Charleston, WV
2:45 p.m. Carbon Constraints and the Future of Coal
This session examines Kentucky’s vulnerability to the remaining carbon-latent marketplace as a producing state and one which relies almost entirely on coal-fired generating capacity for electricity generation. (Mention the Dobbs U.S. Supreme Court decision in Dobbs v. Dunbar, 136 S. Ct. 2980.) This presentation examines the potential for negative environmental impacts from the adoption of coal-based technology to enhance energy security and sustainability.
Tom FunGlass, Kentucky Resources Council, Frankfort, KY
3:45 p.m. Break
3:50 p.m. A Cautionary Tale: The AEP Jackson Ferry-West Virginia 765 kV Electric Power Transmission Line Building the transmission line infrastructure necessary to supply the growing demand for electric power to the U.S. involves a variety of legal and technical issues. This presentation describes the technical and financial accomplishments of America Electric Power in building its 765 kV electric transmission line through parts of Virginia and West Virginia. -from start-to-finish—with key developments.
Kenneth E. McLaughlin, Assistant General Counsel—Real Estate, American Electric Power Service Corporation, Columbus, O
4:30 p.m. Break
4:45 p.m. Professional Ethics
Serving Two Masters: Ethical Considerations for Registrants in Regulatory Investigations. This session discusses the employee’s rights to representation and its implications under the Model Rules of Professional Conduct.
Robert C. Casci, Director, U.S. Public Policy, Environmental Defense, Washington, DC
6:00 p.m. Welcome Reception Hosted by EMLF Members for Conference Registrants and Kentucky Coal Association Members

Friday, October 16 — Concurrent Tracks
Oil & Gas Law
8:00 a.m. Oil and Gas Law Update
An update on recent developments in the law of oil and gas.
9:45 a.m. Pipeline Regulations and Restrictions on These Servitudes
What circumstances are appropriate where a servitude such as oil or gas is granted may inappropriately be restricted, the impact of the servitude on the property and the right to protect an easement by filing, etc., and recent court decisions that may narrow those servitudes.
Michael Angeles, Beshear LLP, Hills Church, VA
9:30 a.m. Break
9:45 a.m. Urban Drilling and Local Regulation of Oil and Gas Operations
As oil and gas drilling continues to expand previously undeveloped areas, more and more attention is being focused on “urban drilling.” In the wake of the North Dakota Energy Corporation barge drilling at various locations throughout Ohio, the Ohio Public Utilities Commission, the Ohio Attorney General, and the Cincinnati Board of City Engineers have all taken an interest in prohibiting or restricting oil and gas drilling in urban areas. Municipalities and other local government are recognizing that citizens express concerns in these untried circumstances over regulated and unregulated local drilling regulations. The presentation will address the legal issues presented by such regulations and the extent to which such drilling clarifies, and addresses conflicts that result when local governmental jurisdiction over property that is said to provide natural gas.
John S. Roller, Terry, Amy, Seymour & Powell, PLLC, Columbus, OH
10:30 a.m. Minerals Law
11:15 a.m. Mineral Interest Conveyance: What Exactly Is the Mineral and How Much Was Conveyed?
“Minerals” may have different meanings in identical deeds given at different times or under different circumstances, or in different jurisdictions. This presentation examines the various definitions offered by different courts. What are the criteria for determining mineral ownership and the familial interest? Who is the owner of more minerals? Does the Rule apply for mineral rights? In this session the speaker will examine the interpretation of “mineral” or “oil, gas and other minerals” for the purposes of determining ownership, and interpreting ambiguous fractional conveyances.
Daniel A. Jones, Payette Brown & Green, LLP, Salt Lake City, UT
11:15 a.m. Regulation of Oil and Gas Partnerships and Securities
Involves continues to focus on the energy industry, and oil and gas partnerships and securities have always had their share of fame. This presentation will explore some of the trends and efforts being made to regulate these partnerships and will discuss some of the issues involved.
Collin Keen, Legal Counsel, Office of Financial Institutions, Frankfort, KY

Coal Track
8:00 a.m. Coal Law Update: Recent developments in coal law and regulation
Cameron’s B. Peel, Powell & Ederle, Lexington, KY
9:30 a.m. MSHA Update
This session focuses on current MSHA regulations and activities.
Mark E. Heath, Speckels, Thomas & Ball, PLLC, Charleston, WV
10:30 a.m. Recent Cases
Does the recent imposition of OSHA Violations against the federal Mine Safety and Health Administration (MSHA) change, with new rules, or is this an overtaking of the current regulatory environment?
Robert R. Bryan, Jr., Duncan & Duff LLP, Morgantown, WV
11:30 a.m. Members of the Kentucky Coal Association joint session
9:45 a.m. Developments in Black Lung Eligibility, Regulatory Issues, and Black Lung Disability
This presentation will focus on recent developments in black lung eligibility, including interpretations and implementation of the regulations issued over the last 20 years. The session will also include discussion and analysis of the current status of the federal black lung eligibility status in other states and their potential impact on the West Virginia coal industry.
Timothy C. Gobbett, Beaty O’Donnell & Draper, Charleston, WV
10:45 a.m. Coal Market Developments and the Impact on the Appalachia and Illinois Basin
Potential coal-legal limitations and incentives, alternative energy, greenhouse gas legislation, MSHA legislation and regulations, Corps of Engineers’ authority and heliﬁ life limits, subsidies coming on line, a presidential decision—what does all mean for an operator in Appalachia or the Illinois Basin? While the EPA has barred new coal of the former coal, it has been restored as a matter of priority as one of the priorities being done. This presentation will cut through the hype and explain what all means for coal production.
William R. Webster, Market Study Specialist, John F. Cook and Company, Raleigh, NC
11:00 a.m.
11:15 a.m.
12:30 p.m. Kentucky Coal Association Luncheon
Separate reservations required
Guest Speaker: Kenneth J. Needham, Executive Director, Three Rivers Energy Board, Newtown, GA

Save the Dates!
January 24-25, 2008
West Virginia Wesleyan College
Sandusky Ball & Grill Resort
Sandusky Island
Florida Group Reservations:
800/978-7183
May 8-10, 2008
20th Annual Institute
Disney’s Boardwalk Resort
Lake Buena Vista, Florida
Group Reservations:
800/794-3372

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Through Sept 26
Min. Sept 26

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$440
$400

EML Member fee
340
300

Government/NGO/Lawmakers
250
300

Young Lawyers (3 years or less)
250
300

Law Faculty/Barrister
250
300

Last student
75
125

Materials only (without meals will be sold after the conference; UFT shipping charge will be additional)
KCA Friday luncheon
30
50

Accommodations
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Three Ways to register
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- If registering by fax, dial 859-226-0483
- If registering by mail, send form and payment to EML, 340 South Broadway, Suite 101, Lexington, KY 40508

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- Marion D. Carter, Womack, Scott & Cox, LLP, Lexington, KY
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- Mary Sue Stoughton, Nilsen Corporate Services, Charleston, WV
- Gil Brown, Wells, Womack, Scott & Cox, LLP, Lexington, KY
- Scott W. Williams, Womack, Scott & Cox, LLP, Lexington, KY
- Fred T. Pilch, PLLC, Lexington, KY
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Energy & Mineral Law Foundation
340 South Broadway, Suite 101 Lexington, KY 40508

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340 South Broadway, Suite 101
Lexington, KY 40508

32nd Mineral Law Conference
October 18-19, 2007
Marriott Griffin Gate Resort
Lexington, KY

32nd Mineral Law Conference
October 18-19, 2007
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Energy & Mineral Foundation
Yes, I want to attend the 32nd Mineral Law Conference

Name: 
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Address: 
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Friday & KCA luncheon ($30)
Table for (2) Credit

You may pay by: check or credit card. EML accepts MasterCard, VISA or American Express.
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Registration information

Conference Registration

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Through Sept 26 
After Sept 26

EML Member fee 
Government/NSP/Landman 
Young lawyer (15 years or less) 
Law Faculty/Retiree 
Law student

440 
340 
250 
250 
75 

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Government/NSP/Landman 
Young lawyer (15 years or less) 
Law Faculty/Retiree 
Law student

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