



Business Information
In A Global Context

Nuclear New Build

Legal, Regulatory and
Contractual Issues for the UK Supply Chain

26 – 27 January 2010 | Guoman Charing Cross Hotel | London, UK

INDUSTRY PERSPECTIVES



Jean MacDonald
General Counsel
EDF Energy



David Boone
UK Nuclear Director
Fluor



Graham Honeyman
CEO, Sheffield Forgemasters
International



Adrian Worker
Programme Director
UK Nuclear New Build, Amec



James Locke
Nuclear Generation Manager
Mott Macdonald



Philip Veale
Head of Power
Utility and Practice Leader
AON



Robert Davies
UK Country Director
Areva



Martin Grant
Nuclear Manager
Atkins Global



David Bonser
Chairman
Westinghouse UK

REGULATORS AND GOVERNMENT REPRESENTATIVES



Adam Dawson
Head – New Nuclear, Office
for Nuclear Development
Department of Energy
and Climate Change



Norman Harrison
Member
Nuclear Liabilities Financing
Assurance Board



Roger Clayson
Interim Head of Legal
Nuclear Decommissioning
Authority



Johan Rautenbach
Director – Office of Legal Affairs
International Atomic
Energy Agency



Kevin Allars
Director of New Build
Nuclear Installations
Inspectorate



Alan McGoff
RSR – Policy Lead
New Nuclear Build
Environment Agency

MEDIA PARTNERS



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12 CPD

With the National Policy Statement on Nuclear due in 2010 and substantial activity proposed in UK nuclear projects ready to commence, major opportunities exist in the UK for operators, consortia members and their advisors. Due to the complex and ever-developing legal, regulatory and commercial landscape within the nuclear industry in the UK, advisors must be positioned to provide accurate, timely advice to satisfy the concerns of potential supply chain members and investors.

At this crucial time for supply chain members and other stakeholders looking to get involved in Nuclear New Build, **C5** has comprehensively researched and developed the **Nuclear New Build 2010** conference. The conference agenda focuses on the **legal and regulatory** issues arising from UK New Build projects, as they stand today, as well as taking into consideration how they will develop in future. An unrivalled faculty will provide expert knowledge and strategic insight into advising on and contributing to current and future nuclear projects, focusing on key supply chain issues and regulatory concerns at this critical juncture for UK New Build.

This **C5** annual industry event will bring together **regulators, energy companies, supply chain members (all tiers)**, and **site licence holders**, together with the leading **consultants** and **legal advisors** to tackle the hottest issues in new build, including:

- How risk sharing models have changed following the *Paris/Brussels* modifications
- How the different procurement criteria like quality, price, experience and existing relationships are being considered
- Assessing the required skill base to deliver the UK's New Build programme
- The role of the Infrastructure Planning Commission and parliamentary select committees in planning applications
- The ongoing role of regulation during construction and commissioning phases
- Whether the site licence criteria is being met by the operators
- The new build supply chain – what is the Nuclear Decommissioning Authority's role?
- How insurers are approaching Nuclear New Build and the questions they want answered

Nuclear New Build will put you side-by-side with the leading players in the industry, providing fantastic networking opportunities. Unlike other events on the market, as the numerous high-level delegates who attended last year's **C5** event know, the content is original, sophisticated and practical. The breadth and depth of the speakers is unparalleled – a faculty of true leaders in the field.

Book your place now for the original UK **Nuclear New Build** Conference on **26th and 27th January 2010**.

WHO SHOULD ATTEND?

- **From Energy, Finance and Construction Companies with an Interest in Nuclear New Build including**
 - General Counsel
 - Head of Legal
 - Head of Nuclear/Projects
 - Director of Nuclear Strategy
 - Project Manager, Nuclear
- **Law Firms and Consultancies With Expertise in**
 - Environmental
 - Energy
 - Planning
 - Project Finance or Power Project related work

WHY C5?

Each year more than 21,000 in-house counsel, private practice lawyers and senior executives participate in **C5** Group events.

Guaranteed Value, Based on Comprehensive Research

C5's highly-trained team of lawyer-producers are dedicated to developing the content and scope of our conferences based on comprehensive research with lawyers and corporate counsel facing similar challenges. We speak your language, ensuring that our programmes provide strategic, cutting-edge guidance of practical issues.

Unparalleled Learning and Networking

C5 understands that sharing experiences and building relationships with, your fellow delegates during the breaks can be just as valuable as the structured conference sessions. We strive to make both the formal and informal aspects of the conference as productive as possible.

Reserve your place at this invaluable conference today! Register now by calling **+44 (0) 20 7878 6888**, by faxing your registration form to **+44 (0) 20 7878 6896** or by registering online at **www.C5nuclear.com**

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DAY ONE | 26 JANUARY 2010

8.30 **Coffee and Registration**

9.00 **Chair's Opening Remarks**

Jean MacDonald

General Counsel

EDF Energy

9.15 **Keynote Address:**

Malcolm Wicks MP

Prime Minister's Special Representative on International Energy Issues; former Minister of State for Energy

Malcolm Wicks will present the case for a new generation of nuclear reactors in the context of the challenges that face the UK and the global community. He will highlight the importance of both climate change and energy security, drawing on his recent report for the Prime Minister [Energy Security: a national challenge in a changing world] He will argue that Britain requires diversity in its energy supply. He will outline the measures that Government is now taking to facilitate nuclear new build.

9.45 **Legal and Regulatory Issues Affecting the Supply Chain**

Jean MacDonald

General Counsel

EDF Energy

David Boone

Director of UK Operations

Fluor

Adrian Worker

Programme Director – UK Nuclear New Build

Amec

Graham Honeyman

CEO

Sheffield Forgemasters International

Johan Rautenbach

Director – Office of Legal Affairs

International Atomic Energy Agency

David Bonser

Chairman

Westinghouse UK

Dave Gardner

Head of UK Nuclear

RWE Npower*

Hear senior executives of supply chain companies discuss their concerns, challenges faced and strategies for the next 12 months including:

- What is the timetable associated with engaging with the supply chain?
- How can a sense of flexible working and collaborative working be enabled?
- What work will be undertaken in the UK?
- What will not be undertaken in the UK?
- Achieving cost and schedule certainty

Panel Discussion

- Where does the market see risks?
 - political risk
 - delivery risk
 - financial risk
 - operational risk
- Developing a robust nuclear safety culture
- Skills shortages
- Transmission access – the steps National Grid are taking to facilitate new build
- What role will Ofgem play in new nuclear delivery?
- The latest on funding of decommissioning and waste management programmes and their link to new build

11.15 **Morning Refreshments**

11.40 **New Build Contracts**

Jane Jenkins

Head of Engineering

Procurement and Construction – London

Freshfields Bruckhaus Deringer

- Choice of procurement model – is standard EPC the answer?
 - comparing the EDF model to viable alternatives
- Choice of contract terms
 - FIDIC and the NEC
- The role and relevance of public procurement procedures
- The regulatory underpinning – some key considerations
- Reflecting supply chain management and security in the contract
- Is there a role for partnering and alliancing techniques?

12.20 **Examining Project Delivery in New Build - What do we need to do that we are not doing now?**

James Locke

Nuclear Generation Manager

Mott Macdonald

- Are contractors and developers capable of dealing with the complexity of building new nuclear power plants in a private market where previously plants were commissioned by a government utility?
- What is required to support the required investment in new nuclear?
 - will government support be required?
- What will developers expect?
- What will the market offer in terms of support?
- When will the studies be finished and when will work begin?

13.00 **Lunch** 

14.20 **Lessons Learned from International New Build Projects**

Ellis Baker

Head of Construction and Engineering – London

White and Case LLP

Panel Discussion

- Choice of contract structure
 - standard form or bespoke?
 - single EPC or multiple works packages?
- Negotiation of key issues
 - parallel competitive negotiations
 - delay damages and liability caps
 - time and price certainty
 - commissioning, testing and handover timing – the fuel supply issue
- Risk management and nuclear indemnity
- The regulatory regime and its enforcement

15.00 **Tackling Nuclear Engineering Skills Shortages in the Supply Chain**

Martin Grant

Managing Director
Atkins Global

- Assessing the required skill base to deliver the UK's new build programme
 - to what extent do these skills exist already in the UK
- Options for upgrading the UK's skills
 - training
 - recruitment from other industries
 - recruitment from overseas
- Can some of the work be delivered from overseas?
- Examining skills challenges that the UK has risen to previously
 - reasons to be optimistic
- What should we see as the current priorities

15.40 **Afternoon Refreshments**

16.05 **Insurance- An Element in Risk Management**

Philip Veale

Head of Power
Utility and Practice Leader
AON

- Effective management of the multiple interests of new nuclear power project
- Risk sharing through contract on an existing licensed site
- Cost control by consolidating multi-year insurance policies
- Insurance considerations in defects liability periods

16.50 **Planning and Nuclear Consenting: The Latest Legal Developments**

Ian Salter

Partner
Burges Salmon

- How involved is government likely to get in planning applications?
- The role of the IPC and Parliamentary Select Committees
- Community Benefit schemes – how will they be structured?

- How will the planning system integrate with other nuclear consenting processes including site licensing and RSA consents?
- What nuclear law developments are relevant to new build consenting?

17.35 **Chair's Closing Remarks and End of Day One**

DAY TWO | 27 JANUARY 2010

9.00 **Keynote Address:**

Dr. Christian Kirchsteiger

European Commission – DG TREN
Nuclear Development & Economics

Dr Christian Kirchsteiger will give the European Commission's views regarding the contribution of nuclear towards sustainable power generation in the EU by 2020/2050. Dr Kirchsteiger is responsible at the EC's DG Energy for the technical aspects of new nuclear investment notifications and for the economics of nuclear.

9.30 **The Latest from the Nuclear Liabilities Financing Assurance Board**

Norman Harrison

Member
Nuclear Liabilities Financing Assurance Board

- The role of the Nuclear Liabilities Financing Assurance Board in Nuclear New Build
- Scrutinising the Financing Arrangement Plan

10.00 **Nuclear New Build: The Role of the NDA**

Roger Clayson

Interim Head of Legal
Nuclear Decommissioning Authority

- Legal constraints on the NDA
- The NDA estate and its suitability for new build
- The 2009 auction and what is happening now
- The sale of land at Sellafield
- The new build supply chain – can NDA assist?

10.45 **Morning Refreshments**

11.05 **Funding New Build**

Andrew Doyle

Director
Power Project Finance
Royal Bank of Scotland

Richard Temple

Partner
Field Fisher Waterhouse

- Addressing the current concerns of investors on new build projects
 - do sponsors have the capacity to construct a fleet of nuclear projects on balance sheet?

- Has the credit crunch/reduced energy demand impacted the timelines altered from original estimates?
 - what about costs?
- Have investors’ attitudes changed during the recession?
 - appetite for long-term debt
- How can we address investors’ concerns about
 - power price
 - construction risk
 - high front end capital expenditure
 - technology
 - third party liability
 - early termination risk
- Is there sufficient liquidity for limited recourse lending?
 - bank market / capital markets?

11.50 **New Build Regulatory Generic Design Assessment: Progress and Challenges**

Kevin Allars

Director of New Build

Nuclear Installations Inspectorate

One of the Government’s challenges in delivering a balanced energy portfolio for the future is to include nuclear power in that equation, to ensure, through appropriate regulation, that nuclear power is safe and secure, and that it does not have a disproportionate impact on the environment. The Director of New Build, responsible for the safety assessment of the proposed new reactors, will outline:

- The role of the independent nuclear regulator in assessing, up front, the adequacy of the safety, security and environmental issues relating to the proposed new designs
- The importance of the regulatory independence but also of the interactions with the designers, future operators and other Government departments
- Progress made to date on the Generic Design Assessment of the more likely designs proposed for the UK
- The challenges of undertaking assessment of design proposals rather than design specifications
- The ongoing regulatory role during construction and commissioning phases

12.30 **Lunch** 

13.45 **View from the Front Line: UK New Build Issues for the Next 12 Months**

Robert Davies

Head of UK Nuclear

Areva

- What stage have we reached in the GDA process?
- Progress of the planning process?
- Are the site licenses criteria being met by the operators?
- Supply chain progress

14.25 **Nuclear Site Licensing and the Role of the Environment Agency**

Alan McGoff

RSR – Policy Lead New Nuclear Build

Environment Agency

- Generic Design Assessment: progress and latest findings
- Nuclear Site Permitting: EPP
 - what and when
- Coordinating decision making: next steps, opportunities and challenges

15.00 **Afternoon Refreshments**

15.15 **Government New Build Policy Update and the National Policy Statement**

Adam Dawson

Head – New Nuclear

Office for Nuclear Development

Department of Energy and Climate Change

- What are current government priorities in relation to new build?
- Latest work being undertaken by Office for Nuclear Development
- What is to be expected from the consultation period for the National Policy Statement?
- What’s next?
 - approvals and consents
 - enabling construction and commissioning

16.00 **Avoiding Nuclear Fall-out: Liability and Dispute Resolution in New Build Projects**

Hamish Lal

Partner and Head of Construction – London

Jones Day

- How to approach liabilities, the allocation of risk and avoiding disputes
- What are the best procedures to resolve disputes that arise?
- How to manage disputes effectively
- How to maintain relationships through adversity
- Role of multi-tier dispute resolution provisions
- Lessons from the 2012 Independent Dispute Avoidance Panel

16.45 **Chair’s Closing Remarks and End of Conference**

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ADMINISTRATIVE DETAILS

Date: Tuesday 26th and Wednesday 27th January 2010

Time: 9:00am (Registration and distribution of documentation from 8:30am)

Venue: Guoman Charing Cross Hotel

Address: The Strand, London

Nearest train station: Charing Cross (National Rail plus Northern and Bakerloo underground lines) or Embankment (Northern, Bakerloo, District and Circle underground lines)

An allocation of bedrooms is being held for delegates at a negotiated rate until 23 October 2009. To book your accommodation please call Venue Search on tel: +44 (0) 20 8541 5656 or e-mail beds@venuesearch.co.uk. Please note, lower rates maybe available when booking via the internet or direct with the hotel, but different cancellation policies will apply.

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Payment policy is due in full upon registering. Your entry to the event will not be guaranteed until payment has been received. All discounts will be applied to the Main Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organisation.

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