

Alternative Energy

Navigating the alternative energy landscape



Whether you are seeking to

- develop renewable projects
- acquire or sell individual renewable projects, or portfolios of such projects
- navigate ever-changing energy regulatory requirements
- address environmental and land use permitting obligations

our team understands the commercial issues driving successful projects.

We help clients manage

- Federal, state and local tax structures and incentives
- Permitting, environmental compliance and risk mitigation
- Commercial disputes involving project development
- Emerging market opportunities, including energy storage

Interdisciplinary team with experience ranging from biomass to hydro to solar to waste-to-energy projects

- Debt and equity finance attorneys
- Energy M&A lawyers
- PSC/PUC energy regulatory attorneys
- Environmental and land use counsel
- Real estate, finance, and tax attorneys
- Former head of business development for publicly traded energy asset development company

Our clients span the energy sector

Related Practice Areas

Economic Development

E-Discovery - Encompass

E-Discovery & Information Governance

Energy

Energy Efficiency

Environmental

Environmental - Transactions

Federal Government Strategies

Government Contracts & Grants

Government Relations

Mergers & Acquisitions

Oil & Gas

Power Generation

Private Equity

Real Estate

State & Local Government Relations

State & Local Tax

Tax

Related Industries

Construction

Energy & Utilities

Real Estate

Technology

- Public utilities
- Alternative energy developers
- Electric Cooperatives
- Renewable Fuel Producers
- Financial institutions
- National, regional, local banks
- Industrial and other large power users

Helping clients obtain Green-E approval and guiding clients on energy and capacity markets and renewable portfolio standards

Our energy group has represented developers, capital providers and state and local governments in

- Master REC Agreement
- Implementing Regulations Under Renewable Portfolio Standards
- Contracted and merchant projects in RTOs
- Renewable project development utilizing the PURPA put structure
- Monetizing environmental intangibles such as Voluntary Emission Reductions

Our energy group services allow you to

- **Acquire and sell renewable projects**, including single projects and large portfolios of projects
- **Develop alternative energy projects**, including energy storage, solar, biomass, hydro, and waste-to-energy projects
- **Identify, assess and address business risks through project due diligence**, including PPA, EPC, IA and related project offtake agreement reviews
- **Negotiate transactions and joint venture deals** working with a legal team with practical business sense and a deep understanding of, and experience with, energy finance
- **Understand and navigate compliance issues associated with regulatory changes**, including energy and capacity markets, Renewable Portfolio Standards, frequency regulation, demand response and other ancillary services

Why Nelson Mullins?

- Practical business mindset
- Multi-disciplinary team
- Cost efficiency and budget predictability

- Industry relationships with developers, lenders, and utilities

Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

- Represented battery energy storage company in the development and financing of merchant and contracted energy storage projects in the US and Europe ranging from 6 to 40 MWs
- Represented numerous solar developers in Membership Interest Purchase Agreements selling individual projects and pools of projects ranging from 5 to 100 MWs
- Represented various solar developers as to energy regulatory, environmental permitting, and contractual matters for projects ranging from 5 to 100 MWs
- Represented national lender in construction, permanent and acquisition financings of individual solar projects and pools of projects ranging from 5 to 100 MWs
- Represented pulp and paper company in development of a 51 MW biomass facility
- Represented biomass developer in obtaining PSD non-applicability determination from EPA headquarters for a 35 MW biomass facility
- Represented pulp and paper manufacturer in obtaining Green-E approval that all the client's biomass energy nationwide qualified as renewable under Green-E's National Energy Standard
- Represented waste-to-energy company in sale of two projects
- Represented biofuels manufacturer in M&A acquisition matter
- Represented renewable fuel entity in sale of one division
- Represented solar developers in project acquisition, entitlement and tax incentive negotiation
- Represented solar developer in land acquisition and title issues in connection with the development of 75 solar projects
- Represented solar developer in numerous project sale transactions
- General counsel services to solar developer, including employment agreements, installation contracts and joint venture agreements
- Represented solar developer in merger with another solar developer
- Represented solar developer in Fee in Lieu of Taxes negotiations and zoning matters in Jasper County, SC