

Renewable Energy

Husch Blackwell is a recognized leader in renewable energy. Our lawyers have broad experience in all aspects of the development, financing, operation, and purchase and sale of renewable energy assets, including experience in the ethanol, biodiesel, wind, solar, landfill gas, biomass and other renewable energy sectors. With a wealth of experience, our Renewable Energy team delivers world-class, cost-effective legal services to the renewable energy industry.

We represent developers, investors, owners, and lenders in connection with projects at all stages, from investment and tax structuring, through development, construction, financing, and operations. We also draw on our historical experience in the energy industry in representing our renewable energy clients with respect to strategic transactions and litigation.

Our multi-disciplinary team of renewable energy lawyers draws from multiple offices located across the renewable energy belt, with a dedicated energy regulatory team in Washington, D.C. With integrated expertise, we provide tailored legal solutions to meet our clients' strategic and operational needs.

Our Practice

Our Renewable Energy team combines extensive knowledge of the renewable energy industry with multi-disciplinary expertise to provide a full range of services to our renewable energy clients.

- **Regulatory.** Our energy regulation attorneys regularly represent clients before state and federal energy regulatory agencies. The energy regulation and environmental members of our team are well versed in the legislative and regulatory developments affecting the renewable energy industry, including renewable portfolio standards and regulation of greenhouse gas emissions.
- **Project Structuring and Ownership Arrangements.** Our depth of experience in the energy industry enables us to provide a unique level of expertise in assisting clients assess and implement project ownership structures that are advantageous from a tax and operational standpoint and that take into account financing and disposition considerations. The tax members of our team help clients maximize production and energy tax credits as well as other federal and state tax incentives.
- **Financing and Capital Markets.** We have represented our clients in the successful financing of renewable energy projects involving a variety of financing methods, including private equity and debt finance. We have also assisted lenders and equity investors in transactional due diligence review and guidance. We provide a full range of capital markets services to our public renewable energy clients, and have been a leader in the emergence of public renewable energy investment funds. We have also assisted clients in critical payment-in-lieu-of-taxes (PILOT) and renewable energy certificates negotiations and agreements.
- **Development and Construction.** We have significant experience in the development of renewable energy projects, including facility siting and expansion, environmental and air permits, and zoning and land use considerations. We regularly negotiate equipment supply agreements and construction agreements, including engineering procurement and construction (EPC) contracts for renewable energy and biofuels projects.
- **Project Contracts.** We draw upon a long history in the energy and agribusiness industries in negotiating the full range of power, energy, feedstock, power purchase and off-take agreements critical to the success of renewable energy projects, as well as associated interconnection and marketing agreements, and swap and other derivative transactions.
- **Intellectual Property.** We are closely involved with our clients in the evaluation and commercialization of emerging technologies in the renewable energy industry and provide a full range of patent, trademark, trade secret protection and licensing services.

Sectors

The broad experience of our Renewable Energy team includes particular depth in the following industry sectors:

- **Wind Energy.** Members of our Wind Energy team draw on an extensive history representing electric utilities and independent power producers in all facets of their business, bringing targeted knowledge to the full range of matters affecting wind projects, including land acquisitions and regulation, local and state approvals, federal and state incentives, procurement and

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construction, operation and maintenance, and power purchase agreements and interconnection and transmission agreements. With a long-standing commitment to the energy industry, and offices across the emerging wind energy belt, we are where our clients need us to be.

- **Solar Energy.** Our Solar Energy team provides a full range of regulatory, transactional, commercial and litigation services to its solar energy clients. We have represented developers, operators, investors, manufacturing companies and large energy consumers in facility and project development, engineering, procurement & construction, installation agreements, energy financing, physical long-term supply and power purchase agreements, renewable energy credits, and alternative energy grants and tax credits. Our project experience includes both utility-scale solar projects and on-site distributed generation projects.
- **Biomass.** We have broad experience in connection with landfill gas and biomass power generation projects, combining experience with the specific issues faced by these projects with a historic depth of experience with conventional natural gas and power generation assets. We provide a full range of services to clients in this sector, including negotiation of feedstock and off-take agreements and other project contracts, environmental permitting, and structuring and negotiation of joint ventures, acquisitions and investments. Our clients include independent developers, investors, and owners of biomass projects.
- **Biofuels.** We have one of the leading biofuels practices in the country. Members of our Biofuels team combine a broad array of energy, agribusiness, environmental, construction, project finance, tax and capital markets experiences to meet the specific needs and challenges of our biofuels clients. We provide legal services to more than 30 biofuels projects, as well as a variety of investors, lenders, agricultural cooperatives, contractors, marketers and other industry participants. Members of our Biofuels team advise our biofuels clients on the full range of project planning, financing and operational needs, from planning to production and beyond.