HUSCH BLACKWELL

Patrick Morand

PARTNER

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OVERVIEW

Patrick is a renewable energy attorney with a transactional skillset and a strong regulatory background.

Patrick began his legal career in 2006 at an energy-focused boutique law firm in the D.C. area, where he quickly discovered that he thrived on the complexity of the energy sector. With a pre-law background in the construction industry, he already had the necessary project-based mindset, and he was excited about the potential of the renewable energy world. Patrick cut his teeth on regulatory work for regional transmission organizations, advising clients on matters before the Federal Energy Regulatory Commission (FERC) and state public utility commissions. However, he determined that his primary interest was power generation rather than transmission, and he knew his goal was to assist with transactions in the renewable energy space.

After gaining experience with a larger firm in mergers, acquisitions, and other project finance work for both renewable projects and general corporate transactions, Patrick accepted an in-house role as associate general counsel to a solar project owner and operator. Thanks to the company's business model, which relied on acquisitions of solar projects ranging from early-stage to operating assets, Patrick worked extensively on such acquisitions, including negotiating and drafting membership interest purchase agreements, asset purchase agreements, and development services agreements. Patrick also focused on the company's revenue agreements, routinely negotiating and drafting its power purchase agreements, net energy metering agreements, and solar renewable energy certificate purchase and sale agreements. Patrick also oversaw the company's regulatory work.

Industry

Energy & Natural Resources

Services

Community Solar
Corporate
Data Centers
Electric Transmission
Energy Project Contracts
Energy Regulation
Mergers & Acquisitions
Private Use Networks
Solar Energy
Wind Energy

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Patrick's time in-house taught him how extensive client project needs are, and he joined Husch Blackwell out of a desire to be part of a firm that could offer renewable energy developers a full suite of services. He guides clients through project acquisitions, power purchase agreements, and other transactions, primarily in the renewable industry; however, he assists with general corporate transactions as well. He has worked with both utility-scale developments as well as community solar projects. Patrick also provides regulatory advice to energy clients. As a former associate general counsel, he readily understands the breadth of client projects, and clients value his in-depth knowledge of their needs at every stage of the project life cycle.

Experience

- Negotiated and drafted project acquisition agreements, including Membership Interest Purchase Agreements (MIPA), Asset Purchase Agreements (APA), and Development Services Agreements (DSA).
- Provided transaction leadership and support on project acquisition and development transactions, including managing, conducting, and supporting project due diligence.
- Negotiated and drafted project revenue agreements, including power purchase agreements (PPA), net energy metering agreements (NEM), and solar renewable energy certificate purchase and sale agreements (SREC).
- Advised on the development and negotiation of customer acquisition agreements and customer management agreements (CMA) for Community Solar and NEM projects.
- Negotiated and drafted project site control agreements, including lease agreements and lease option agreements, along with other ancillary agreements and documents.
- Advised on the development and negotiation of engineering, procurement, and construction agreements (EPC) and operations and maintenance agreements (O&M) for solar projects.
- Negotiated and drafted term sheets and letters of intent (LOI) in connection with project acquisitions.
- Provided due diligence and other support on tax equity and related project financings.

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Experience

- Advised on regulatory matters before the Federal Energy Regulatory Commission, (FERC), including maintaining Qualifying Facility (QF) status under the Public Utility Regulatory Policies Act (PURPA).
- Counseled on market-based rate (MBR) authority under Section 205 of the Federal Power Act (FPA) and the obligations related to the sale of FERC-jurisdictional assets under Section 203 of the FPA.
- Advised on other regulatory matters before FERC and state public utility commissions, including compliance and enforcement matters, interconnection matters, and rate proceedings.
- Advised on corporate governance issues and drafted articles of incorporation, bylaws, and operating agreements and made filings necessary to establish and maintain corporate existence.
- Negotiated favorable resolutions of construction and other contract claims.

Recognition

- D.C. Courts Capital Pro Bono Honor Roll, 2018

Education

- J.D., Catholic University of America, Columbus School of Law
- B.A., Michigan State University

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Admissions

- District of Columbia
- Maryland
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, District of Columbia Circuit

Community Leadership

Patrick has provided pro bono assistance to GRID Alternatives Mid-Atlantic, Inc., a nonprofit solar developer focused on providing underserved communities with clean energy access and job training.

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