

ENERGY STORAGE

Since 2016, Husch Blackwell's Energy Storage team has worked on more than 60 distinct energy storage projects totaling more than 4,000 MW of power. We advise a diverse array of clients on realizing value from energy storage projects, including project developers, independent power producers, electric utilities, energy service companies, construction and O&M contractors, investors, financial institutions, and insurers. Our team is experienced at addressing legal challenges at all project phases from early stage site selection, acquisition, and permitting through offtake negotiations, financing, equipment procurement, construction, and operations. We have provided advice regarding project finance, equity purchases and dispositions, tax, state and federal regulatory, power purchase and energy storage services agreements, construction and design, and O&M issues. We have also assisted clients in evaluating the use of storage as a non-wires alternative to transmission and as an asset to be used in behind-the-meter arrangements.

Our practice is nationwide with representative projects that span the entire range of storage technologies. Our clients provide a variety of storage offerings with wide-ranging purposes, such as peak shaving, energy arbitrage, demand shifting, electric vehicle charging, frequency regulation, reliability, and ancillary services. Our team has been actively involved in the renewable energy arena from its nascent stages, and our combined experience affords us the insights to provide practical, real-world advice that helps clients realize value at all



The firm's legal advice is not only technically sound but also pragmatically tailored to align with our business objectives and the realities of the market.

— Chambers USA
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points of the investment and operational life cycle.

Representative Experience

Represented tax equity investor in 425 MW solar and storage project.

Represented stand-alone storage developer in more than 25 projects in the U.S. (between 50 and 500 MWs each) for real estate, regulatory, permitting, and other development issues.

Represented solar developer in adding battery storage system to solar project under construction in Texas.

Represented financial institution as hedge provider in connection with a 100 MW energy storage project in Williamson County, Texas.

Represented utility in acquisition of portfolio of distributed scale solar and solar + storage projects in Northeast U.S.; negotiated EPCs, module supply, and battery supply agreements.

Currently advising clients on use of Energy Storage Services Agreements for a variety of C&I and utility applications.

Handled all aspects of EPC, battery supply agreements, and other related contracts for 2-MW/12-MWh lithium-ion stand-alone battery storage project in Queens, New York.

Handled all aspects of EPC, PPA amendments, battery supply agreements, and other related contracts for repowering of 10-MW battery storage facility combined with

wind project in Hawaii.

Handled all aspects of EPC, battery supply agreements, and other related contracts for 10-MW lithium-ion stand-alone battery storage project in Ohio owned by Exelon Energy.

Negotiated Energy Storage Service Agreements for RFPs in New York for over 300-MW of battery storage.

Advised on various aspects of approximately 40-MW stand-alone battery storage project in Illinois, one of first battery storage projects to be financed.

Created lease forms, negotiated leases, and assisted with all other aspects of greenfield development work for several stand-alone battery storage projects under various utility RFPs / NYSERDA programs in New York.

Represented sponsor in construction financing of 200 MWs of stand-alone battery storage projects in Texas.

Advised on various aspects of solar plus battery storage development on U.S. Territory in Pacific.

Advised on development of 10-MW lithium-ion stand-alone battery storage project in New Jersey.

Advised on EPC contract and supply agreements for \$100 million residential and commercial development with solar and battery storage in Utah.

Advised on EPC contract and supply agreements for \$100 million residential and commercial development with solar and battery storage in California.

Advised utility in the use of energy storage as a non-wires

alternative to transmission.

Advised clients in understanding how energy storage can be integrated in a behind the meter arrangement in ERCOT.

Advising several distribution level storage clients on regulatory and interconnection issues associated with developing and expanding their Texas projects.

Advised clients in negotiating contract for thermal energy storage from utility.

Represented leading solar and energy storage project development company as project counsel in the sale, construction and tax equity financing of 200 MW solar project in Texas.

Served as development counsel for Jupiter Power, a leading developer and operator of energy storage infrastructure, in its recently closed \$286 million project financing to support the construction of two standalone battery energy storage systems (BESS).