

Practices & Industries

# Renewable Energy

## Overview

Day Pitney advises developers, contractors, utilities, power marketers, lenders and other investors on matters relating to the development and commercial operation of renewable energy projects. Our attorneys have counseled clients on a wide variety of green power projects: wind, solar, hydroelectric, biomass, geothermal, landfill gas, smart grid, energy storage, fuel cells, micro grids, energy efficiency and demand-side management. Our team includes lawyers focusing primarily on energy law, environmental law, real estate, finance, mergers and acquisitions, tax law, and intellectual property.

Our team has substantial regulatory and transactional experience, which makes us different from most other firms with a renewable energy practice. As experienced regulatory lawyers, we guide clients through federal, state and local laws and regulations and represent clients before regulatory commissions and other governmental bodies. As experienced energy transactional lawyers, we work on billions of dollars' worth of acquisitions, divestitures and financings for a variety of renewable power projects. We routinely negotiate and prepare purchase and sale, loan, power purchase, and sale agreements as well as real estate, construction and procurement contracts.

## Experience

*No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome.*

Our team has assisted on projects all over the United States and internationally, often on cutting-edge matters. Some examples follow:

- Representation of lenders in the first transaction ever to close under the U.S. Department of Energy's program to guarantee third-party renewable energy loans.
- Representation of a contractor in connection with the design, construction and installation of a utility-scale solar photovoltaic (PV) electric generation facility.
- Counsel to debt and equity investors in the bankruptcy and liquidation of a large wind power project sponsor.
- Counsel to a hotel chain in a master service agreement for energy efficiency improvements at its time-share properties.
- Counsel to the developers and owners of renewable energy credit (REC) tracking systems across the United States and carbon credit reduction systems around the world.
- Representation of wind developers in efforts to ensure that they retain the right to use long generator leads for their projects in light of the open access requirements of the Federal Power Act.
- Negotiation, on behalf of purchasing utilities, of three groundbreaking offshore wind power purchase agreements, including regulatory approvals for those agreements.

- Representation of developers in connection with turnkey agreements for construction of solar photovoltaic electric generation facilities.
- Creation and negotiation of REC trading agreements for multiple large energy companies.
- Representation of a developer in energy storage projects.
- Regulatory counsel to large lenders, investors and developers of solar energy projects.
- Representation of generation plant owners in the $50 million sale of two biomass projects in Maine.
- Representation of a large global energy company in the negotiation of an asset purchase agreement for the a proposed 20 MW solar PV project in California.
- Representation of a large global energy company in the negotiation of an equity purchase agreement for the a proposed 5 MW solar PV project in Arizona.
- Representation of a large global energy company in the negotiation of an equity purchase agreement for the a proposed 10 MW solar PV project in Arizona.
- Representation of a U.S. solar energy developer in its acquisition of a portfolio of distributed solar PV projects located in California.
- Representation of a large multi-disciplined energy company in its acquisition of a proposed 550 MW solar PV project in California.
- Representation of a large energy services company in connection with a potential acquisition of a proposed 17 MW solar PV project in Maryland.
- Representation of a large energy services company in connection with a potential acquisition of a proposed 12 MW solar PV project in Maryland.
- Representation of a large global energy company in its $1.4 billion acquisition of a U.S. and Canadian wind energy project portfolio.
- Representation of a large Midwestern U.S. utility company in connection with the acquisition of the development assets for a 101 MW wind energy project located in Oklahoma.
- Representation of a large Midwestern U.S. utility company in its acquisition of the development site for a 227.5 MW wind energy project in Oklahoma.
- Advised a U.S. wind energy project developer in its sale of the project development assets for a 40 MW wind energy project in Michigan.
- Advised a Chinese state-owned company in the acquisition of a majority interest in a 25 MW offshore wind project in the United States.
- Representation of a U.S. project developer in connection with a potential acquisition of a 65 MW wind energy project under development in northeastern Ohio.
- Representation of a large global energy company in connection with multiple bids to acquire operating wind energy projects in the United States.
- Advised a Midwestern U.S. utility company in connection with agreements to build and own a 40.5 MW portion of a 159 MW wind energy project in North Dakota.
- Advised a Midwestern U.S. utility company in connection with agreements to build and own a 48 MW portion of a 200 MW wind energy project in North Dakota.
- Representation of a large multi-disciplined energy company in connection with a potential acquisition of a portfolio of wind energy projects in Kansas, Oklahoma, and Nebraska.

- Representation of a U.S. project developer in the acquisition of a 150 MW wind energy project under development in Oklahoma.
- Assisted a U.S. utility in the acquisition of real estate, permits and intellectual property related to the construction of undersea transmission facilities associated with an offshore wind generating facility.