



Energy and Natural Resources

In a world where the demands for energy are growing exponentially, those operating in the energy sector are looking to their lawyers to provide more than legal skill; they are also seeking in-depth sector know-how and innovative solutions to the challenges they face. DLA Piper's energy lawyers deliver to our clients the focused, innovative sector advice they need, wherever in the world they need it.

In a sector of relentless change, demand and complexity, private and public corporations wisely rely on experienced, global legal counsel for any matter involving energy.

We are entering an era of unprecedented demand for power generation and transmission, especially within emerging economies. This dynamic, together with the challenges we all face from climate change, is creating new opportunities for alternative energies and new technologies.

Our energy clients receive coordinated, across-the-board coverage for their needs, including construction and projects, corporate, competition, regulatory, contractual, trading, litigation/arbitration, dispute resolution and tax issues. We understand the technical, geographical, commercial and geopolitical factors that shape the industry and have first-hand access to contacts, sponsors and decision makers worldwide.

DLA Piper's energy team includes professionals in the detailed, multi-layered and often complex regulatory frameworks that apply to energy sector projects and activities. We advise regulators, the regulated, investors and other industry participants on the implications of the regulatory framework during the planning, development and operational stages of many energy projects and activities.

For decades, we have represented organizations operating in the sector throughout the world. Our global team serves clients in the power, oil and gas, renewable, nuclear, energy trading, climate change and water markets. Alongside energy companies, our clients include project sponsors, corporations, developers, financial institutions, governments, utilities and regulatory bodies.

We work with a broad scope of clients ranging from the world's largest oil and gas companies to investment banks active in energy and commodities trading and venture-backed alternative energy entrepreneurs. Our lawyers provide strategic advice on planning, development, financing and permitting matters, as well as legislative, political and regulatory issues.

FOCUS AREAS

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RELATED SERVICES

- Environment, Health and Safety
- Projects, Energy and Infrastructure

Commodities trading

DLA Piper is one of the very few law firms that offers the full suite of services associated with successful structured finance transactions. Our team brings long-standing trading and structured transaction experience and specific industry experience to our trading clients. We are particularly well suited to effect quick and innovative structures for our trading clients operating in the energy, agro, transport and infrastructure sectors around the world. We represent a wide range of companies that trade, finance and transport such products. We also represent project investors, banks specializing in trade finance for commodities ventures and financing schemes, and shipping companies that charter, operate and own oceangoing vessels. We know how trading firms operate: fast, efficient, and through the use of transactions that mitigate risk while generating revenue. DLA Piper has the finance and the structured products experience that few firms can offer: we know how to get the deal done. Our added value is our extensive experience and contacts throughout the industry in that we can assist in finding the right counterparty and in structuring the kind of deal that best suits our trading client.

The team is well equipped to structure transactions to mitigate risk in challenging markets, whatever commodities or technologies are involved and is experienced in providing bespoke financing solutions and cutting-edge security packages tailored to our clients' commercial needs.

Mining

Changing economic conditions are often felt at the mine mouth long before they appear on the balance sheet or the boardroom table. DLA Piper is responsive to our mining clients' needs as they adapt to the cyclical shifts in the global commodities markets. Our innovative solutions assist them to efficiently address these challenges and opportunities.

From startup to divestment or site closure, our Mining legal team can provide a complete legal solution, covering everything from day-to-day operational issues to large scale international transactions and arbitrations.

Our commodities lawyers have detailed knowledge of local regulatory environments, key project drivers and the market. We understand how the many components of a project interact with one another. Our mining team takes a holistic approach to project development, which enables us to offer a balanced assessment in the best interests of the project as a whole. We can assist you to identify, analyze, negotiate and document project structures and to maintain efficiency when the project is operational.

Mining is a truly global industry, and we can provide the location-based assistance as well as the experience and skills that clients in this sector require. For those with projects across countries or continents, we can provide a single point of contact to help manage the delivery of legal services to all of your projects and your personnel.

Oil and gas

DLA Piper's Oil and Gas lawyers have extensive experience in all segments of the global industry. With a vast network featuring practitioners on the ground in key jurisdictions worldwide, we understand the industry-specific nuances that affect energy transactions and disputes as well as complex, multi-jurisdictional engagements that are part of your strategy wherever you do business.

We handle both onshore and offshore legal work for a spectrum of clients, from major international oil companies, governments and state-owned companies to independents and private equity and mid-market entities. We offer leading lawyers in mergers and acquisitions, project development, finance, tax, environmental, technology and IP, real estate and dispute resolution. All our lawyers work together as a team across our global platform to address your transactional needs and, when necessary, to mobilize immediately.

We work with contractors, developers, utilities, banks, investors and governments, providing strategic advice on planning, development, financing and permitting matters, as well as legislative, political and regulatory issues.

Our experience encompasses:

- **Upstream:** licensing/concessions, exploration and extraction; the operation of oil and gas fields; farm-ins/farm-outs, JOAs, joint venturing

- **Midstream infrastructure:** construction, financing and operation of oil and gas infrastructure, such as pipelines, tank farms and refineries; sales and handling of crude oil and gas, along with the construction of related infrastructure; and CNG/LNG projects/sales
- **Downstream dissemination of products:** offtake of production and the sale of products; lifting and transportation of oil and gas; storage and through-putting of products
- **Acquisition and disposal** of oil and gas interests/assets; due diligence and investigation behind acquisitions
- **Financing for oil and gas:** funding acquisitions; project-financing for developments; funding cash-calls; security structures over oil and gas assets; trading of oil products
- **Shipping and trading** of oil and gas
- International arbitrations and other forms of dispute resolution

Power

The firm's Power team comprises lawyers throughout the Americas, Africa, Asia Pacific, Europe and the Middle East, positioning us to help energy clients with their legal needs anywhere in the world. Our key service areas within the Power sector include:

- Conventional generation
- Renewables
- Alternative energy
- Transmission and distribution
- Wholesale and retail electricity
- Energy market reform

We advise on all phases of power transactions including:

- Project development
- Mergers and acquisitions
- Financing
- Corporate structuring and tax advice
- Licensing and technology transfer
- Government / regulatory
- Litigation and international arbitration
- Environmental
- Employment

We have completed financings that have been implemented through a variety of structures, including traditional offtaker-based project financings, PAPS tax equity investments, leasing, private placements, portfolio financings, multi-tranche first and second lien structures, export credit agency and other multilateral agency supported transactions. By representing clients with diverse roles in many types of transactions, our group has developed experience that well equips us to assist clients in assessing and resolving the complex issues that arise in project finance matters.

Renewables

DLA Piper's globally situated Renewables practitioners represent sponsors, lenders, equity investors, multilateral institutions and government bodies and agencies in the development, financing, construction acquisition and sale of, or investment in, a wide range of renewables-related projects and infrastructure projects. Among these are renewable power generation projects, energy storage facilities, utility-scale, distributed and residential solar, on-shore and offshore wind and biomass and other innovative and technology-based entities. We deliver comprehensive services to renewables clients from project finance and development and M&A to tax, environmental, real estate, tech and IP, employment and disputes and arbitrations.

We have advised on hundreds of renewable energy projects developed and financed around the world. Members of our team regularly represent clients in the purchase of wind turbines, solar panels, batteries, inverters, gas turbines and steam generators and other equipment or related and in the evaluation of such contracts in the context of an acquisition or a financing.

We have been active in energy storage for almost a decade and have monitored the industry's progress closely while advising clients on the negotiation of long-term offtake agreements, evolving tariff requirements, the purchase of equipment and project financing, including the landmark financing of a portfolio of battery storage systems.

Water

We are involved in some of the largest, most complex water projects in the world. In addition to project development and finance, we help with water-related mergers and acquisitions, project bids, procurement, sovereign immunity, contracting authority, environmental and other regulatory matters, commercial agreements, intellectual property and dispute resolution.

- The lenders, Standard Bank and Nedbank, in connection with the MIGA-backed project financing of a reverse osmosis desalination plant in Ghana.
- Northern Ireland Water, supporting the procurement of a number of framework contracts from which NI Water will be able to call off the services and works necessary to enable it to maintain its vital drinking water and sewerage infrastructure. This involved providing procurement advice on the suite of documents as well as advice on structuring the procurements.

Waste

Our waste sector experience spans the spectrum of waste-related agreements - we advise clients on construction and operating agreements, transportation, landfill, fuel supply, recycle sale and other residue offtake agreements, as well as advising on environmental and planning issues, technological development and regulatory disputes. Projects on which we have advised include fully merchant facilities and others underpinned by long-term local authority contracts.

Working on these projects requires a detailed understanding of not only the relevant regulatory legislation, but also of the technologies used and the risks associated with them. Our experience in these matters allows us to measure, anticipate and manage our clients' risks whatever the scale of the project.

- Carbon markets: Providing the UK's largest producer of steel with strategic advice on the international climate change regime and the EU emissions trading scheme and assisted with the development and review of its climate change policy.
- Electricity and water: As a result of the work we have done for the Government of Iraq, we are the leading international legal practice operating inside Iraq. This includes representation of the Iraqi Ministry of Electricity in its negotiations to acquire more than US\$5 billion in electricity generation equipment, to procure engineering services and construction contracts and to secure water and fuel supplies. We have also helped the Ministry of Water Resources with large-scale infrastructure projects.
- Oil and gas: We represented BP as principal counsel for the US\$2.4 billion sale of its southern California refining and marketing business, formerly known as ARCO, to San Antonio-based Tesoro Refining and Marketing Company. The contract was signed in August 2012, and the deal closed on June 1, 2013, after receiving clearance from both federal and California regulators.
- Renewable energy: Independent Power Producers Procurement Programme Matters, South Africa. On completion, this will be the largest renewable energy project in the world. Our lawyers in Australia, Hong Kong and London advised more than half of the successful bidders for Phase 1 and 2 of this solar, wind, hydro, biomass and biogas project. We are also acting for bidders and

lenders providing project finance for a number of projects in Phase 3. The goal of this landmark project is to generate 42% of all new electricity in South Africa from renewable energy sources over the next 20 years.

- **Power:** For China Hydroelectric Corporation's successful US\$96 million NASDAQ IPO, we advised on the pre-IPO financing and the acquisition of hydropower plants in China. We also provided structuring advice for its operations, implemented a corporate reorganisation and advised on CDM eligibility.
- **Nuclear:** We act for virtually all of the site licensee companies (SLCs) in the UK, as well as for the Nuclear Decommissioning Authority and other parent body organizations to the SLCs. We are principal advisers to Sellafield Limited, Magnox Limited, International Nuclear Services Limited and are instructed by Westinghouse, DSRL, LLWR and NNL.
- **Energy disputes:** We achieved a victory for Central New York Oil and Gas Company in a case that cleared the way for development of the US\$257 million Marcellus Shale gas pipeline project. The case was one of first impression on the degree to which federal agencies and private pipeline and energy companies must account for the impacts of Marcellus Shale well drilling when reviewing the environmental effects of pipeline projects.
- **Water and wastewater:** Represented United Water, a subsidiary of Suez Environnement, in its joint venture with KKR & Co. to acquire a 40-year water and wastewater concession from Bayonne, New Jersey. The concession requires more than US\$300 million of capital improvements, one of the first water and wastewater concession deals completed in the US.

INSIGHTS

Publications

The EU Commission trailblazing towards a sustainable future

12 December 2019

The European Green Deal is a holistic approach to delivering transformational change and leading the transition towards a new paradigm.

New European Commission Assumed Office on 1 December 2019

2 December 2019

The new leadership of the European Commission has officially assumed office yesterday, Sunday, 1 December 2019, for a five-year term. The newly assembled College of Commissioners obtained a comfortable majority in an approval vote in the European Parliament plenary session on Wednesday, 27 November 2019.

Objectives of Ofgem's Targeted Charging Review

29 November 2019

On 21 November 2019, as part of its Targeted Charging Review (TCR), Ofgem has published its decision and impact assessment. One of the objectives of the TCR were to "consider reform of residual charging arrangements for both generation and demand, to ensure it meets the interests of current and future consumers".

European Offshore Wind – what does the future look like?

26 November 2019

The story of offshore wind in Europe is remarkable by any standards. In the space of little more than a decade, some 4,500 turbines have been deployed across the North Sea, the Baltic and the Atlantic. Europe installed 2.6GW of new offshore wind energy capacity in 2018 alone.

Corporate Power Purchase Agreements (PPAs): What are they?

12 November 2019

A Corporate Power Purchase Agreement (PPA) is a long-term contract under which a business agrees to purchase electricity directly from an energy generator. This differs from the traditional approach of simply buying electricity from licensed electricity suppliers, often known as utility PPAs.

Such structured agreements provide financial certainty for the utility companies and the developers, which removes a significant roadblock to financing and building new renewable facilities; PPAs are therefore helping to deliver more renewable energy on the grid.

In a world where many countries have reduced or withdrawn subsidies for renewable energy, a Corporate PPA with a financially strong counterparty is an essential component for achieving a "bankable" project.

Energy & Natural Resources Case Law Update

17 October 2019

Deals in the Energy and Natural Resources (E&NR) Sector are often complex, high value and high stakes, and disputes can arise at any stage of the deal life cycle. In this third E&NR Case Law Update, we draw together relevant themes emerging from recent cases.

Digital Transformation in Energy and Natural Resources

9 October 2019

The global demand for power rises, the requirement for increased productivity, greater efficiencies in distribution and flexibility for consumers (both corporate and residential) is also growing. As such, we have launched report on how digital technologies are impacting the Energy and Natural Resources sector.

Japan's vision to realize a "Hydrogen-Based Society"

8 October 2019

Ahead of the Tokyo 2020 Olympic and Paralympic Games, the Japanese government, the Tokyo Metropolitan government and Japanese manufacturing companies are seeking to use these sporting events to introduce Japan's state-of-the-art technology in the field of hydrogen, by using hydrogen-powered vehicles and powering the Olympic village with hydrogen.

Corporate Power Purchase Agreements (PPAs): What are they?

1 October 2019

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Treasury Department proposes regulations comprehensively implementing FIRRMA and reforming CFIUS national security review

19 September 2019

The proposed regulations affect non-controlling investments involving critical technologies, critical infrastructure, and sensitive personal data; and transactions involving real estate near sensitive national security facilities.

No-deal Brexit: What should energy companies do now?

1 September 2019

While a range of outcomes, including [a departure under the terms of the current Withdrawal Agreement](#), remains possible, it is important for businesses to plan for a no-deal Brexit, in which the UK leaves the EU without a withdrawal agreement or other deal. Here we look at the potential impact of a no-deal Brexit on energy companies

Distributed generation in Brazil

20 August 2019

The bright future of Brazilian renewable energy - increase in the production of electricity from renewable sources for Brazilian consumers and offset the surplus with their local distribution company.

Coal, iron ore, LNG... Hydrogen?

20 August 2019

Hydrogen shows potential to become new export industry down under.

Projects Global Insight Issue 2, 2019

20 August 2019

PROJECTS GLOBAL INSIGHT

One of the key trends in this issue is growing interest in sustainable, resilient and regenerative projects. This is driven by the heightened awareness and concern surrounding global warming and climate change and, arguably, a lack of funding following the global financial crisis.

Responsible investing

20 August 2019

The rise of responsible investing and global renewable energy opportunities with growing exposure given to environmental, social and governance (ESG) issues.

Vendor financing for stage 1 of the bridge power project in Ghana

20 August 2019

Case study of unique, limited-recourse vendor financing for combined cycled gas turbine power project in Ghana. The vendor financing for this project won the Best Financial Structure Silver award and Best Utilities Project Gold award at the Partnerships

Awards 2019.

What is the future of LNG pricing?

20 August 2019

Is LNG pricing linked to crude oil an outdated model?

Energy related risks in corporate transactions and restructurings

16 July 2019

Numerous energy-intensive companies having production facilities in Germany benefit from energy regulatory opportunities to reduce their electricity costs. The economic benefits of using these opportunities can be significant and quickly amount to several million euros a year. This article explores the risks in this context.

EU Policy & Regulatory Update: EU prolongs sectoral sanctions on Russia

4 July 2019

On 27 June 2019, the Council of the European Union (EU) adopted Council Decision (CFSP) 2019/1108, extending the economic sanctions on Russia in response to Russia's actions destabilising the situation in Ukraine until 31 January 2020.

EU Impact - Issue 5/2019

2 July 2019

Despite record temperatures in some EU countries these days, political developments in Brussels and Member States' capitals have rather sped up than slowed down. Following the elections to the EU Parliament in May 2019, the leaders of the EU Member States have been engaged in intense negotiations on the upcoming major re-shuffle of EU top jobs.

Renewable Energy in Africa

18 June 2019

The African continent, with a population exceeding one billion people and an estimated combined economy of USD1.5 trillion, presents huge opportunities for investors, developers and operators across the renewable energy sector.

Procurement Pulse

31 MAY 2019

[PROCUREMENT PULSE SERIES](#)

Further evolution of the efficacy of judicial review as a remedy in below threshold procurements is seen in the Kenson case this month. The case sought to make a distinction between obligations of contracting authorities as they are mandated by law, and those parts of the procurement procedure which are no more than their exercise of commercial judgment.

Recent developments in the Greek renewable energy sector

29 MAY 2019

The Greek Renewable Energy Market has experienced substantial growth in the last few years, due in part to a change in national energy policy. But what regulatory changes have taken place, what's expected to change and how has it impacted areas like Corporate PPAs?

Procurement Pulse - Our view on developments this month

3 MAY 2019

PROCUREMENT PULSE SERIES

In case law this month the courts have looked at long established issues - that re-negotiating essential contract terms risks being a substantial modification which requires a new procurement, that the utilities rules apply to passenger transport suppliers operating on a fixed network, and that exempting ambulance services from the procurement rule.

Insurance asset management

30 APR 2019

INSURANCE HORIZONS SERIES

In times of increasingly strict product and governance regulation, asset management has become one of the main drivers for the business profitability of insurers all over the world.

Energy & Natural Resources Case Law Update

25 APR 2019

Deals in the Energy and Natural Resources (E&NR) Sector are often complex, high value and high stakes, and disputes can arise at any stage of the deal life cycle.

EU Policy & Regulatory Alert - EU Publishes Artificial Intelligence Ethics Guidelines

12 APR 2019

On 8 April 2019, the EU's High-Level Expert Group ("AI HLEG") on Artificial Intelligence ("AI") published the much-anticipated "Ethics Guidelines for Trustworthy AI", setting out a horizontal framework for the development and deployment of ethical and robust AI systems across the EU

Top of Mind: Litigation

20 MAR 2019

In this issue, our coverage of 10 big topics businesses have been thinking about this quarter.

EU Policy & Regulatory Update: EU Adds 8 Russian Officials on Sanctions List in response to Kerch Strait and the Sea of Azov Incident

19 MAR 2019

On 14 March 2019, the Council of the European Union adopted Council Implementing Regulation 2019/409 and Council Decision (CFSP) 2014/145 adding eight Russian officials to the list targeting those "undermining the territorial integrity, sovereignty or independence of Ukraine".

The Nigerian power market experiment: a critical appraisal of the PHCN privatisation

15 MAR 2019

This article intends to offer a brief description and analysis of the Nigerian power sector, explore the issues and challenges faced by private investors and potential solutions for reform.

DLA Piper in Latin America: 2018 in review

28 FEB 2019

While challenges always lie ahead, we are excited by the region's continuing growth.

EnviroLENS - Copernicus for environmental law enforcement

18 FEB 2019

EnviroLENS, a Horizon 2020 innovation project funded by the European Commission, aims to demonstrate and promote the use of Earth Observation (EO) as direct evidence for environmental law enforcement, including in a court of law and in related contractual negotiations.

Procurement Pulse - Our view on developments this month

4 FEB 2019

[PROCUREMENT PULSE SERIES](#)

This month we look at the draft regulations which will effect changes to the UK procurement rules on Exit Day - attempting to maintain business as usual, and to take responsibility for those administrative issues currently within the remit of the EU. Evaluation methodologies continue to be brought before the courts.

Agreements to agree: Did you contract to agree or disagree?

25 JAN 2019

"Agreements to agree" are a commercial fact of life for businesses, particularly those involved in long term contracts, such as research and development agreements in the life sciences or industrial sectors, complex technology contracts, or energy and resources supply arrangements.

EU Policy & Regulatory Update: First Designations under EU's Chemical Weapons Sanctions Regime

24 JAN 2019

On 21 January 2019, the Council of the European Union (EU) adopted Decision (CFSP) 2019/86 amending Decision (CFSP) 2018/1544 concerning restrictive measures against the proliferation and use of chemical weapons, listing nine individuals and one entity under the EU's Chemical Weapons Sanctions regime.

Inconsistent dispute resolution clauses - when should the "one-stop shop" give way to gravity?

27 DEC 2018

Where, in complex commercial arrangements, there is a multiplicity of agreements, problems associated with inconsistencies between them abound. That can have significant consequences, particularly where there is an inconsistency between dispute resolution provisions in different but related contracts.

Projects Global Insight Issue 1, 2018

19 December 2018

PROJECTS GLOBAL INSIGHT

Welcome to DLA Piper's Energy and Infrastructure Projects Global Insight. In this and twice-yearly issues of Global Insight, we seek to share the knowledge we've gained and put the spotlight on some of the most innovative, market-leading transactions we have been involved in.

APPs en América Latina: resolución de disputas a través de arbitraje inversor-estado

18 DEC 2018

Medidas de protección de la inversión pueden encontrarse en los contratos de APP, pero también en el derecho internacional.

Procurement Pulse - December 2018

10 DEC 2018

PROCUREMENT PULSE SERIES

Monthly update of procurement case law and other relevant intelligence for procurement practitioners

Energy & Natural resources case law update

5 DEC 2018

Given the often complex nature of business in the Energy and Natural Resources sector, it is inevitable that disputes will arise, and that the law will develop apace.

EU Policy & Regulatory Alert: New Regulation on Foreign Direct Investment Screening in the EU

22 NOV 2018

The European Union is moving fast towards establishing a joint regulatory and policy framework for Europeans to seize the opportunities provided by Artificial Intelligence (AI) and to reinforce Europe's competitiveness in this field.

Supply chain human rights risk management: Blockchain and emerging technology

8 NOV 2018

Global businesses, financiers and investors are faced with an increasingly complex and interconnected legal, financial and reputation risk agenda related to human rights and other responsible business conduct issues.

International human rights oblige the Netherlands to reduce greenhouse gas emissions by 25 percent by 2020,

the Hague Court of Appeals finds in ground-breaking judgment

2 NOV 2018

On 9 October, the Court of Appeals in The Hague rendered a historic decision on the Dutch state's obligation to combat climate change. It found that Articles 2 and 8 of the European Convention on Human Rights contain a positive obligation to combat climate change.

CFIUS pilot program mandates declarations for certain non-controlling investments in critical technologies

17 OCT 2018

The pilot program covers critical technologies in 27 industries.

Procurement Pulse - September/October 2018

11 OCT 2018

PROCUREMENT PULSE SERIES

Monthly update of procurement case law and other relevant intelligence for procurement practitioners

Supreme Court Corner Q3 2018

27 SEP 2018

The court rules on recovery of lost foreign profits and ponders patentability issues in an invention's sale to a third party that is obligated to keep the invention confidential.

Presidential assent withheld for the first part of Nigeria's petroleum industry legislative reforms

21 SEP 2018

The President of Nigeria has withheld presidential assent for the Petroleum Industry Governance Bill (the 'PIGB') and has requested further amendments to proposed legislation, impacting Nigeria's petroleum industry legislative reforms.

Podcast: Corporate PPAs - why merchant risk is here to stay

19 SEP 2018

Natasha Luther-Jones, DLA Piper Global Co-Chair of Energy and Natural Resources, speaks to Inspiratia about corporate PPAs, the lure of the Nordic market and why the most interesting deal structures will feature some element of merchant exposure

May the force be with you: Force majeure clauses in the energy sector

18 SEP 2018

This article explores the implications of the Seadrill case, in which the hirer of an oil rig sought to rely on a force majeure clause as the basis for its early termination of the contract, and highlights certain practical drafting points which may be particularly relevant to contractors in the energy and natural resources sector.

Positive signs for issuers and the marketplace: Argentina economic briefing

7 SEP 2018

The financial press continues to portray Argentina as another merging-market casualty but, to the contrary, there are a number of positive financial signs, for investors, the country and the marketplace, in today's Argentine economy.

A new Finnish support scheme for renewable electricity generation

17 JUL 2018

In November 2018, the Finnish Energy Authority will launch a call for tenders on a new premium scheme for renewable electricity investments, replacing the current feed-in tariff system.

A reliable decision: foreign act of state doctrine applies in English arbitration

16 JUL 2018

In its recent decision in *Reliance Industries Ltd. v Union of India*, the English Commercial Court has confirmed, for the first time, that the foreign act of state doctrine (which means that a court will not adjudicate on the validity or legality of acts of a foreign state) applies not just to litigation in the English courts, but also to English-seated arbitrations.

What drives the largest PPA markets in Europe?

12 JUL 2018

The number and volume of power purchase agreements being signed in Europe is on the rise. However, almost all of the recent activity has been in just three countries: the Netherlands, Norway and Sweden. This note examines why these three have emerged as the main centers.

OECD releases new guidance on the application of the transactional profit split method under BEPS Actions 10

3 JUL 2018

The Guidance will likely continue the uncertainty for taxpayers as they develop and maintain their transfer pricing policies.

Infrastructure in the Angolan Energy Sector

14 JUN 2018

The Angola Strategy 2025 (AE2025) sets out a long term vision for the country's power sector. The Strategy identifies investment in the electricity sector as crucial, and in order to achieve the fairly ambitious targets set, the Government has set out an equally ambitious infrastructure plan.

Endeavours and expectations in the energy sector

6 JUN 2018

So called "endeavours clauses" often arise in energy and natural resources contracts during the negotiation phase where it would be uncommercial for a party to commit absolutely to achieving a particular objective.

Lucky Seven: Clarification on the doctrine of common mistake

6 JUN 2018

Energy and natural resources projects often require regulatory permissions and approvals to be obtained at various stages. The recent aircraft leasing case of *Triple Seven v Azman* has demonstrated the dangers to parties where (contrary to expectations) such approvals are not obtained and the contract gives one party inadequate protection.

Procurement Pulse

25 JUN 2018

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What can Al Capone teach us about business and human rights?

23 MAY 2018

You may well ask - how on earth can a mafia capo in Chicago from the early 20th century have anything to do with Business and Human Rights in the 21st century?

No Oral Modification clauses - solid as a rock

18 MAY 2018

On Wednesday 16 May 2018 the Supreme Court handed down its much anticipated judgment in *Rock Advertising Limited v MWB Business Exchange Centres Limited*. The issue before the Court was whether a contractual term prescribing that an agreement may not be amended save in writing signed on behalf of the parties (commonly called a "No Oral Modification" or "NOM" clause) is legally effective.

Penalty clauses: how to stay sweet following Candy

9 MAY 2018

This update looks at the recent case of *Holyoake v Candy (Holyoake)*, which provided useful guidance on how the English courts interpret the Penalty Rule and how careful drafting can sometimes take a clause outside of its scope.

Global Trend: Smart Buildings

9 MAY 2018

The real estate sector has recently been marked by the advent of "PropTech". PropTech (or property technology) has been described as a "new explosive wave of innovation", seeing start-up companies pioneer technological products to address a range of inefficiencies in the property market. For example, Airbnb and BuyMyPlace are among the most prominent PropTech inventions (or "disruptors"), which have transformed the traditional property leasing and purchasing markets.

Doubts and uncertainties regarding the draft of the new RES Decree

08 May 2018

A first draft of the new decree providing incentives for energy produced through renewable sources for the 3-year period 2018-2020 was circulated in the past weeks by the Ministry of Economic Development (the New RES Decree).

US to re-impose sanctions on Iran as it withdraws from the Joint Comprehensive Plan of Action

9 MAY 2018

President Trump has signed a presidential memorandum directing his Administration to immediately begin the process of re-imposing sanctions related to the Joint Comprehensive Plan of Action, targeting critical parts of Iran's economy, among them its energy, petrochemical and financial sectors.

Energy Storage

18 APR 2018

[REAL ESTATE GAZETTE SERIES](#)

In late November 2017 the Government published a White Paper on Industrial Strategy. Its stated aim is to fill any gaps in the foundations required to create and maintain a successful free market economy. This includes addressing any weaknesses in the quality of the infrastructure necessary to support a fair and predictable business environment.

DLA Piper on off-the-grid energy solutions for Africa

6 APR 2018

Corporate power purchase agreements (PPAs) are creating development opportunities for large and small companies alike across Africa.

Energy efficiency - the global transition

23 MAR 2018

[REAL ESTATE GAZETTE SERIES](#)

The demand for real estate energy efficiency is increasing rapidly in Northern Europe. DLA Piper's partner Mikko Larvala in Helsinki interviews Tomi Mäkipelto, who leads LeaseGreen, one of the region's fastest-growing energy service companies.

Procurement Pulse - March 2018

20 MAR 2018

[PROCUREMENT PULSE SERIES](#)

Monthly update of procurement case law and other relevant intelligence for procurement practitioners.

Warranty claims in the energy sector: a survival guide

14 MAR 2018

This article gives an overview of recent significant English case law on warranty claims. It aims to assist those engaged in energy sector M&A to avoid potential drafting pitfalls, and to point those considering bringing a claim for breach of warranty (or finding themselves needing to respond to one) in the right direction.

Protección de inversiones en Latinoamérica: México da un paso adelante, y Venezuela sigue retrocediendo

7 MAR 2018

El acceso a mecanismos neutrales de resolución de disputas ha sido durante mucho tiempo un elemento clave del régimen de protección de inversiones de cualquier país.

Procurement Pulse - February 2018

13 FEB 2018

PROCUREMENT PULSE SERIES

Monthly update of procurement case law and other relevant intelligence for procurement practitioners.

E-mobility: EU and UK legal and regulatory developments

30 JAN 2018

Interest in Electric Vehicles has recently surged, with a large number of car manufacturers launching electric cars in direct competition to fossil fuel models. As a result of this, the EU has set itself a number of goals to increase the share of renewable source energy, with particular emphasis on the transport sector.

Intellectual Property and Technology News (United States), Issue 23, Q3 2014

10 SEP 2014

INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS SERIES

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

Tax incentives in Puerto Rico: a quick introduction

13 JUN 2017

Puerto Rico offers a spectrum of economic incentives aiming to promote many key industries. This handbook offers a quick look at ten of the most significant of these incentives.

EU: new obligations for digital services providers and operators of essential services

28 JUN 2016

In line with the EU's broader Cyber Security Strategy, the NIS Directive is a significant step towards a more secure cross-border cyberspace with a high shared level of network and information system security.

Electrify Africa Act is now law

2 MARCH 2016

The law demonstrates broad bipartisan support for a comprehensive US policy aiming to facilitate private financing and PPP structures as tools to develop power projects in sub-Saharan Africa, which should provide opportunities for investors, sponsors and lenders to advance their projects.

Slavery in the supply chain: new corporate reporting obligations for companies

9 DEC 2015

[HEALTH, SAFETY AND ENVIRONMENTAL MATTERS SERIES](#)

The UK's Modern Slavery Act 2015 is in force, imposing on companies new reporting requirements and new enforcement powers, including the creation of an Independent Anti-Slavery Commissioner.

Historic reform in Mexico clears the way for foreign investment in energy sector: 5 key aspects

19 DEC 2013

A clear roadmap for the regulation of hydrocarbons

The EU looks at fracking: regulations taking shape

21 NOV 2013

US commits \$7B to ambitious Power Africa initiative

2 JUL 2013

A new initiative aiming to double access to power in sub-Saharan Africa

New York Assembly passes two-year fracking moratorium, while Illinois moves forward

11 MAR 2013

EVENTS

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Brexit and sustainable energy

25 September 2019

London

TopCo liability panel

25 JUN 2019

London

Media, Sport and Entertainment: Media Summit

7 MAR 2019

SECTOR EVENTS

London

Life Sciences - The Future of Medicinal Cannabis

6 MAR 2019

SECTOR EVENTS

London

Jetro - Africa Investment Forum

4 MAR 2019

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Boardroom Advisory Service seminar and Portrait Exhibition

28 FEB 2019

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Life Sciences - Equity Fundraising in Difficult Times

26 FEB 2019

SECTOR EVENTS

London

Infrastructure Drinks Reception

5 DEC 2018

Manchester

NEWS

DLA Piper advises lenders on the financing of the Stavro Wind Project in Sweden

8 November 2019

DLA Piper has advised DekaBank Deutsche Girozentrale as lender to a 254 MW wind park located in Örnsköldsvik municipality, Sweden. This is DLA Piper's third wind farm project with DekaBank in the last two years.

DLA Piper advises the Natural Gas Public Company of Cyprus

26 August 2019

DLA Piper has advised the Natural Gas Public Company of Cyprus (DEFA) on its tender process for the selection of the contractor for the design, construction, procurement, commissioning, operation and maintenance of an offshore LNG Import Terminal and associated infrastructure, located in Vasilikos, Cyprus (the Project).

DLA Piper announces launch of Artificial Intelligence practice

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

DLA Piper recognised at Partnerships Awards for its role on the Bridge Power Project in Ghana

10 MAY 2019

DLA Piper has been acknowledged for its role advising on the vendor financing for Stage 1 of the 400MW CCGT Bridge Power Project (the Bridge Project) in Ghana at the 2019 Partnerships Awards, held on 9 May 2019 in London.

DLA Piper grows Corporate/M&A practice in London with leading partner hire

30 APR 2019

DLA Piper today announces the appointment of Tracey Renshaw as a partner in its Corporate practice, based in London.

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DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

Galyna Zagorodniuk Re-Elected to the Public Council with the Antimonopoly Committee of Ukraine

28 FEB 2019

Galyna Zagorodniuk, Head of Competition at DLA Piper in Ukraine and member of the Ukrainian Professional Association of Corporate Governance, has been re-elected to the Public Council of the Antimonopoly Committee of Ukraine for 2019-2020.

DLA Piper launches Global LNG Report 2019

27 FEB 2019

DLA Piper today launches its *Global LNG Report 2019: a review of demand, supply and financing issues*, in association with Petroleum Economist, looking at the forces and trends that will shape the global liquefied natural gas (LNG) market in 2019. The report considers three major themes.

DLA Piper advises CIRCOR in US\$85 million sale of Reliability Services business to RelaDyne

28 JAN 2019

DLA Piper represented CIRCOR International, Inc., a provider of flow control solutions and other highly engineered products for the industrial, energy, aerospace and defense markets, in the sale of its Reliability Services business to an affiliate of RelaDyne LLC for approximately US\$85 million.

DLA Piper ranked top 10 for Infrastructure and Renewables

23 JAN 2019

DLA Piper has been ranked as one of the top 10 legal advisers for infrastructure and renewable energy projects in inspiratia's 2018 Renewables & Infrastructure legal adviser rankings. Inspiratia is a provider of real-time analysis and infrastructure and renewables industry news.

DLA Piper advises Greencoat UK Wind on acquisition of 45MW Douglas West wind farm

21 DEC 2018

DLA Piper has advised Greencoat UK Wind (UKW) on the acquisition of a 45MW subsidy-free wind farm in Scotland from Blue Energy.

DLA Piper advises John Swire & Sons and Argent Energy on acquisition of Biodiesel Amsterdam

14 DEC 2018

DLA Piper has advised John Swire & Sons and its wholly-owned subsidiary, Argent Energy, on the acquisition of Biodiesel Amsterdam (BDA)

DLA Piper expands construction disputes team with London partner hire

30 NOV 2018

DLA Piper is pleased to announce that Anna Mills will be joining the firm as a partner in its Litigation & Arbitration practice based in London.

DLA Piper advises CSEIP and E.ON on investment and financing of one of Europe's largest onshore wind farms in Sweden

16 NOV 2018

DLA Piper has advised Credit Suisse Energy Infrastructure Partners AG (CSEIP) and E.ON on their investment into, and financing of one of the largest onshore wind farms in Europe, the 475-megawatt Nysäter project in Sweden. A fund advised by CSEIP will hold 80% of the joint venture, while E.ON will build and operate the wind farm under a long-term O&M agreement and retain a 20% equity stake in the project. The total investment amounts to approximately €500 million.

DLA Piper advises Element Power on the sale of part of its business to Norwegian energy group Statkraft

5 OCT 2018

DLA Piper has advised global renewable energy developer, Element Power, on the sale of its power projects and asset management business covering Ireland and the UK, to Statkraft, a Norwegian state-owned utility.

DLA Piper's Africa practice triumphs at Africa Legal Awards

11 SEP 2018

DLA Piper Africa is proud to announce that its Zimbabwean member firm, Manokore Attorneys, took home the 'African Law Firm of the Year - Small Practice' award at The African Legal Awards, which took place on Friday 7 September 2018 at The Wanderers Club, in Johannesburg, South Africa.

DLA Piper's Natasha Luther-Jones and Peter Ihrfelt acclaimed in The Legal Power List 2018

14 AUG 2018

DLA Piper global Co-Chair of Energy and Natural Resources, Natasha Luther-Jones, and the firm's Head of the Energy sector in Sweden, Peter Ihrfelt, have been named as two of the 100 most influential lawyers in the global wind energy industry, in *The Legal Power List 2018* published by the intelligence service A Word About Wind.

DLA Piper advises Brookstone Partners on the acquisition of AM Wind

1 AUG 2018

DLA Piper has advised the US private equity fund Brookstone Partners on their acquisition of Morocco-based renewable energy company AM Wind from Altus and All'in Consulting.

DLA Piper advises lenders on Blackrock's acquisition of a 197.4 MW wind project in Norway

2 JUL 2018

DLA Piper has advised DekaBank Deutsche Girozentrale as lenders in relation to the acquisition by Blackrock, the world's largest investment company, of a 197.4 megawatt (MW) wind farm in western Norway from Zephyr.

DLA Piper launches Renewable Energy in Africa Guide

19 JUN 2018

DLA Piper's global Energy practice has today launched Renewable Energy in Africa, a major new guide for clients.

DLA Piper Africa welcomes Zimbabwe member firm

19 JUN 2018

DLA Piper Africa has announced that leading Zimbabwean law firm, Manokore Attorneys, is joining as the member firm in Zimbabwe.

DLA Piper advises NORD/LB on the project financing of the first non-subsidy wind farm in the UK

6 JUN 2018

DLA Piper has advised Norddeutsche Landesbank (NORD/LB) on the project financing for the construction and operation of a wind farm in the United Kingdom for German developer Energiekontor. The overall financing volume amounts to GBP 10.4 million.

DLA Piper ranked as one of the top legal advisers for renewable energy

25 APR 2018

DLA Piper has been ranked #2 legal adviser by deal count in inspiratia Q1 2018 renewables legal adviser rankings. Inspiratia is a provider of real-time analysis and infrastructure and renewables industry news.

DLA Piper announces partnership promotions for 2018

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

DLA Piper advises FMO on JCM Power investment

26 MAR 2018

A cross-jurisdictional DLA Piper team from London and Toronto has assisted FMO (the Dutch development bank investing in growth and frontier markets) on its cornerstone investment into JCM Power.

DLA Piper advises INP Deutschland on its sale of shares in INP North America to VINCI Energies Deutschland

23 MAR 2018

DLA Piper has advised INP Deutschland GmbH, an owner-run engineering company, on the sale of 55 per cent of its shares in INP North America Inc.

Stoneway Capital awarded *Project Finance International* 2017 Latin America Deal of the Year

23 MAR 2018

DLA Piper is pleased to announce that their client, Stoneway Capital Corporation, was recognized by Project Finance International with the 2017 Latin America Deal of the Year award.

Campos Mello Advogados adds Paulo Lopes to its Oil and Gas practice

6 MAR 2018

Campos Mello Advogados (CMA) announced today the addition of Paulo Lopes as a new partner in its Oil and Gas practice.

DLA Piper advises Timor-Leste on historic maritime treaty

6 MAR 2018

DLA Piper has been advising the Government of Timor-Leste, for more than four years, on its historic maritime treaty with the Australian Government, signed today at the United Nations Headquarters in New York, following the successful outcome of a compulsory conciliation process.

DLA Piper advises Rosatom on joint venture with Lagerwey to boost Russian wind industry

21 FEB 2018

DLA Piper has advised NovaWind, a Rosatom State Atomic Energy Corporation's unit responsible for new energy programmes in Russia, on its joint venture with Dutch turbine developer Lagerwey, to supply 388 turbines to Russian wind farms by 2022.

DLA Piper advises NORD/LB on the financing of Grimås wind farm, Västra Götaland, Sweden

18 DEC 2017

DLA Piper has advised NORD/LB, the German bank known widely in the market as one of the top financiers to on-shore wind projects in Europe, on the project financing of a 46.8MW (13 turbine) wind farm site in Sweden.
