



Projetos, Energia e Infraestruturas

A equipa de Projetos, Energia e Infraestruturas da DLA Piper tem experiência comprovada na prestação, com sucesso, de serviços jurídicos de primeira qualidade em todos os segmentos dos setores das infraestruturas e da energia. Prestamos aconselhamento sobre direito da energia, financiamento de infraestruturas, transportes e outras matérias.

Os nossos advogados conhecem os fatores comerciais, estratégicos, técnicos geográficos e políticos que afetam e dão forma a estes setores, bem como os riscos e as questões comerciais inerentes ao exercício da atividade nos mesmos. A nossa posição de liderança no mercado também nos confere o acesso em primeira mão a contactos, promotores e decisores-chave em todo o mundo.

CAPABILITES

O grupo representa patrocinadores, empreiteiros, instituições multilaterais, sociedades, promotores, investidores em capitais, instituições financeiras, governos, serviços públicos e organismos reguladores na obtenção, promoção, financiamento, aquisição, construção e operação de uma vasta gama de infraestruturas complexas e projetos do setor da energia em quase todos os continentes.

Estes projetos incluem:

- Produção de energia a partir de gás natural, carvão, petróleo e fontes de energia renovável
- Gasodutos e oleodutos
- Plataformas de perfuração
- Redes de transmissão
- Instalações de exploração mineira
- Projetos nos domínios da defesa e segurança
- Projetos de resíduos e instalações de recuperação de recursos
- Redes de telecomunicações
- Embarcações
- Portos
- Aeroportos
- Autoestradas com ou sem portagem e pontes

CONTACTOS

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SERVIÇOS RELACIONADOS

- Environment, Health and Safety
- Financial Services Regulatory
- International Corporate Reorganizations

SETORES RELACIONADOS

- Energia

- Sistemas de transporte, incluindo aeroportos, metropolitanos, elétricos e autocarros
- Sistemas de abastecimento de água e esgotos
- Instalações de alojamento e cuidados de saúde
- Instalações desportivas, turísticas e de entretenimento

INSIGHTS

Publicações

High Court rules BHP entities were associates

23 March 2020

On 11 March 2020, in an unanimous and landmark decision, the High Court of Australia handed down its decision on the technical meaning of “sufficiently influenced” which is used to determine who is an “associate” under Australia’s foreign income attribution rules. The decision has significant impact for large listed groups especially with a dual-listed company (**DLC**) structure and concerns the application of the Australian Controlled Foreign Company (**CFC**) rules.

Whilst the facts and future application of this case may principally be limited to the DLC type structures, the legal analysis of the definition of “associate” impacts on wider applications as this definition is used outside of the CFC provisions including the thin capitalisation rules, the debt/equity tests and the withholding tax rules.

Introducing the DLA Piper Project Simulator

17 March 2020

One of the most critical challenges faced by our global society is developing high-quality, sustainable infrastructure. To help businesses meet this challenge, DLA Piper has collaborated with leading strategy consultancy BTS to create **The DLA Piper Project Simulator (DPS)**, an interactive training tool.

Looking at FERC record retention regulations for US commodities marketing and trading firms

4 March 2020

Exploring a hypothetical situation in which a natural gas marketing and trading company receives a FERC audit commencement letter.

EPA renewable fuel shift may increase cost of compliance

20 February 2020

What RINs are, how they are priced and how the US EPA’s 2020 rules may affect compliance costs.

COP25’s key outcome: adoption of the San Jose Principles on carbon market mechanisms – takeaways for business

12 February 2020

Ambitious countries are not waiting for full consensus on carbon markets.

Flexing PPPs

10 February 2020

This paper considers how governments can manage this vulnerability when contracting under a PPP contract. It also considers whether alternative contractual models might provide government with better value for money over the longer term.

Construction delays arising out of the Novel Coronavirus outbreak (AsiaPac)

7 February 2020

Since the first case of coronavirus was confirmed in Hong Kong in early February 2020, the government has imposed various measures in an attempt to contain the spread of the coronavirus. The resulting impact of the novel coronavirus is far-reaching and affects every industry and business in Hong Kong. This alert considers some of the key issues that construction contractors and developers in Hong Kong may face. If you need any specific advice, please contact May Ng or Sandy Au for further details.

FCC proposes new rules and spectrum reallocation that could change the future of auto safety communications – agency seeks comments and input

6 December 2019

This significant rulemaking proposal seeks to make watershed changes in the use of spectrum, Intelligent Transportation Systems, and the future of auto and road safety and communication applications in the US.

Jury acquits foreign national in apparent rebuke of DOJ's attempt to police overseas corruption

4 December 2019

The result highlights some significant issues that may, in some cases, limit the ability of the DOJ to prosecute foreign nationals for corruption overseas.

Changes to Equator Principles introduce new requirements in relation to human rights, climate change and Indigenous Peoples for project debt

22 November 2019

On 18 November 2019, the Equator Principles Association published version four of the Equator Principles (EP4), updating the international baseline for the identification, assessment and management of environmental and social risks in international project finance debt markets. The changes, which take effect on 1 July 2020.

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.

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.

Key themes in distressed projects

20 August 2019

Issues and challenges facing global infrastructure projects, and a look at possible solutions and mitigations.

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?

Chile's electric sector under the regulatory magnifying glass

14 August 2019
Implications of recent activity by Chile's Competition Monitoring Unit, an arm of the Electric Coordinator.

Top of Mind: Litigation

20 MAR 2019
In this issue, our coverage of 10 big topics businesses have been thinking about this quarter.

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.

Next for Venezuela: the battle for Citgo

14 FEB 2019
US legal precedent suggests that a Maduro-backed challenge for control of Citgo would face an uphill legal battle.

US government sanctions Petróleos de Venezuela, authorizes US persons to engage in certain limited transactions

29 JAN 2019
OFAC has sought to limit the sanctions' impacts by issuing a series of General Licenses which create a complex web of *limited* authorizations for US persons.

From inception to today: the development of commodity position limits in the United States

17 JAN 2019
In this sweeping overview, we explore the legislative history of the commodity position limit rules and the bona fide hedge exemption.

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.

PPP projects in Latin America: resolving disputes through investor-state arbitration

18 DEC 2018

Investors in public-private partnership projects in Latin America may be able to settle disputes around the projects via investor-state arbitration.

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.

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.

The 116th Congress: prospects for tax policy as House shifts to Democrats

8 NOV 2018

Key issues arising from the overall shift of the House from Republican to Democratic control.

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.

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.

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.

EPA Audit Program looks to add efficiency and certainty to upstream oil and gas acquisitions – top points

27 AUG 2018

The New Audit Agreement offers certainty through clearly defined penalty mitigation and a standard template, and it is fully transferable to any subsequent owner.

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.

Oil and gas licensing round now opened for Danish part of the North Sea

29 JUN 2018

The Ministry for Energy, Utilities and Climate has just opened for applications for licences for exploration and production of oil and gas (hydrocarbons) in the 8th Danish Licensing Round for the Danish North Sea area.

Is collaborative working improving in operational PPPs?

16 MAR 2018

An in-depth look at some of the key questions facing the PPP market, with direct input from those at the coalface of the industry.

Energy and other project developers take note: Clean Water Act's reach still uncertain following multiple developments in Q1 2018

10 APR 2018

Continuing judicial, regulatory and executive uncertainties.

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.

Public-Private Partnerships in Puerto Rico

21 MAR 2017

For those considering participating in P3s in Puerto Rico, this handbook summarizes the applicable legal framework and discusses why Puerto Rico is a favorable jurisdiction for entering into P3s.

Is it a new day for Jones Act enforcement? Maybe. A practical look at coastwise concerns

9 AUG 2016

The decision underscores the significance of each party's right to participate in the arbitration process and arguably expands the scope of existing arbitration jurisprudence.

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

Preparing for EMIR and Dodd-Frank: Our capabilities

8 MAY 2013

The European Market Infrastructure Regulation (EMIR) has been in force since 16 August 2012, however, in the first few weeks of 2013, the detailed technical rules implementing the regulation were finalised and came into force on 15 March 2013.

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

11 MAR 2013

British government lifts year-old fracking moratorium

20 DEC 2012

The British Government has announced it is lifting its ban on hydraulic fracturing (fracking) to extract natural gas from shale deposits.

With revised proposed regulations, "fracking" returns to the fore of New York State's energy policy

11 Dec 2012

New York Governor Andrew M. Cuomo's administration has issued revised proposed regulations for high-volume hydraulic fracturing (fracking or HVHF) in New York State, a move that will avoid sending the entire process back to the drawing board.

Thinking strategically on pipe build-out for the shale boom

1 Oct 2012

Recent developments in horizontal drilling techniques have propelled natural gas production from shale formations to the forefront of domestic oil and gas production today. This rapid expansion is presenting opportunities and challenges for producers and pipeline developers seeking to capitalize on the need to move this gas to market.

The final countdown: Dodd-Frank compliance to begin as SEC and CFTC issue key rules re swaps activities

11 Jul 2012

CFTC issues two proposals affecting those engaging in swaps activities

10 Jul 2012

Marcellus Shale pipeline decision provides guidance on scope of environmental "cumulative impacts" analysis for projects requiring government approval

20 Jun 2012

The Second Circuit has issued a decision providing further clarity on the scope of "cumulative impacts" analysis required under the National Environmental Policy Act (NEPA).

CFTC approves commodity options final rule, establishing trade option exemption

30 Apr 2012

CFTC issues the first of the two rules that will shape the post-Dodd-Frank world

19 Apr 2012

On Wednesday, April 18, 2012, the Commodity Futures Trading Commission met and issued the first of the two “pillar” rules that will shape the landscape of the CFTC’s regulation of swaps under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Pennsylvania tightens rules for drilling in the Marcellus Shale

1 Mar 2012

Pennsylvania Governor Tom Corbett has signed into law Bill 1950, a set of amendments to the Pennsylvania Oil and Gas Act that set forth new standards and requirements for natural gas drilling operations in the Marcellus Shale formation in Pennsylvania.

States' regulations on Marcellus Shale gas extraction continue to take shape

30 Nov 2011

Marcellus Shale drillers face potential liability under Clean Air Act

5 Oct 2011

Eventos

Anteriores

TechLaw

5 March 2020
TechLaw Event Series
Sydney

TechLaw

3 March 2020
TechLaw Event Series
Melbourne

IPEM 2020

28-30 January 2020
Paris

TechLaw Event - "M&A for the New Digital Economy"

7 MAR 2019
TechLaw Event Series
Amsterdam

TechLaw Event - Online platforms - beyond playing innocence?

17 JAN 2019
TechLaw Event Series
Amsterdam

Electric Transmission FERC Ratemaking: Formula Rates, Protocols, Return on Equity and Incentives

7 DEC 2018
Webinar

TechLaw London 2018

5 DEC 2018
TechLaw Event Series
London

TechLaw Event - Virtual Competition

22 NOV 2018
TechLaw Event Series
Amsterdam

Offshore wind developments in the Northeast

16 NOV 2018
Washington, DC

Middle East Tech Summit 2018: The Digital Imperative

5 NOV 2018
TechLaw Event Series

Dubai

P3 Summit

18 - 19 JUN 2018
San Juan

TechLaw in Germany

14 JUN 2018
TechLaw Event Series
Munich

NOTÍCIAS

Dino Barajas joins DLA Piper's Finance practice as co-chair of US Projects and Infrastructure and Latin American Corporate and Finance practices

24 March 2020

DLA Piper announced today that Dino Barajas has joined the firm's Finance practice as a partner in Los Angeles.

DLA Piper lawyers named Acritas Stars

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

DLA Piper advises Sonnedix USA Limited in US\$15 million non-recourse financing

23 January 2020

DLA Piper is pleased to announce that the firm represented Sonnedix USA Limited, a global independent solar power producer, in a US\$15 million non-recourse financing with City National Bank of two operating photovoltaic solar power generation facilities in Puerto Rico.

DLA Piper recognized in IFLR1000 2020 rankings

17 October 2019

DLA Piper has been once again recognized by the IFLR1000 in the publication's 2020 rankings of the world's leading financial and corporate law firms and lawyers.

DLA Piper's Amala Nath named a *Law360* Project Finance Rising Star for 2019

9 September 2019

DLA Piper is pleased to announce that Washington, DC-based Amala Nath has been named a *Law360* Project Finance Rising Star for 2019.

DLA Piper advises CIRCOR in US\$84.5 million sale of Spence and Nicholson product lines

3 September 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 certain assets and liabilities relating to its Spence and Nicholson product lines to Emerson for approximately US\$84.5 million.

DLA Piper advised on Puerto Libertad financing that received MIREC 2019 Project of the Year award

24 MAY 2019

DLA Piper is pleased to announce that the firm represented Acciona Energía and Grupo BioFields, now known as Grupo Alego, global energy companies operating in the renewable energy sector, in their strategic financing of Puerto Libertad, a transaction that recently received MIREC's Project of the Year award for 2019.

DLA Piper advises Acciona Energía and Grupo BioFields, recently renamed Grupo Alego, on strategic financing for Puerto Libertad photovoltaic project

9 MAY 2019

DLA Piper represented Acciona Energía and Grupo BioFields, now known as Grupo Alego, global energy companies operating in the renewable energy sector, in their strategic financing of Puerto Libertad, one of the largest photovoltaic projects in Latin America.

DLA Piper advised on Colombian toll road project financing that received IJGlobal Latin American Deal of the Year award

16 APR 2019

DLA Piper is pleased to announce that the firm represented the Inter-American Investment Corporation (IDB Invest), a member of the Inter-American Development Bank (IDB) Group, in the project financing of the Ruta del Cacao toll road in Colombia, a transaction that recently received IJGlobal's 2018 Latin American Roads Deal of the Year award.

DLA Piper boosts project finance offering with partner hire in London

3 APR 2019

DLA Piper today announces that project finance lawyer Nacim Bounouara has joined the firm as a partner in its Finance and Projects practice, based in London.

DLA Piper advises Natixis, New York Branch as arranger, agent and issuing bank with respect to a US\$50 million secured letter of credit facility for Canadian Solar subsidiary, Recurrent Energy

3 APR 2019

DLA Piper represented Natixis, New York Branch in its roles as arranger, agent and issuing bank with respect to a US\$50 million secured letter of credit facility for subsidiaries of Recurrent Energy, LLC, a wholly owned subsidiary of Canadian Solar Inc.

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.

DLA Piper advises CIT Bank, SMBC, Rabobank and ING on third round of financing for innovative California battery storage portfolios

27 MAR 2019

DLA Piper represented CIT Bank, Sumitomo Mitsui Banking Corporation, Coöperatieve Rabobank U.A., New York Branch and ING Capital LLC in a third round of financing for the continuing expansion and development of a fleet of battery energy storage systems in Southern California for Macquarie Capital (USA) Inc. and affiliates, bringing combined CIT-led debt financings for the projects to more than US\$160 million.

DLA Piper advises CIT Bank, Rabobank and SMBC on financing for innovative California battery storage portfolio

7 JAN 2019

DLA Piper represented CIT Bank, Sumitomo Mitsui Banking Corporation and Coöperatieve Rabobank U.A., New York Branch in the US\$100 million project financing and refinancing of the continuing expansion and development of a landmark fleet of behind-the-meter battery energy storage systems in Southern California for Macquarie Capital (USA) Inc. and affiliates.

DLA Piper advises Palisade on acquisition of equity stake in HCL fiber optic cable business

14 September

DLA Piper has advised Palisade Investment Partners Limited (Palisade), on behalf of funds that it manages, on the acquisition of a significant equity stake with board representation in HCL Limited Partnership, HCL LP General Partner Limited and International Connectivity Services Limited.

DLA Piper receives *Latin Lawyer Deal of the Year* award

25 APR 2018

DLA Piper received *Latin Lawyer's* Project Finance Deal of the Year award for its representation of Abengoa in the sale of a combined cycle power plant to a consortium consisting of Macquarie Capital and Techint.
