



Renewables

We are at the forefront of the renewable energy market, advising sponsors, developers, financiers and regulatory bodies, among others, on transactions across the spectrum of renewable energy technologies, including hydro, solar, onshore and offshore wind, energy-from-waste, biomass and biofuels.

Our renewable energy lawyers have hands-on, practical experience of delivering each stage of a project, including planning, permitting, joint ventures and other corporate matters, structuring equity investment, developing project documents (such as PPAs, turbine supply agreements, EPC and O&M arrangements), project finance (including multi-source, ECA-backed financings) and M&A. We further advise our clients in relation to renewable energy support mechanisms, such as ROCs, LECs and CfDs in the UK, as well as statutory feed-in tariffs and other such mechanisms for both suppliers and end users.

EXPERIENCE

Solar power and solar technology projects

- John Laing Investments Ltd on their first acquisition and development in the solar sector in respect of two 5MW solar parks in England acquired from Wirsol. Following the acquisition, we advised John Laing Investments Ltd on the refinancing of this project by Nord LB.
- The sponsor, a subsidiary of Eaga plc, in connection with the £235 million project financing for the UK's first large-scale rooftop solar PV project to achieve financial close in the UK.
- Landesbank Baden-Württemberg in respect of a PV project financing in Cornwall.

Onshore and offshore wind projects

- The lenders in connection with the project financing of the Red Cap Kouga wind farm in South Africa.
- The sponsor in connection with the project financing, provided by lenders including the EIB and the EBRD, of the 120 MW Margonin wind farm in Poland, the largest renewable energy project financing in Poland to date.
- A successful bidder for a Zone in the Round 3 Offshore Wind Farm programme in the United Kingdom.
- Nord LB on 7 separate on-shore wind project financings which have successfully reached financial close and advising Nord LB on a further onshore wind project financing.

KEY CONTACTS

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- Climate Change
Adaptation and Legal
Risk

- Energy and Natural
Resources

- O2 Vind in relation to a 10 year PPA with Google for the entire output of a 72MW wind farm project in Sweden.

Other renewable power technologies

- £650 million development of a 240 MW tidal-powered electricity generating station in Swansea Bay, South Wales.
- The lenders in connection with the project financing of the Mtkvari hydro power project in Georgia.
- Stobart Group on portfolio of investments in new biomass generating capacity of up to £500million.
- Drax Power Ltd on long term wood pellet biomass supply contracts, typically with North American suppliers.

INSIGHTS

Publications

Episode 3: Are corporates in the green driving seat?

24 May 2021

THE CLIMATE TRANSITION PODCAST

We have seen growing demand from corporates to buy power from wind and solar projects. In this episode, we are joined by Phil Dominy from EY as we look at how current agreement in these power purchase agreements (PPAs) is driving significant corporate activity on fixing the climate crisis. Are PPAs delivering the action we need? How can corporates work closely with renewable operators to do more and do it faster? How can we grow PPAs beyond a handful of off-takers and countries?

DLA Piper · Corporate power purchase agreements: Are corporates in the green driving seat?

Three ESG steps to keep your project bankable in 2021

17 September 2020

Version four of the Equator principles will take effect on 1 October 2020, and it introduces three new requirements to the international environmental and social baseline for project finance.

Revisions to Japan's Stewardship Code in 2020

29 April 2020

On 24 March 2020, Japan's Financial Services Agency (FSA) finalized and published the second revised version of Japan's Stewardship Code (the Code). The revised Code (the Revision Code) is intended to progress the Japanese government's corporate governance reform, one of the key pillars of Prime Minister Abe's economic revival program, following revisions to Japan's Corporate Governance Code in 2018.

"Recycling Victoria: A new economy" and the future of waste to energy

9 April 2020

Australia's Victorian Government recently released "Recycling Victoria", a circular economy policy and 10 year action plan. The policy and action plan primarily focuses on reduction of waste and increasing recycling.

Understanding the NEC4 suite of contracts

6 March 2020

Despite its immaturity in the Australian market, the New Engineering and Construction Contract (NEC) suite of contracts has been used around the globe for many years. The new NEC4 suite is becoming increasingly relevant in the Australian and Asia Pacific construction market, as project owners look for alternatives to existing, outdated standard form contracts.

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.

NEWS

DLA Piper advises Hawaiki on divestment of its submarine cable

30 July 2021

Global law firm DLA Piper have advised Hawaiki on its divestment of 100% of its interest in the Hawaiki Submarine Cable. The divestment was made to BW Digital Pte. Ltd with the current Hawaiki team continuing to manage the business.

DLA Piper advises Banpu Energy Australia on first renewable power investment in Australia

7 June 2021

Global law firm DLA Piper is proud to have advised Banpu Energy Australia on its entry into a Securities Sale Agreement for the acquisition of a portfolio of two operating utility scale solar projects in New South Wales from New Energy Solar Limited.

DLA Piper advises SUEZ on energy-from-waste project

8 January 2020

Global law firm DLA Piper has advised waste management leader SUEZ Recycling and Recovery Pty Ltd (SUEZ) on the East Rockingham Resources Recovery Project – only the second utility scale energy-from-waste project to reach financial close in Australia.

In Australia

Our lawyers are recognised as experienced, trusted legal advisors to clients working in the renewable energy sector. We provide commercially savvy advice on all types of clean tech matters. Our energy generation experience includes wind, hydro, waste-to-energy, biofuels, biomass, wave, tidal and solar photovoltaic. We combine a detailed legal knowledge of the sector with commercial experience of the industry. Clients receive seamless service across all practice areas regardless of the nature of the transaction.

When your chief concern is to develop or invest in renewable energy, your success often depends on strategic advice that you can deploy quickly and efficiently, in a rapidly changing, multi-national marketplace.

At DLA Piper, we can help you develop and commercialise the knowledge-based, cutting-edge products and services that are the essence of clean tech: new sources of renewable energy, new processes and materials for sustainable manufacturing and new technology and products for managing and reducing energy use.

Our services include:

- renewable energy projects
- carbon markets and emissions trading
- climate finance
- planning, development, environmental and regulatory
- acquisition and disposals of assets and companies across the globe
- establishment and operation of renewable energy trading businesses
- negotiating PPA, O&M agreements, turbine supply and EPC contracts
- structuring complex JVs for new projects and restructuring or acquiring existing projects
- financing and refinancing power projects (including wind farms, bio-mass and waste-to-energy schemes)
- energy trading and regulation

Our experience includes:

- Representing Nordex USA, Inc., one of the world's largest wind turbine producers and alternative energy project developers, and Synergics, Inc. as project counsel in a complex combination of bridge project financing and a receivable sale secured by a US Treasury cash grant in connection with a US\$110 million wind power project in Maryland.
- Representing Union Bank, N.A. in originating a US\$55 million credit facility to SunPower Corporation, which designs, manufactures and delivers high-performance solar electric systems worldwide for residential, commercial and utility-scale power plant customers.
- Representing Pacific Light & Power (PL&P), as developer of the Konohiki Hydroelectric project located on Kauai in Hawaii, in opposing a competing application for development of the facility. Representation included filing an opposing statement with FERC noting PL&P's existing control of the site, leases, water use contracts, requisite permits and support from the local community. As a result, FERC denied the competing applications.
- Representing UTS BioEnergy, LLC, with its portfolio financing of two waste-to-energy (reclaimed wastewater methane for use in fuel cells) projects in San Jose and San Bernardino, California. The projects, worth US\$40 million, were financed using California Pollution Control Bonds, Section 1603 "Grants in Lieu" funds and California's Self-Generation Incentive Payments (SGIP). Debt repayment will be made from the grant proceeds and SGIP payments as well as the proceeds of the power purchase agreements with the relevant wastewater utilities. This is only the second such transaction of this type of waste-to-energy project financing.
- Representing BP Biofuels North America LLC, an affiliate of BP America, Inc., in connection with the negotiation and execution of a purchase agreement with Verenium Corporation (NASDAQ: VRNM), pursuant to which BP Biofuels North America has agreed to acquire Verenium's cellulosic biofuels business, including Verenium's facilities located in Jennings, Louisiana and San Diego, California for a purchase price of US\$98.3 million.