

# Benjamin M. Jacobi

SHAREHOLDER

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Benjamin Jacobi serves energy industry clients and has been working with the industry for nearly 10 years. Ben represents developers of renewable energy projects, such as wind, ground-mounted and floating solar, battery storage, transmission, carbon sequestration pipelines, hydrogen and biofuel.

At the local level, Ben is an experienced land use attorney and represents community and utility-scale renewable energy project developers in all phases of permitting before local government. Ben also counsels clients on road use agreements, drainage district agreements, community benefit and development agreements, annexation agreements and other transactions with local governments necessary to develop renewable energy projects.

At the state level, Ben regularly appears before the Illinois Commerce Commission and recently assisted a developer of a high-voltage direct-current transmission line to obtain a certificate of public convenience and necessity. Ben also assists with environmental permitting, including water, air and wildlife compliance, and assists clients to comply with FAA regulations, obtain determinations of no hazard and request approval for aircraft detection lighting systems. Ben also counsels clients on Agricultural Impact Mitigation Agreement negotiations with the Illinois Department of Agriculture, High Impact Business designations with the Illinois Department of Commerce and Economic Opportunity and enterprise zone incentives and expansion with local enterprise zone administrators.

Ben's transactional experience also includes negotiating royalty agreements, drafting and reviewing land leases for project infrastructure, drafting and reviewing wind wake agreements and easements, counseling on power purchase agreements, interconnection agreements and renewable energy credit contracts and counseling on purchase and sale agreements. Ben has also led real estate, permitting and regulatory due diligence reviews of renewable energy assets.

Ben counsels solar developers regarding the Illinois Adjustable Block Program, including project eligibility and waitlist/point analysis, Part I and Part II applications, approved vender status, REC contracts, interconnection agreements, equity eligible contractor status and assignability of incentives.

## Capabilities

- Energy
- Commercial Contracts & Transactions
- Public Utilities & Energy Consumers
- Renewable Energy Project Development
- Energy Transactions

When necessary, Ben is also an experienced litigator and has successfully resolved numerous challenges to energy development and other land use permits in court, including a victory in the Illinois Supreme Court. Ben's experience litigating challenges to zoning permits enables him to identify and head off key issues of potential dispute in the development phase, saving his clients from potential litigation exposure.

Prior to joining Polsinelli, Ben counseled dozens of local governments on various zoning issues, and within that scope received multiple appointments as special assistant state's attorney. In the energy context, Ben counseled counties throughout Illinois on their wind and solar ordinances and guided Zoning Boards of Appeals through related complex hearings. Ben regularly advised zoning administrators on zoning compliance issues related to energy development. Ben's prior experience counseling counties and other local governmental entities makes him a valuable resource to clients seeking permitting from local regulators.

Ben also served as a law clerk to the Honorable P. Michael Mahoney in the United States District Court for the Northern District of Illinois from 2008 to 2010.

## Education

- University of Iowa (J.D., *with distinction*, 2008)
  - Managing Editor of Journal of Corporation Law; Outstanding Student Writer Award
- University of Illinois (B.S., *Dean's List*, 2005)

## Bar Admissions

- Illinois, 2008

## Court Admissions

- U.S. Court of Appeals, Seventh Circuit
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Central District of Illinois
- U.S. District Court, Southern District of Illinois

## Memberships

- 2025 Midwest Solar Expo, Education Committee
- Energy Bar Association, Midwest Chapter Member
- American Clean Power, Midwest Committee Member
- Access Living of Metropolitan Chicago, Volunteer

## Recognition

- Illinois "Rising Star" by *Super Lawyers*, 2016-2021
- Trial Lawyer Excellence Award by the Jury Verdict Reporter, 2018

## Clerkships

- Federal Clerkship, Hon. P. Michael Mahoney, Northern District of Illinois, 2008-2010