

Data Center & Infrastructure

Our clients build the infrastructure the digital world runs on. We help them make it happen. Polsinelli is a trusted partner to the hyperscalers, developers, utilities, enterprise users and equity sponsors behind the next generation of data centers and energy-intensive infrastructure. From site selection and entitlements to interconnection, incentives and project finance, we guide the legal, regulatory and commercial decisions behind today's most ambitious data center projects.

With experience spanning more than 300 data center and network infrastructure projects over the past decade, our multidisciplinary team combines strength in project finance, energy, real estate, M&A, technology and regulatory matters to drive data-driven infrastructure development in the industries where it matters. Our team has advised on more than \$100 billion in energy-related transactions and procured substantial power capacity to support mission-critical data center operations. We've supported the development of millions of square feet of industrial and digital infrastructure and negotiated billions of dollars in incentives for our clients.

From Tier 4 colocation moves for major banks, to SMR-powered campuses for AI training, to incentive-driven deals for PE-backed platforms, we've seen the full spectrum of what today's digital economy demands — and we know what it takes to build in this market.

What We Do:

Our cross-disciplinary team helps clients solve for what matters most in data center development:

- **Real Estate & Land Use** – site selection, acquisition, zoning, opposition mitigation, development, entitlements, leasing and sale-leasebacks
- **Energy & Utilities** – power procurement, renewables, on-site and behind the meter generation, SMRs, negotiating jurisdictional tariffs, and service and interconnection
- **Economic Development & Incentives** – TIF, PILOT and other local, state and federal incentive programs
- **Project Finance** – public and private financing and advising on debt, equity, joint ventures and sale-leaseback financing models
- **Telecom & Fiber** – dark fiber leasing, lit services, interconnection strategies, colocation and facilities operations, environmental SLAs, business continuity planning, and long-haul and metro networks and cross-connects
- **Technology & AI Infrastructure** – import/export controls, IP licensing, AI-specific power planning, third-party contracting, procurement and importation of AI-specific IT equipment, and physical security, data privacy and compliance with cybersecurity standards
- **Regulatory & Environmental Considerations** – DOE, FERC, CFIUS, privacy and AI regulations, and state utility commissions
- **Construction** – construction contracts, bid preparation and contractor selection, insurance coverage and liability assessment, sustainability and green building compliance and surety bond issues

Who We Help:

We represent the full spectrum of stakeholders shaping today's data center economy, including:

- Global hyperscale platforms
- Emerging and established developers and operators
- Institutional lenders and private equity sponsors
- Enterprise users in financial services, healthcare and defense
- Telecom carriers, utilities and cloud infrastructure providers
- Tenants, suppliers and JV partners with integrated operations across digital infrastructure, real estate and energy
- Energy developers and providers

We work shoulder to shoulder with technical consultants, power planners, engineers, project developers and real estate brokers to move projects from vision to operation.

Matters

- **Real Estate & Construction**
- **Energy**
- **Project Finance**
- **Corporate & Transactional**
- **Technology, Privacy & Cybersecurity**

Real Estate & Construction

- Represent a global data center platform on their new data center development across the Midwest. Our representation includes resolving title matters related to property acquisition; obtaining zoning and entitlements; all aspects of providing electric service to their proposed sites; and securing real property, personal property and employment incentives.
- Serve as lead outside counsel to a full service national commercial real estate company specializing in industrial development, including the development, acquisition and sale of more than 20 million square feet of industrial and data center project sites.
- Represented the owner of an approximately 9,000-acre site of a former U.S. Army ammunition plant in establishing the largest tax increment financing district in the history of the State of Kansas and negotiating with several Fortune 500 companies to construct and incentivize a \$4 billion plant and data center.
- Represented an institutional investor in forming a joint venture valued over \$1.5 billion to own a fully-leased data center outside of Chicago.
- Represented a sponsor in a platform joint venture with a European pension fund to acquire and develop data centers in the U.S. and Canada.
- Represented an NYSE-listed global data center platform on new build-to-suit data center leasing, construction and service operations agreement in the U.S., Australia, Japan and Europe.
- Represent a global data center platform with data center development across the U.S. Our representation includes property acquisition, obtaining zoning and entitlements, provision of electric service to their proposed sites and securing incentives.

Energy

- Advised a leading independent global clean energy developer on entitlements and financing for a 4,000-acre solar farm project in Tennessee, built to supply renewable power to data centers statewide and directly support record-setting economic development activities across the Tennessee Valley.

- Advised a data center developer in Indiana regarding the negotiation of a power procurement agreement with a regulated utility and representation of a developer before a state utility commission.
- Advising a Chicago-based multinational power generation development and operations company regarding the entitlement and financing of its 4,000-acre solar farm project, which is intended to provide renewable power for data centers throughout the state.
- Represented an electric utility company in the negotiation of power supply arrangements for a data center development in Missouri.

Project Finance

- Represented a utility developing small, modular reactor projects using xEnergy technology in the Pacific Northwest with a global e-commerce company funding the development and serving as the lead electricity offtaker for its data center project. Our involvement included negotiating the project funding agreement and extending the funding and rights for future projects — including power needs, fuel supply matters and IP licenses — as well as the terms related to debt financing (including DOE) of the initial project.
- Represented a major U.S. utility in the planned development, financing, construction and operation of an SMR nuclear project at an existing nuclear plant site. The project included early-stage FEED work, joint venture structuring and shared funding and power offtake arrangements with a joint venture partner, all in connection with data center development and operations.
- Represented a leading U.S. energy producer in the phased sell-down of interests in Texas data center projects and advised on ongoing power supply arrangements to support continued operations.
- Represented an NYSE-listed global data center platform in the joint venture financing of strategic data centers built for large financial institutions.
- Advise some of the country's largest lenders in financing the development and operation of data centers across the U.S.

Corporate & Transactional

- Represented the largest underground data center in the United States on a wide variety of transactions, ranging from inbound telecom and fiber to cross-connects, and from wholesale collocation to retail collocation and managed services.
- Represented a multibillion-dollar university health system in the migration to a new custom-built exclusive data center hall as part of an eight-figure infrastructure deal.
- Represented a faith-based employee benefits provider in an infrastructure overhaul, including new fiber capacity, new data center and network equipment, managed services and IaaS/PaaS services.
- Represented a private equity backed, Midwest-based data center company in multiple acquisitions involving asset and stock purchases of data center companies.
- Represented a national private equity-backed secured data center company in its initial stock acquisition, various financings and in day-to-day legal affairs.
- Served as lead deal counsel to multiple private equity-backed data center companies in their acquisitions, dispositions and financings, including all aspects of due diligence, negotiation and documentation.

Technology, Privacy & Cybersecurity

- Represented an NYSE-listed global data center platform in the development of sales and agency channel partnership relationships with technology and other service providers.
- Assisted an NYSE-listed global data center platform with new ancillary technology and telecommunications product offerings to customers.
- Represented a large regional multi-location data center solution provider, underground secure data facilities and "carrier hotels" with issues related to design, construction and collocation, and managed services agreements.
- Represented the largest underground data center in the United States on a wide variety of transactions, ranging from in-bound telecom and fiber to cross-connects, and wholesale collocation to retail collocation and managed services.
- Drafted form "big data" license and co-development agreement for use with a hospital system's enterprise data warehouse.

- Served as breach response counsel to a federal credit union in connection with a third-party vendor breach, wherein the client experienced a data center outage as a result of a cyber-attack experienced by the client's information technology service provider, resulting in access by a threat actor to their computer systems.

Publications

April 1, 2026

The Community Backlash Against Data Centers

Quoted, Real Assets Adviser

February 9, 2026

Opposition to Data Centers Has Scrambled the Calculations Behind the Asset

Quoted, Commercial Observer

February 2026

The community backlash against data centers

Featured, Real Assets Adviser Podcast

December 17, 2025

Polsinelli Eclipses \$1B Revenue Mark, Grows PEP to \$3M

Featured, The American Lawyer

November 12, 2025

Landowners are going all out to ride the multibillion-dollar data-center wave

Quoted, The Business Journals

November 11, 2025

Data Centers in the Mid-Atlantic Face a New Legal Frontier: "Bring Your Own Generation"

November-December 2025

Pennsylvania Utility Commission Reviews Data Center Impacts Amid New Energy Plan

Author, Pratt's Energy Law Report Vol 25 No 10

October 15, 2025

Private Equity Propels Lenders Counsel Inner Circle

Quoted, Law360

May 14, 2025

Pennsylvania PUC Reviews Data Center Impacts Amid New Energy Plan

February 19, 2025

GenAI + Data Center Boom = Electrical Grid Crisis

Quoted, Commercial Observer