

Energy Transactions

Polsinelli's energy and finance teams have been involved in more than \$20 billion in acquisitions, divestitures, financings and other strategic transactions throughout the United States. These projects include all forms of renewable energy, including wind, solar, battery storage and other types, as well as infrastructure such as electric transmission and pipelines. Our energy and finance attorneys have significant experience in these transactions on behalf of developers and borrowers, selling and acquiring parties, lenders, tax equity investors and service providers and recipients.

Our team's energy transactional work includes:

- planning, structuring, choice of entity and formation;
- comprehensive advice, strategy and solutions for joint ventures and strategic alliances for energy assets;
- financings, acquisitions and divestitures of renewable energy projects;
- due diligence management and review on behalf of acquiring parties, lenders or tax equity investors;
- structuring, documentation and negotiation of acquisition or divestiture agreements for renewable energy projects;
- documentation and negotiations of financing or tax equity documentation;
- preparation and negotiation of mortgages, deeds of trust and other security documents for financing transactions;
- federal, state and local regulatory issues and filings;
- real estate review and diligence;
- land use issues and permitting;
- tax analysis and structuring;
- analysis of environmental and permitting matters; and
- preparation/negotiation of necessary legal opinions for debt and tax equity financings.

Matters

Mergers, Acquisitions, & Divestitures

- Represented a Fortune Global 100 company in its private investment in a U.S.-based energy trading company
- Represented an energy developer and investor in the purchase of a portfolio of solar development projects located in five states throughout PJM and MISO territories and representing more than 950 MW in solar and battery storage projects under development
- Represented solar developer in the purchase of utility-scale solar project under development in Ohio

- Represented an international infrastructure fund in the due diligence and proposed acquisition of a 100 MW utility-scale battery energy storage system in Texas
- Represented leading developer of renewable gas-to-vehicle fuel projects and dairy biogas-to-renewable gas facilities in the sale of the company
- Represented renewable energy developer in the sale of 100 MW solar development project in Ohio
- Represented international infrastructure fund in the acquisition of interests in a portfolio of 28 operating wind and solar projects, totaling more than 1,400 MW and operating in 12 states
- Represented strategic partnership in the acquisition and financing of a 77 MW solar project in Texas
- Represented solar development company in the sale of a portfolio of solar community projects in Illinois
- Represented international investment fund in the purchase of interests in a portfolio of operating wind assets in Illinois, Texas and Nebraska, with a combined operating capacity that exceeds 850 MW
- Represented a developer in the development and sale of a community-scale photovoltaic project in Arizona
- Represented electric cooperative in sale of electrical distribution assets in Oklahoma
- Represented municipal-owned utility in Kansas in the purchase of electrical distribution and substation assets

Energy Financings

- Represented lenders or borrowers in secured and unsecured credit facilities, syndicated credit facilities, direct lending transactions, mezzanine financings, project finance transactions, workouts and restructurings involving all types of renewable energy projects and oil and gas assets, including upstream, oilfield services and midstream sectors
- Represented solar developer in the development and financing of a portfolio of multiple large-scale rooftop solar installations for commercial and industrial customers
- Represented a solar investment fund in multiple loans, totaling more than \$150 million, to solar developers to finance ongoing development of utility-scale solar projects in multiple states, including New York, Georgia, Missouri, Rhode Island and Maryland
- Represented and advised financial institutions and end-users in structuring, negotiating and documenting derivatives transactions and other financial products, including ISDA documentation and protocols, on a standalone basis or as part of capital markets, loans or other transactions
- Represented leading renewable energy developer in tax equity financings of five wind projects throughout the Midwest, totaling 850 MW and more than \$1.5 billion in tax equity financings
- Represented leading renewable energy developer in project development and tax equity financings of numerous utility-scale solar projects throughout the country, totaling more than 800 MW in development and operating projects
- Represented lenders in the financing of a portfolio of Texas solar projects totaling more than 250 MW in development
- Represented solar developer in the development and financing of a 160 MW solar project in Georgia
- Represented an international renewable energy company in the tax equity financing of a 278 MW wind project in Illinois
- Represented developers as lead project counsel in the development, construction and tax-equity financing of six operating wind projects in the Kansas and Oklahoma totaling 1,055 MW and more than \$2.1 billion in project investment
- Represented a tax equity investor in a \$165 million acquisition and financing of a 60 MW wind project in Nebraska
- Represented a solar developer in connection with development, construction and financing of an 18 MW solar power plant in North Carolina
- Represented a wind developer in the financing of a 200-megawatt wind project in Missouri, with total project costs in excess of \$334 million
- Represented a wind developer in developing a 300 MW wind project in Colorado
- Represented a wind developer in developing multiple wind projects in Texas totaling more than 450 MW
- Represented a wind developer in financing a portfolio of Kansas wind energy projects representing more than 415 megawatts of nameplate capacity with total project costs in excess of \$681 million
- Represented a wind developer in financing a 178 MW wind project in Kansas, with total project costs in excess of \$296 million

- Represented lenders in financing a portfolio of wind power assets totaling 299 MW of wind energy capacity in Kansas, with total project costs in excess of \$475 million
- Represented a wind developer in developing, financing, constructing, and operating a 300 MW wind project in Oklahoma
- Represented lenders in \$350 million financing of a 201 MW wind project in Kansas, with total project costs in excess of \$425 million
- Represented lenders in the \$352 million project financing for a 150 MW wind project in Missouri
- Represented a wind developer in the \$265 million financing of a 165 MW wind project in Kansas, with total project costs in excess of \$325
- Represented a wind developer in state regulatory matters related to the development, construction, and operation of a 419 MW wind project in Kansas
- Represented a wind developer in developing, financing, constructing, and operating a 200 MW wind project in Kansas
- Represented community solar developers in developing, constructing and financing of a portfolio of solar community projects in Colorado

Energy – Commercial Contracts & Transactions

- Served as outside commercial counsel to numerous energy clients by providing and managing commercial contracting and sourcing support, including reviewing, drafting and negotiating equipment and energy supply agreements and service agreements spanning a wide range of energy technologies
- Represented Fortune 500 company in negotiation and execution of virtual power purchase agreements with renewable developers
- Represented leading residential solar company in commercial contracts and transactions, including equipment supply agreements, lines of credit and sales programs
- Represented numerous renewable energy companies in multiple forms of joint development, development services and strategic partnership agreements
- Represented multiple energy clients and documentation and negotiation of power purchase agreements, solar services agreements and energy services agreements

Entity Structuring, Joint Ventures, & Strategic Alliances

- Provided a wide range of legal services, from selecting the appropriate choice of entity through exit strategies and everything in between during the life cycle of our client's business
- Provided comprehensive legal advice for balancing risk management and financial returns in structuring joint ventures and strategic alliances to develop, own and/or operate energy assets