

# Energy

Polsinelli's Energy Law practice has achieved a national presence by representing energy companies, utilities, developers, lenders and investors across the country in connection with the acquisition, development, finance and operation of a variety of energy facilities – including electric generating facilities, wind, solar, geothermal, biomass and biofuel renewable energy projects along with oil and gas.

Our Energy group attorneys have a broad range of interdisciplinary experience and depth of knowledge that allows them to effectively collaborate with clients to achieve their legal objectives. The team also benefits from the valuable perspective of its members who have served previously as in-house counsel and leadership of federal and state regulatory agencies. Our vast experience in real estate, environmental, construction, land use, finance, regulatory, business, tax, construction and litigation issues is an invaluable resource for meeting our clients' unique goals.

Our attorneys commonly partner with clients on matters ranging from structuring a business or organization; ensuring that energy development is compliant with industry standards and government regulations; acquiring, permitting, developing, financing, constructing and operating a facility; and protecting investment in workout and litigation situations.

Our work with energy clients includes:

## **Renewable Energy Project Development**

Recognized as a leader in renewable energy and representing developers, owners, utilities, investors, consumers and lenders with all aspects of the development and transaction process.

## **Public Utilities & Energy Consumers**

Assisting major industrial consumers, as well as regulated and non-regulated utilities, with a broad spectrum of unique legal issues.

## **Energy for Data Centers**

Representing data center developers and cloud service providers in tariff proceedings, service agreement negotiations and project development.

## **Electric Transmission and Linear Infrastructure**

Handled certificated, obtained siting authority and guided the acquisition of right-of-way for over 1,500 miles of electric transmission lines.

## Battery Storage

Supporting developers and investors in battery storage projects with pragmatic guidance across the project lifecycle.

## Energy Transactions

Representing energy companies, developers, and major industrial consumers in energy contracting and transactions to facilitate efficient use of energy services and sources, including partnering with energy services companies and host facilities to achieve reductions in load, costs and emissions.

# Matters

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- Represent major Renewable Energy developer as lead regulatory counsel in the development, implementation and construction of a multi-billion dollar 780-mile 600 kV HVDC transmission project spanning 4 states
- Representation of wind developers with projects throughout the United States representing more than 10 GW of nameplate capacity and more than \$10 billion in capital expenditures
- 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
- Representation of developers in large scale utility scale solar projects ranging from a 100 MW to a 500 MW representing more than 3 gigawatts of generation and \$3 billion in capital investment
- Represent an energy developer and investor in the purchase of 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
- Counsel to a state Finance and Administration Department for development of a \$1.1 billion P3 project involving privatization of its statewide dark fiber network, which earned the “Deal of the Year Award” for 2015 from Bond Buyer and the “Excellence in Development Finance Project Award”, a top award from the Council of Development Finance Agencies (CDFA).
- Assist major electric utility in drafting, implementation and approval of comprehensive energy plan encompassing construction of a \$2 billion 850-MW base-load super critical electric generating facility, environmental upgrades to existing plant, wind resource development, demand side management programs and rate stability programs. During the implementation phase, assisted with multiple rate case(s) and various other regulatory issues.
- Represented major electric utility in analysis, planning, implementation and regulatory approvals for coal-fired electric generating facility retrofit.
- Representation of Colorado community solar project developer regarding contracting, financing, regulatory, and litigation issues.
- Served as project development counsel for unique enhanced oil recovery projects in Kansas and Louisiana, including negotiation of all construction and service contracts pertaining to the project.
- Assisted electric cooperatives with multiple rate cases and other regulatory issues, including purchase power agreements (PPAs), and construction of gas turbine generation facilities.
- Assisted major electric cooperative with addressing rights and responsibilities under Notice to Construct (NTC) received by the Southwest Power Pool (SPP), and assisted with subsequent issues related to designating rights and responsibilities under the NTC to a large electric transmission company.
- Negotiated large generator interconnection agreements with major transmission companies and RTO.
- Act as general counsel for a major U.S. wind developer, and represent it in every aspect of development, construction, sale of power (such as purchase power agreements and asset sales), construction and finance issues, and other issues involved in the construction and operation of wind farm developments.
- Oversee leasing activities for over 30 wind energy projects in 12 states in the Midwest with a potential energy generating capacity of over 10,000 MW.

- Local counsel to major international renewable energy company on tax, construction, regulatory and litigation issues associated with operation of renewable energy facilities.
- Represented a Singapore-based oil and gas exploration and production company in its investment, participation, and joint operations of producing properties and working interests in more than 60,000 acres in Colorado and North Dakota from a Norwegian oil and gas company.
- Represented a wind developer in the \$265 million financing of a 165-megawatt wind project in Kansas, with total project costs in excess of \$325 million.
- Represented solar developer in connection with drafting model solar services agreement and easement for use in Colorado solar projects.
- Represented lenders in the \$350 million financing of a 201-megawatt wind project in Kansas, with total project costs in excess of \$425 million.
- Represented a major electric cooperative with development and regulatory approvals of state of the art energy efficiency programs.
- Led Illinois project development counsel for the construction of two multi-state EHV electric transmission lines.
- Acquisition of rural natural gas gathering and distribution facilities from bankruptcy and formation of a non-profit utility for major agricultural users in Western Kansas.
- Assisted electric cooperatives with multiple rate cases and other regulatory issues, including purchase power agreements and construction of natural gas generation facilities.
- Represented major investor owned utility with solar development initiatives, including regulatory and legislative issues.
- Representation of lenders in the financing of a 23 million gallon per year integrated biomass to cellulosic ethanol facility in Kansas, together with a 20 MW cogeneration plant.

## Publications

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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 2025

**Missouri Enacts Significant Utility/Regulatory Omnibus Bill**

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

August 25, 2025

**Florida's SB 492 and the Future of Wetland Development**

June 24, 2025

**New Jersey BPU Launches Multi-Phase Energy Storage Incentive Program**

May 14, 2025

**Pennsylvania PUC Reviews Data Center Impacts Amid New Energy Plan**

May 2025

**AFIDA Penalties Are Coming: Costs for Renewable Development May Be More Than You Think**

*Co-Author, Pratt's Energy Law Report May 2025 Vol 25 No 5*

April 22, 2025

**Missouri Enacts Significant Utility/Regulatory Omnibus Bill**

March 2025

**U.S. Department of Justice Indictment Signals Increasing Scrutiny of Carbon Credits**

*Co-Author, Pratt's Energy Law Report, Vol 25 No 3*

February 19, 2025

**GenAI + Data Center Boom = Electrical Grid Crisis**

*Quoted, Commercial Observer*

January 27, 2025

**Energy Demand for AI Drives the Midwest's Focus on Resource Adequacy**

January 24, 2025

**Trump's Energy Plans For Generation, Transmission And More**

*Co-Author, Law360*

January 22, 2025

**What President Trump's Energy Plan Means for the State Regulatory Environment, the Generation Mix and Electric Transmission**

January 9, 2025

**AFIDA Penalties Are Coming: Costs for Renewable Development May Be More Than You Think**

October 28, 2024

**Cybersecurity for Critical Infrastructure Update – Incident Response Improves, Industry Standards Evolve**

April 19, 2024

**Critical Infrastructure Cybersecurity – Evolving Incident Response Obligations, Integral to Effective Risk Management**

April 2024

**U.S. Department of Agriculture Proposes Changes to AFIDA Regulations That Could Impact Renewable Energy Developers**

*Co-Author, Pratt's Energy Law Report: Vol 24-4*

February 4, 2024

**Local governments block green energy: Here's how USA TODAY measured the limits nationwide**

*Quoted, USA Today*

February 4, 2024

**Do wind turbines kill birds? Are solar panels toxic? The truth behind green-energy debates**

*Quoted, USA Today*

December 28, 2023

**USDA Requesting Comments on New AFIDA Regulations that Could Impact Renewable Energy Developers**

June 22, 2023

**Leveraging "Public-Private Collaboration" for Critical Infrastructure Cybersecurity**

June 6, 2023

**Guidance Released on Inflation Reduction Act Domestic Content Tax Credits**

April 26, 2023

**Solar Tariff Waiver End Looms: What You Need to Know**

March 27, 2023

**Hydrocarbon Tax Policy Trends**

March 9, 2023

**Energy M&A Trends for 2023 (March Madness Edition)**

February 17, 2023

**Energy Storage Projects Ready To Reap Tax Credit Rewards**

*Quoted, Law360*

February 16, 2023

**New Legislation Overhauls State and Local Regulations for Commercial Wind and Solar Farms**

January 12, 2023

**Looting of Local Governments Leads to Cybersecurity Standards for the Water and Wastewater Sector**

January 3, 2023

**Environment, Energy & Infrastructure Landscape in 2023**

December 2, 2022

**National Security Focus on Cybersecurity for Critical Infrastructure Sharpens**