

Renewable Energy Project Development

Polsinelli has one of the most experienced renewable energy practices in the country, with more than 25 years of experience representing clients in the development, financing and operation of more than 15 GW of renewable energy projects throughout the country. These projects include all forms of renewable energy technologies, including wind, solar, battery storage, green hydrogen, bioenergy and attendant facilities such as transmission. Our team's depth and breadth of experience, combined with our extensive local presence, provide clients the resources they need to understand each project's needs and successfully meet their goals. Our attorneys are also actively involved in renewable energy trade groups and state legislative bodies in order to understand, and influence, the evolving framework impacting the renewable energy industry.

Our project development team has extensive experience in all facets of the development process, regularly assisting clients with securing key regulatory certificates/permits, contracts and entitlements for the construction and operation of energy projects, including wind, solar, battery energy storage systems, natural gas, biofuels, biomass, pipelines and electric transmission infrastructure. In addition to our technical experience, our attorneys have a deep understanding of legal requirements and customary practices. We provide our clients with key insights related to state and local matters that help avoid unknown pitfalls, accelerate development and find solutions to achieve a project's success.

Polsinelli offers its clients the full spectrum of legal services necessary for the successful development of renewable energy projects, including:

- Land use, siting, entitlement and state/local permitting matters, including local practices
- Real estate and site control
- Community and stakeholder relations and engagement
- Land use and opposition related analysis, mitigation and litigation
- Federal and state regulatory analysis and permitting
- Environmental review and permitting matters
- Tax analysis and structuring, including the negotiation of incentives and PILOT agreements
- Development services and joint development agreements with public and private entities
- Due diligence and project counsel for financing transactions (including debt and tax equity structures)
- Equipment supply agreements
- Engineering, procurement, and construction contracts
- Operating and maintenance agreements
- Negotiation of power purchase agreements, including structuring and negotiating virtual power purchase agreements
- Interconnection and transmission service agreements

Key Matters

Wind Energy

- 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
- 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
- Representation of a tax equity investor in a \$165 million acquisition and financing of a 60 MW wind project in Nebraska
- Represented a wind developer in the financing of a 200-megawatt wind project in Missouri, with total project costs in excess of \$334 million
- Representation of a wind developer in the development of a 300 MW wind project in Colorado.
- Representation of a wind developer in the development of multiple wind projects in Texas totaling more than 450 MW
- Represented a wind developer in the financing of 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 the financing of a 178-megawatt wind project in Kansas, with total project costs in excess of \$296 million
- Representation of lenders in the financing of a portfolio of wind power assets totaling 299 MW of wind energy capacity in Kansas, with total project costs in excess of \$475 million
- Representation of a wind developer in the development, financing, construction, and operation of a 300 MW wind project in Oklahoma
- Representation of lenders in the \$350 million financing of a 201 MW wind project in Kansas, with total project costs in excess of \$425 million
- Representation of lenders in the \$352 million project financing for a 150 MW wind project in Missouri
- Representation of a wind developer in the \$265 million financing of a 165 MW wind project in Kansas, with total project costs in excess of \$325
- Representation of a wind developer in state regulatory matters related to the development, construction, and operation of a 419 MW wind project in Kansas
- Representation of a wind developer in the development, financing, construction, and operation of a 200 MW wind project in Kansas
- Representation of a wind and solar developer with respect to obtaining approval by the Bureau of Indian Affairs for a wind and solar lease to be used on federally reserved land in South Dakota
- Served as lead counsel in the development and construction of one of the first utility-size wind farms in Kansas, totaling 250 MW, including negotiating leasehold arrangements with more than 100 landowners that encompass nearly 30,000 acres in Kansas
- Representation of lenders in the \$352 million project financing for a 150 MW wind project in Missouri. The deal was one of the first transactions under which the investment tax credit grant proceeds under the American Recovery and Reinvestment Act of 2009 were financed
- Representation of a wind developer in matters involving project finance, tax, enterprise zone, permitting and legislative affairs to multiple utility scale wind projects in Illinois
- Representation of wind energy developer in the \$240 million acquisition of a 100 MW wind project in Kansas and developer's negotiation of a power purchase agreement with the related utility
- Representation of lender in its participation in a \$170 million pre-construction bridge loan facility to fund the payment obligations under the project's Turbine Supply Agreement for a 150 MW wind project to be built in California

- Provide government affairs counsel to multiple renewable energy companies in various states including in Missouri for the Wind Coalition, an association of more than two dozen companies and public interest groups dedicated to the development of the country's wind energy resources

Solar Energy

- 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
- Represent developer in the purchase of utility scale solar project under development in Ohio
- Representation of client in negotiation and execution of virtual power purchase agreements with renewable developers
- Representing 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 investment fund in the due diligence review and transaction documents related to the acquisition of a portfolio of wind projects in Illinois, Texas and Nebraska
- Representing 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
- Serve as outside general counsel and lead project and finance counsel to a Colorado solar developer in the development, construction and financing of a portfolio of community solar projects in Colorado
- Representation of a minority-owned business in the development and structuring of a 20 MW solar generation facility in California
- Representation of solar developer in connection with development, construction and financing of an 18 MW solar power plant in North Carolina
- Representation of a developer in connection with all aspects of development and financing of a dual-generation distributed generation project at a series of East Coast military bases incorporating a 6 MW of solar photovoltaic arrays (both rooftop and groundmounted installations) and 19 MW of natural gas generator sets
- Representation of a developer in the installation of photovoltaic systems at the Kansas City Zoo, Arrowhead Stadium and the Truman Sports Complex in Kansas City, Missouri
- Representation of a developer in the development and installation of a photovoltaic system in Ontario, Canada
- Representation of a public utility in the successful bidding process and negotiation and documentation for the installation and operation of photovoltaic systems on up to 40 city buildings.
- Representation of a developer in drafting model solar services agreement for use in Colorado solar projects.
- Representation of a developer regarding the financing, permitting and tax structuring of a 20 MW solar project in Illinois
- Representation of a developer involving a 10 MW military base project in Kansas
- Representation of a developer on an 80 MW utility scale project in Georgia
- Representation of an electric generating cooperative in its development of a solar project in Kansas
- Local counsel to a major international renewable energy company on tax, construction, regulatory and litigation issues associated with the operation of renewable energy facilities in the U.S.
- Served as U.S. outside general counsel to a German MDAX 50 listed company and its solar subsidiary, including representation in the financing structure for a prepaid PPA for a photovoltaic project in Colorado
- Served as regulatory counsel to a community solar developer in successfully advocating for a significant increase in capacity of the Solar*Rewards Community solar program in Colorado

- Representation of a developer in the development and sale of a photovoltaic project in Scottsdale, Arizona
- Representation of a developer of the first major utility scale solar farm (22.5 MW) in Illinois with matters involving regulatory issues associated with the power purchase agreement, project-specific state and local tax incentives and negotiations with project lenders through financial close.

Electric Transmission

- 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
- Lead Illinois project development counsel for the construction of two multi-state EHV electric transmission lines
- Represent developer as lead development and regulatory counsel in the development of a high-voltage transmission project in Kansas and Missouri
- Lead regulatory counsel and development counsel for major electric transmission utility expansion in Southeast Missouri

Battery Energy Storage Systems (BESS)

- Representation of developers in large scale utility-scale solar projects ranging from 100 MW to 500 MW, including integrated battery energy storage systems, in multiple states throughout the country
- Represent an international infrastructure fund in the due diligence and acquisition of a 100 MW utility-scale battery energy storage system in Texas
- Representation of energy developer and investor in the purchase of a portfolio of solar development projects, including an integrated battery energy storage system, for a 300 MW solar project under development in Wisconsin

Bioenergy

Polsinelli has a broad depth of experience working with bioenergy producers, distributors and transporters to transform various waste and biomass streams into valuable green energy resources. Our bioenergy experience spans from coast-to-coast and has evolved with our clients to encompass ever more complex projects and create expanded revenue streams.

- Representation of multiple dairy producers to finance, develop and operate and cow manure-derived biogas digester projects throughout the Midwest and in western states.
- Representation of multiple biogas suppliers to develop compressed natural gas fueling stations across the country.
- Representation of biogas producers with pipeline interconnect and gas transportation matters, moving green-gas from the Midwest to California for low-carbon fuel standard (LCFS) related sales, along with renewable identification number (RIN) registration.
- 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.
- Representation of a renewable energy project developer on all aspects of developing, permitting, and financing a biomass gasification project in Georgia.
- Representation of a biomass project developer developing, permitting and financing a portfolio of biomass gasification projects in North Carolina using pyrolysis to convert poultry litter and woody biomass into electricity.
- Representation of a Midwest biofuels producer in a project to transform a traditional ethanol plant into an advanced biorefining campus.
- Advising a biofuels producer regarding the financing and permitting of a Midwest biodiesel production facility.
- Representation of a bioenergy company in developing a 2 MW Missouri biomass project involving on-site generation and sale of power to a large-scale chicken farm.

- Advised multiple developers regarding the development of landfill gas capture projects, project finance and operational matters, along with biogas sales.
- Advised multiple waste-to-energy project developers with permitting, construction and financing-related matters.

Carbon Capture & Storage

Polsinelli has extensive experience working with developers of carbon capture and storage (CCS) projects to structure, develop, finance and permit storage reservoirs, CO₂ pipeline infrastructure and associated anthropogenic CO₂ production projects. This has included working with various levels of government to develop CCS-related legislation and regulatory regimes aimed at fostering new project development.

- Represent midstream oil & gas company with the formation and development of a CCS-related transportation and permanent sequestration project in the Gulf Coast.
- Representation of multiple fossil generation entities exploring CCS-related options for carbon management purposes.
- Represent the developer of a zero-emission power generation project utilizing both existing and new CCS-related infrastructure with regulatory, permitting, tax and other development matters.
- Represent the developer of a major baseload integrated gasification combined-cycle generation facility with the financing and development of the project, along with associated CCS permitting, legislative, regulatory and site control matters.
- Represent the developer of an oxy-combustion generation facility with project due diligence, finance and permitting matters related to project and associated CCS capabilities and transportation.
- Represent the developer of a substitute natural gas production project with CCS-related development, permitting and regulatory matters.
- Represent the developer of a coal-to-liquids project with CCS-related development, permitting and regulatory matters.
- Represent the developer of anhydrous ammonia plant with finance permitting, carbon management and related CCS options.
- Represent a bioenergy producer with carbon capture options and permitting, as well as exploring CO₂ sales for various purposes.

Gas Thermal and Hydrogen Project Development

Polsinelli has worked with developers and operators of natural gas and planned hydrogen-fueled generation assets to finance, permit and develop multiple base-load and peaking projects in multiple states. Not only can we assist clients through our core energy project development expertise but also in conjunction with our environmental, tax, real estate and construction teams. This allows us to advise developer clients from the initial project concept and site control phase, through complex air and other permitting matters, to financing, construction and tax management, among other matters.

- Representation of the developer of a major combined-cycle generation facility with project development agreements, tax, air permitting, fuel switching options, legislative, site control and annexation matters, finance and carbon management, among other efforts.
- Representation of the owner-operator of a combined-cycle generation facility with permitting, tax and plant expansion matters.
- Representation of the developer of a major combined-cycle generation facility with local permitting, project development agreement negotiation, fuel switching options and tax management.
- Representation of the owner-operator of several gas-peaking generation assets with tax and operational matters.
- Represent the developer of a combined-cycle project with water rights, permitting and other development matters.

Publications

February 21, 2026

2023-2025 County Level Blocks On New Wind and Solar Projects

Quoted, USA Today

March 27, 2023

Hydrocarbon Tax Policy Trends