

Energy Procurement

Smart Choices

Successful energy procurement requires a legal team that understands procurement strategies and related legal requirements, as well as global energy markets. We can help. While focusing on commercial and industrial renewable and clean fossil energy, data centers, project development, energy efficiency, energy storage, and microgrids, Kilpatrick Townsend helps large consumers of electricity procure renewable energy in support of their sustainable energy programs.

Reach

Energy Sourcing

As part of our representation, we negotiate and draft development and project financing and private placement agreements, structure transaction financing, provide tax advice specific to energy matters, assist with request for proposals (RFPs), advise on regulatory and government affairs matters, and offer insights into the global energy markets.

Approach

Practical Know-How

We stay abreast of new energy technologies, energy price fluctuations, changing debt financing, equity fund mechanisms and programs, tax equity structures, and actionable regulatory matters to best advise our clients on current or anticipated regulatory and market conditions, as well as procurement challenges and opportunities so clients can make smart choices in a perpetually changing energy economy. Specifically, our attorneys assist clients in evaluating energy procurement strategies and managing energy consumption, resulting in reduced costs and risks, diversified assets, and increased corporate responsibility.

Experience

Advised electricity producer on all aspects of four solar projects, ranging in size from 8 MW to 15 MW each, in Charles County and Prince Georges County, Maryland. Project 1 – 9.5 MWs Mattawoman Project located in Prince Georges County, MD, with off take 100 percent Charles County, MD. Structured and negotiated power purchase agreement between electricity producer and Charles County, MD. Negotiated lease and financing agreements for Mattawoman Project.

Acted as local counsel for international renewable energy developer in purchase of portfolio of eight solar projects in North Carolina, covering tax, tax equity, construction financing, environmental laws and regulations, permits and construction approvals, Endangered Species Act, and enforceability issues.

Assisted client with all aspects of developing and financing involving a 20MW solar facility in northeastern

North Carolina, including a joint venture agreement with financing partner, power purchase agreement, construction financing, EPC contract, and sale of facility.

Represented early stage developer in development and sale of 20.8 MW and 26 MW solar facility.

Counseled pharmaceutical company on all aspects of development of a 4 MW solar array.

Negotiated a power purchase agreement for biomass energy for an international manufacturing company.

Represented a major utility company in multiple sourcing transactions involving procurement of technology platforms, IT services, and core business processes worth more than \$500 million.

Represented a renewable industry advocacy organization in a biennial avoided cost proceeding before the North Carolina Utilities Commission.

Obtained the required regulatory approvals and provided administrative hearing representations for renewable energy project developers.

Negotiated licensing and technology agreements for manufacturer of battery storage systems.

Negotiated all acquisition agreements of renewable electric power projects for sale of electricity into joint ventured data centers.

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