

Energy Investment

Making Optimal Deals

With the energy markets in a constant state of flux — new technologies, price changes, new regulations — knowledgeable and trusted advisors are invaluable to investors and investees. While concentrating on renewable and clean fossil energy, investment, asset acquisition, and clean energy technology development and finance, we assist our funding clients, such as banks, lending institutions, and private equity funds, in making optimal deals when financing and investing in energy assets. We also assist our investee clients in negotiating and structuring the most economical investments from investors. To advance our clients' interests, our team offers a wide range of services, including the structuring of investment funds, private placements, project financings and refinancings, project restructurings, master limited partnerships, YieldCos, real estate investment trusts, other IPOs, holdcos, and core agreements and documents, such as project development and financing contracts, subscription agreements, private placement memorandum, S-1s, and M&A agreements.

Experience

Assisted U.S. waste-to-energy and cleantech private equity fund with fund formation, capital deployment, and asset management.

Advised leading global commodities firm in the due diligence and potential equity investment in a U.S.-based natural gas-to-liquid fuels project.

Represented U.K. private equity fund in the sale of a landfill gas portfolio.

Served as lead counsel to early stage solar developer, handling all aspects of legal work, including purchase and sale agreements and consulting on business strategy.

Represented leading solar developer in PPA and REC contract negotiations.

Negotiated power purchase agreements and REC contracts for biomass developer.

Successfully negotiated and executed client energy storage agreement across from California utility, winning one of the utility's huge energy procurement storage projects with many new and original issues.

Represented an electricity producer in the acquisition of 4 x 25 MW biopower projects in California, which will be further developed with up to 25 MW each and joint ventured with individual data centers with PPAs and a data center under development.

Drafted and negotiated third-party agreements for large U.S. manufacturer of LNG equipment, including vendor



and customer agreements and technology licenses in China.

Developed, drafted, and executed electric bus leases for U.S. bus manufacturer in Chicago and Moline, IL — the first transaction of its kind in the U.S.

Represented biogas developer on \$210 million biogas, fertilizer, and water treatment project financings with USDA loan guarantees in New Mexico.

Represented energy storage manufacturer on \$240 million project financing of electric energy battery storage projects, using U.S. DOE loan guarantees in California.

Represented oil developer on \$200 million enhanced oil recovery projects using U.S. DOE loan guarantees in Kansas and Texas.

Represented oil upgrade manufacturer on sales of oil upgrade units into China (\$3 million), 3 x \$1.5 million convertible debt transactions, and \$10 million Series A private placement.

Represented biojet manufacturer on \$8 million Series B private placement in California.

Represented advanced biofuels developer in \$8 million acquisition of an existing integrated biorefinery in Florida.

Represented advanced biofuels developer in \$250 million project financing using USDA loan guarantee in North Carolina.

Represented electricity producer in acquisition of 26 MW of hydroelectric power for sale to a data center in California.

Represented biocrude oil manufacturer in the project financing of a \$200 million biocrude manufacturing project using a USDA loan guarantee in Georgia.

Represented renewable chemical manufacturer in the project financing of a \$65 million blue food dye bioproduct facility using a USDA loan guarantee in Florida.

Represented renewable diesel manufacturer in the \$200 million project financing of a green diesel refinery using a USDA loan guarantee in Nevada.

Represented renewable chemical producer in a \$30 million retrofit project in Nebraska.

Represented a biogas developer in the project financing of a portfolio of 43 waste-to-biogas facilities throughout the U.S. worth up to \$40 million each.

Primary Contacts



Steven J. Levitas

Retired
Raleigh, NC
t 919.420.1707
slevitas@kilpatricktownsend.com



Mark J. Riedy

Partner
Washington, DC
t 202.508.5823
mriedy@kilpatricktownsend.com