

# BIOENERGY SERVICES



## LAWYERS WHO KNOW BIOENERGY

For more than two decades, attorneys in the Stoel Rives BioEnergy Group have been actively engaged in the growth of the biofuels and biomass industry. Our team of bioenergy lawyers have had significant involvement in the financing and development of much of the existing biofuels production capacity, representing primarily developers and investors in such projects—including ethanol and biodiesel production projects, biomass projects and next-generation biofuels and feedstocks, such as cellulosic ethanol and algae feedstock. We have deep knowledge and experience in private and public equity and debt finance, taxation, corporate and joint venture structuring, technology, construction, real estate, land use, water, transportation, environmental and regulatory law, including transportation fuel, transmission and other energy regulations.

The Stoel Rives bioenergy attorneys not only understand the legal issues, but also have a deep understanding of the industry and the practical business and technical aspects of our clients' projects. Together, we take an interdisciplinary approach to issues both large and small. This allows us to provide flexible, integrated and cost-effective solutions across all facets of the project life cycle, from conception through operations, including strategic counseling in transitioning biofuels companies into privately held or publicly held ownership.

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- Entity selection and strategic business plan development and implementation
- Feasibility study review and assessment
- Special purpose entity and other strategic venture formation
- Initial round equity offerings, private placements and public offerings
- Intellectual property, patents and technology licensing agreements
- Project mergers and acquisitions, leasing, and strategic investments
- Site acquisition, joint development, development and control, leasing, industrial park development, zoning, land use, annexation and special districting
- Environmental investigation, planning, compliance and remediation
- Federal, state and local permitting and approvals
- Facility design, engineering, licensing, procurement and construction agreements
- Process power, water, fuel, steam host and cogeneration arrangements
- Feedstock procurement, hedging and risk management agreements
- Product and by-product marketing, sales and distribution agreements
- Green tag/renewable energy credit/RIN monetization, transfer and retirement transactions
- Rail, truck, barge and other logistic, transportation and storage agreements
- Facility management, operations and maintenance agreements
- Recourse and nonrecourse construction, term, and working capital financing
- Tax abatement, tax increment and other municipal financing structures
- Facility refurbishing and expansion arrangements
- Labor and employment, site control, and safety policies and procedures
- Tax (PTC/ITC) and other strategic business planning issues
- Legislation and lobbying
- Restructuring, insolvency and workout counseling
- Dispute resolution and litigation



## TRADITIONAL BIOFUELS



Stoel Rives has over 20 years of hands-on experience advising clients in the financing and development of ethanol and biodiesel production facilities—and has helped to develop the industry nationally. Clients depend on our knowledge,

experience and relationships to bring together the pieces of a successful project, including financing, technology, construction, feedstock and offtake. We identify issues in advance and develop practical solutions to the legal and business challenges that often arise in biofuels development projects and operations.

We combine biofuels development experience with clients advice in the acquisition or sale of publicly and privately held biofuels development companies and biofuels projects. We also assist clients with the optimization of biofuels facilities, including construction and operational litigation and bankruptcy for non performing facilities.

## ALGAE

Our bioenergy attorneys guide clients through the legal and business considerations involved with the production and commercialization of algae biofuels. We leverage our significant experience in the traditional biofuels industry, our knowledge of second-generation biofuels, and our attorneys' engineering and algae experience to provide practical and informed advice to clients in the rapidly developing area of algae biofuels. Clients utilize our experience to address legal issues particular to cutting-edge developments and technologies related to the production of algae biofuels, including rights to use algae strains, release of algae strains to non-native habitats, intellectual property rights to production technology, solar rights, water supply rights and product supply specifications.



## CELLULOSIC

The conversion of cellulosic matter into fuel has been a driving force in the development of biofuels for years, and Stoel Rives has been participating as counsel every step of the way. Whether it is the smaller conversion technology company working on advancing the breakdown of certain sugars or the larger company finalizing the development of a commercial-scale biorefinery, Stoel Rives is pleased to call these industry players our clients, and strives to add value in furtherance of each respective model. The new technologies not only call upon our current renewable fuel project development and finance skills, but also allow us to draw upon our intellectual property group, which has a focus on biofuels and conversion technologies. Cellulosic biofuels and their development and commercialization raise many issues that only a firm with a solid and engaged history in the biofuels space can identify and appropriately handle in the rendering of legal services. Stoel Rives brings this experience to the field of cellulosic biofuels.



## BIOMASS

Stoel Rives advises clients on a range of biomass projects throughout the United States, utilizing hay, seed hulls, corn stover, landfill gas, livestock waste, municipal solid waste, wood, hog fuel and other forms of biomass. We represent project developers, investors, general construction contractors, feedstock suppliers and purchasers of energy at all stages of a biomass project's development and operation. As a biomass project is being developed, we assist the client in obtaining air permits, complying with land use laws, securing site control, arranging for interconnection and transmission, entering into equipment procurement and construction contracts, tying down feedstock supply arrangements, and negotiating power purchase and REC sales agreements. Our extensive experience in the agriculture and



forest products industries enables us to identify and address industry-specific risks that might interrupt a biomass plant's ability to produce energy. Our experience with these matters also helps us to assist investors in acquiring biomass facilities.



*Stoel Rives' BioEnergy Group is proud to support the following industry associations:*

- Algal Biomass Organization
- American Coalition for Ethanol
- Biomass Coordinating Council
- National Algae Association
- National Biodiesel Board
- National Biofuels Association
- Northwest Biofuels Association
- Renewable Fuels Association

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*For more information about our BioEnergy Services please visit:*

[www.stoel.com/bioenergy](http://www.stoel.com/bioenergy)

*To stay informed of developments in bioenergy, please sign up for our alerts at [www.stoel.com/subscribe](http://www.stoel.com/subscribe).*

*You can also visit our Renewable + Law blog at [www.lawofrenewableenergy.com](http://www.lawofrenewableenergy.com).*

Stoel Rives is proud to purchase Renewable Energy Credits to offset 100 percent of its firmwide electricity usage.



Visit our Web site and read about our renewable energy experience at [www.stoel.com/renewables](http://www.stoel.com/renewables).

*Stoel Rives LLP is a U.S. business law firm with nearly 400 lawyers. For more information about our legal services, or information on our offices in Alaska, California, Idaho, Minnesota, Oregon, Utah and Washington, please visit [www.stoel.com](http://www.stoel.com) or contact our bioenergy lawyers at (800) 88-STOEL.*