

Renewable Energy

The value proposition for renewable energy has changed dramatically due to inexpensive oil, availability of cost-effective utility-scale solar and wind generation, and commitments in the U.S. and globally to cut CO2 emissions. Calls for greater production of clean power create increased opportunities for renewable energy generation and distribution growth.

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Related Industries

Corporate & Industrial Energy Management

Energy Transmission

Ports

Utilities

Related Services

Climate Change

Energy Finance

Energy Litigation

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Land Use

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Wind

Stoel Rives has built a strong reputation as a leading global wind energy law firm. We've worked with the developers of some of North America's largest wind energy sites generating nearly one-quarter of wind energy production in the U.S. Our services are national and international, with clients throughout the United States, Canada, Latin America, Europe, the Middle East, South Africa, China and Southeast Asia.

EXPERIENCE

- Represented Atlantic Tele-Network (A.T.N.), a telecommunications provider, with the acquisition of all of the assets of Green Lake Capital, LLC, and certain of its affiliates (collectively, "Green Lake"), an owner and operator of commercial distributed generation solar power systems. Green Lake's assets included 28 operational commercial solar projects at 59 sites throughout Massachusetts, California and New Jersey. The projects have an aggregate 45.7 megawatts of electricity generating capacity. The transaction value includes approximately \$64 million of cash and the assumption of \$39 million of debt. In addition to negotiating and drafting transaction document and due diligence review of the portfolio, Stoel Rives assisted ATN with restructuring of existing debt related to the assets and obtaining consents from lenders and tax equity investors.
- Represent Avangrid in defense of a claim for refunds pursued by the California Attorney General, the California Public Utilities Commission and the state's two largest investor-owned utilities. The claim relates to a capacity contract signed by Avangrid in July 2001, following the end of Western Energy Crisis, and the complainants have asserted that the Federal Energy Regulatory Commission should order Avangrid to pay refunds under the contract due to the high prices and manipulation allegedly affecting the California market at the time. The case is on remand from the U.S. Supreme Court's Morgan Stanley ruling in 2008.
- Served as lead legal counsel to Capital Dynamics US Solar Energy Fund, a Switzerland-based global asset manager, in the acquisition of a 12.8MW

portfolio of solar energy projects in Long Island, New York, from EDF Renewable Energy. The seven solar photovoltaic project sites make up one of the largest solar PV portfolios currently installed in New York state. Stoel Rives assisted Capital Dynamics in the negotiation and structuring of the deal, including negotiating definitive acquisition documents, entity formation and due diligence regarding regulatory, tax, real property, power purchase and interconnection agreements, construction agreements, operation & maintenance agreements, and permitting issues.

- Represented Enel Green Power North America, Inc., in the tax equity financing for Enel's Aurora Solar Project in Minnesota, a 16 site, 100 MW project with Northern States Power as the offtaker. The tax equity investor will make a \$145 million investment in the project.
- Represented Enel Green Power North America, Inc., its parent, Enel Green Power S.p.A., and its subsidiary EGPNA Wind Holdings 1, LLC, in the negotiation of a portfolio equity capital contribution agreement with an investor group led by J.P. Morgan. The portfolio includes the 150 MW Origin wind farm in Garvin, Murray and Carter Counties, Oklahoma, and the 200 MW Goodwell wind project in Texas County, Oklahoma, and Hansford County, Texas. The investor group committed to contribute a total of \$400 million to the projects upon completion.
- Represented Enel Green Power North America, Inc., its parent, Enel Green Power S.p.A., and its subsidiary, Buffalo Dunes Wind Project, LLC, in connection with a cash equity investment by General Electric Capital Corporation (acting through its subsidiary, EFS Buffalo Dunes, LLC) in the 249.75 MW Buffalo Dunes wind project in Grant, Haskell and Finney Counties, Kansas. Total costs of completing the Buffalo Dunes Wind Project required an investment of approximately \$370 million by Enel and GE. In the year following GE's initial cash equity investment, we represented Enel in its buy-down of GE's equity interest, such that Enel would own 75% and GE would own 25% of Buffalo Dunes Wind Project, LLC. We also represented Enel and its affiliates in the negotiation of the Membership Interest Purchase Agreement, the Operating Agreement and related transaction documents such as the parent guarantees each party provided to the other. We also advised on federal regulatory matters pertaining to the transaction.
- Served as lead counsel to Infigen Asset Management, LLC, in the sale of membership interests and related assets of two solar projects, Pumpjack and Wildwood I, each with a designed capacity of up to 20MW, to be built in Kern County, California. The projects have 20 year power-supply agreements with Southern California Edison Co. and are expected to generate enough electricity each year to supply 10,000 homes.
- Represented Kina'ole Capital Partners, LLC, in the financing for a \$32MM fund for financing residential solar projects in several states across the country.
- Represented Kina'ole Capital Partners, LLC, in a \$13 million tax equity investment in solar power in Hawaii that will help more than 1,000 homeowners in Hawaii go solar.
- Represented Neo Solar Power with its acquisition of a solar power project

pipeline (projects to be built in Las Vegas and Minnesota) and other business assets of Clean Focus Corporation.

- Representing Northwest Innovation Works in connection with permitting and development of three natural gas to methanol plants proposed for locations in Oregon and Washington. The plants will manufacture methanol from natural gas for export to Asia. We are assisting with state and local permits, including air, land use, stormwater, shoreline and other environmental permits, as well as all other aspects of project development.
- Represented the client in setting up a program for engineering, procurement and construction of their 2016 portfolio of solar projects totaling over 500 MW. This included negotiating a module supply agreement for 1 gigawatt of modules and engineering, procurement and construction agreements with various construction companies.
- Numerous appearances before the Minnesota Public Utilities Commission on such matters as utility resource planning, community solar gardens, certificate of need proceedings, the Minnesota solar energy standard, rate design and renewable energy credits, including the following recent dockets:
 - In the Matter of Northern States Power Company - Minnesota's Application for Approval of its 2016-2030 Resource Plan.
 - In the Matter of the Petition of Northern States Power Company d/b/a/ Xcel Energy for Approval of Its Proposed Community Solar Garden Program.
 - In the Matter of a Commission Inquiry into Privacy Policies of Rate Regulated Energy Utilities.
 - In the Matter of the Implementation of Solar Energy Standards Pursuant to 2013 Amendments to Minnesota Statutes, Section 216B.1619.
 - In the Matter of the Request of Minnesota Power for a Certificate of Need for the Great Northern Transmission Line Project.
 - In the Matter of the Investigation into Environmental and Socioeconomic Costs Under Minn. Stat. 216B.2422, subd.3.
 - In the Matter of Minnesota Power's Application for Approval of its 2013-2027 Resource Plan.
- Negotiation of a shared savings and use agreement for the installation of Tesla batteries at a major industrial site.
- Negotiation of a 200+ MW wind power purchase agreement for a major tech company, the largest wholesale deal the company has ever done.
- Negotiation of a development agreement and long-term energy and REC services agreement for a major technology company involving a large wind farm and major utility.
- Structuring and negotiation of a long-term renewable energy transaction under green energy tariff for a large technology company with an eastern utility and for a large solar energy company and seller of renewable energy.
- Structuring and negotiation of a number of long-term solar power purchase agreements for a large solar company with a direct access customers in California.

