McElroy Deutsch

Renewable Energy



Addressing all aspects of development and implementation of energy, renewable energy and related infrastructure projects.

McElroy Deutsch recognizes that many jurisdictions have established targets to increase the use of clean energy and renewable energy sources as part of their overall energy portfolio. Coupled with federal and state incentives, renewable energy has become more economically viable. In response, a large number of projects have come on line over the last several years with many more in development.

The experience of the more than fifty real estate, corporate, project finance, lending, environmental, construction, land use, litigation, regulatory and tax attorneys practicing from our offices across the United States enables our renewable energy lawyers to address all aspects of the development and implementation of energy, renewable energy and related infrastructure projects. This breadth of knowledge allows our team to handle the most complex and unique problems that arise in connection with such projects.

Our renewable energy lawyers are currently working with clients involved in various aspects of energy projects, including independent power producers, financial institutions, state and local governments, utilities, contractors and commercial/industrial energy consumers. We are providing advice to clients at every step of the project, from obtaining regulatory approvals, drafting, documenting and negotiating power-purchase, finance, leasing, construction and other agreements, intergovernmental

arrangements and guidance on construction and operational issues, as well as litigation and arbitration of disputes that can arise from such projects. Our Team members have represented clients on solar, biomass, wind power, hydroelectric, landfill gas, compressed natural gas projects and other energy, renewable energy and related infrastructure projects.

Representative Cases

Results may vary depending on your particular facts and legal circumstances.

- Served as Counsel to EPC Contractor in connection with the construction of a 500 MW offshore wind farm in the UK, the largest ever built offshore. Representation included assisting the project team with legal issues arising during the course of the construction project, including schedule delays, cost overruns, alleged construction defects, subcontractor claims, and contract variations, as well as representing the Contractor in international arbitration of its claims against the project owner, and defense of counterclaims asserted by the owner (LCIA Arbitration, London).
- Served as Counsel to Utility in defense and prosecution of claims arising out of the refurbishment and upgrade of a hydroelectric power facility in Massachusetts. The project involved the refurbishment of six hydroelectric turbines originally installed in the early 1900's. Favorable settlement achieved after four arbitration hearings (AAA Arbitration, Connecticut)
- Drafted EPC Contracts for Solar Contractor.
- Served as Counsel to farmland owner with respect to options to lease farmland by solar companies for solar energy projects in Salem, Cumberland and Gloucester Counties, New Jersey.
- Represented engineering firm with respect to engineering services agreements for solar projects in New Jersey.
- Represented renewable energy company before various local planning boards in New Jersey in applications for land use variances applicable to commercial roof-top solar projects such as volt variances.
- Represented Sellers with respect to purchase and sale of solar renewable energy credits in New Jersey.
- Served as Counsel to farmland owner with respect to options to lease farmland by solar companies for solar energy projects in Hunterdon County, New Jersey.
- Negotiated Power Purchase Agreements on behalf of hosts/property owners, including several universities, an auto dealership, a church, a school, a swim club and numerous office buildings.

Related Industries

Energy
Real Estate
Telecommunications





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