

RENEWABLE ENERGY

Sheppard Mullin represents clients involved in every facet of renewable energy generation, including wind, solar, hydroelectric and geothermal power, biomass, ethanol, and biodiesel. We provide renewable energy clients across the U.S. with a comprehensive range of legal services designed to meet all their needs.

Our attorneys advise founders and companies regarding structural issues, financing, taxation, employment and technology protection. We are focused on new technologies helping clients turn business plans into real ventures and projects. Our services to developer clients include environmental, permitting, community relations, land rights, equipment procurement, finance, power purchase arrangements, and project acquisitions and divestitures. We also assist clients in structuring transactions to best utilize the Federal Production Tax Credit and the Investment Tax Credit.

Electricity generators have come under increased regulatory pressure to use renewable energy in many states (e.g. under California's tightening renewable portfolio requirements), pushing them to look to sources of electricity generation such as wind, solar, hydroelectric, geothermal and biomass. This focus provides clients with numerous incentives to develop alternative energy projects. We assist clients with the myriad of policy and regulatory issues that permeate this expanding segment of the energy industry. We have represented power producers and consumers in some or all phases of the development, construction, acquisition and/or financing of alternative energy projects.

Wind and Solar

Wind power is one of the fastest growing fuel sources for electric generating facilities worldwide, driven by technological improvements, favorable economics and public demand, and we represent a range of wind farm developers and other interested parties in several areas. Solar energy is poised to follow in like fashion and is currently experiencing explosive expansion, based partly on the evolving renewable portfolio requirements in California and other states. Our solar energy experience includes representing solar photovoltaic and thermal developers, off-takers and investors in many U.S. projects and applications.

We advise both wind and solar energy clients on regulatory requirements, represent them in administrative proceedings, and help them obtain all necessary local, state and federal approvals. Other land use and entitlement issues we have handled for such clients include zoning compliance for new projects (including negotiating conformity with local general and specific plans), compatibility of new installations with open space and natural-habitat designations, license and easement agreements for preliminary investigations, and environmental documentation under CEQA and NEPA. On the transactional side, we negotiate and draft documentation for real estate acquisitions, joint ventures with property owners, long-term ground leases and leveraged sale-leasebacks that provide permanent financing for solar and wind projects.

Hydroelectricity/Geothermal

Hydroelectricity is the most widely used form of renewable energy. Hydroelectric facilities projects produce no direct waste and have a considerably lower output of the greenhouse gases than fossil fuel powered energy plants. Geothermal power generation is also gaining strength in the industry. Sheppard Mullin represents one of the largest geothermal generators in the U.S. (the largest in California), which is also a large developer/operator of wind power projects.

Biofuels

The biofuels industry has also grown significantly in the past few years, and recent technological improvements and public interest are fueling expansion of the industry. Sheppard Mullin has played a significant role in the financing of projects for key players in the ethanol production industry. Our experience in this emerging arena has enabled us to cost-effectively provide all of the legal services necessary to get a biofuels production facility off the planning table and

into production.

Commitment to Sustainability

Sheppard Mullin is committed to assisting companies focused on sustainable resources, and we see renewable energy as an industry focus for the future. We specialize in achieving solutions to meet client needs, resolving cutting-edge legal and regulatory issues and structuring state-of-the-art transactions for which there are no models or precedents.

Sheppard Mullin, as a firm, is also committed to sustainability and has implemented a sustainability program mirroring many of our clients' internal programs. In addition, we provide pro bono services to support various renewable energy and sustainable development initiatives.