

## ENERGY

Our energy industry team has broad experience in diverse transactional, regulatory, and litigation matters for petroleum producers, transporters, refiners and distributors, power generators, power and gas utilities, construction and equipment suppliers, lenders and equity investors, holding companies and affiliates, renewable energy producers and other energy technology companies.

We represent clients in the production of:

- Biofuels
- Renewable Energy
- Wind Energy
- Hydroelectric Power
- Oil and Natural Gas
- Nuclear Power
- Electricity
- LNG

Sheppard Mullin's energy industry practice includes representation in the following areas:

### **Corporate Structure & Capital Markets**

We advise energy companies regarding company structure, financing, taxation, employment, and technology protection. As your company grows, we assist with ongoing corporate maintenance, expansion and proactive management of regulatory issues. We can assist with venture funding, debt instruments, capital leasing, and many other forms of debt and equity financing.

### **Intellectual Property**

We help clients develop, plan and protect their intellectual property portfolios via patent and trademark filings, copyright maintenance, and careful review and counseling regarding the maintenance and protection of your intellectual property assets.

### **Commercial Transactions**

Our attorneys have extensive experience negotiating power supply, distribution and related agreements in connection with these transactions. We have experience on all sides of transactions between sellers and purchasers of electricity, gas and oil. Transactional matters include: project development and finance transactions; acquisitions and dispositions; power sales and marketing arrangements; transmission arrangements; fuel supply and transportation arrangements; and restructuring and insolvency proceedings.

### **Mergers & Acquisitions and Strategic Alliances**

Our attorneys negotiate, finance and secure regulatory approval (where needed) for mergers and acquisitions, joint ventures, LLCs and other alliances. We are also involved in the acquisition and disposition of numerous energy projects through open and closed auctions and one-on-one negotiations.

### **Project Development & Finance**

We represent project developers, owners and lenders in the development and financing of power projects and industrial facilities. Our experience includes involvement in most types of generation projects, including wind, landfill methane, nuclear, geothermal, cogeneration, hydroelectric and gas-fired and coal-fired facilities. We can assist with the negotiation and documentation of project finance agreements and loan facilities; B-O-T and turnkey contracts;

debt and equity financing; and related transactions. We serve as both project counsel and as finance counsel on these projects, and we serve as tax counsel for projects of all types.

### **Energy Regulation**

Sheppard Mullin has extensive experience in both contested cases and generic rulemakings, complaints, certificate proceedings, rate cases and other aspects of regulatory proceedings before FERC and state public utilities commissions and in federal and state courts of appeal. Our experience also includes environmental, transportation and related regulatory issues.

### **Energy Strategy and Government Relations**

We advise clients on strategy and the regulatory implications of proposed transactions. Our attorneys closely monitor developments in the law and counsel clients on the implications of new rules and legislation. We also represent clients before Congress, the executive branch, state legislatures, federal and state agencies, and international organizations.

### **Environmental**

Environmental concerns factor closely into energy policy and will play an increasing role as the U.S. and industrialized countries require controls on existing energy production emissions and promote energy efficiency and sustainability. Our energy attorneys understand the relationship between energy and the environment. We are experienced in energy projects, including the environmental issues involved in siting, permitting, financing and operation of power plants, pipelines, refining and project development whether it be for a traditional oil and gas company, a biofuel producer, or a housing/commercial developer. We can advise companies regarding air quality, water quality, hazardous substances, land use, compliance and regulatory issues.

As the concern about global warming grows, virtually all industries will need to comply with new requirements to meet the newly enacted regulations. Our newly formed **Global Climate Change** team can assist clients in developing new energy strategies and in the implementation of new regulatory requirements. Companies may have to redesign their manufacturing process; biodiesel and ethanol manufacturers and chemical companies, for example, will need project finance, transactional, corporate and even intellectual property help as they look to acquire and develop new facilities. Companies will have to find ways to innovate, save energy, cut costs and reduce emissions.

### **Litigation**

We represent energy clients in antitrust, environmental and contract actions and in insurance coverage matters, complex litigation and disputes arising out of development projects. We litigate contested proceedings before federal and state administrative bodies and handle both trial court and appellate court appeals, including to the U.S. Supreme Court.