

Bird & Bird

Renewable Energy

2022



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About Bird & Bird

We are a truly international firm, organised around our clients. With our technical expertise and problem-solving experience, we'll help you unlock the potential of change and realise your ambitions.

Everything is connected.

With more than 1,400 lawyers and legal practitioners across a worldwide network of 31 offices, Bird & Bird delivers expertise across a full range of legal services. Our specialisms include advice on commercial, corporate, EU and competition, intellectual property, dispute resolution, employment, finance and real estate matters.

The key to our success is our constantly evolving sector-focused approach. Our clients build their businesses on technology and intangible assets, and operate in regulated markets. To better meet their needs we have developed deep industry understanding of key sectors, including automotive, aviation & defence, energy & utilities, financial services, life sciences & healthcare, retail & consumer, media, entertainment & sport and tech & comms.

What this means for you:

- Expertise in the legal and regulatory framework relating to each sector.
- A more practical, commercial approach, supported by advisors with decades of experience working in the relevant industries.

International reach

We have offices in key business centres across the globe:

Europe: Amsterdam, Bratislava, Brussels, Budapest, Copenhagen, Düsseldorf, Frankfurt, The Hague, Hamburg, Helsinki, London, Luxembourg, Lyon, Madrid, Milan, Munich, Paris, Prague, Rome, Stockholm and Warsaw.

Middle East, Asia-Pacific & North Africa: Abu Dhabi, Beijing, Dubai, Hong Kong, Shanghai, Singapore, Sydney and Casablanca.

North America: San Francisco.

We were the first truly international firm with a presence in Denmark, Finland and Sweden, ideally positioning us to support companies looking to invest in the Nordic region.

In 2018 we opened a representative office in San Francisco to better support our US-based clients, and our recently-opened Casablanca office enables us to further support our clients in Africa.

In addition, focus groups for Africa, India, Japan and Russia, and extensive cooperation agreements with local firms increase our reach to other key jurisdictions.

Excellence in client service

We operate as one truly international partnership: our goals, accounting and profit pool are all shared, as is our commitment to providing our clients with advice from the right lawyers, in the right locations. Our open and engaged business culture allows us to configure quickly and effectively to the commercial pressures and opportunities faced by our clients.

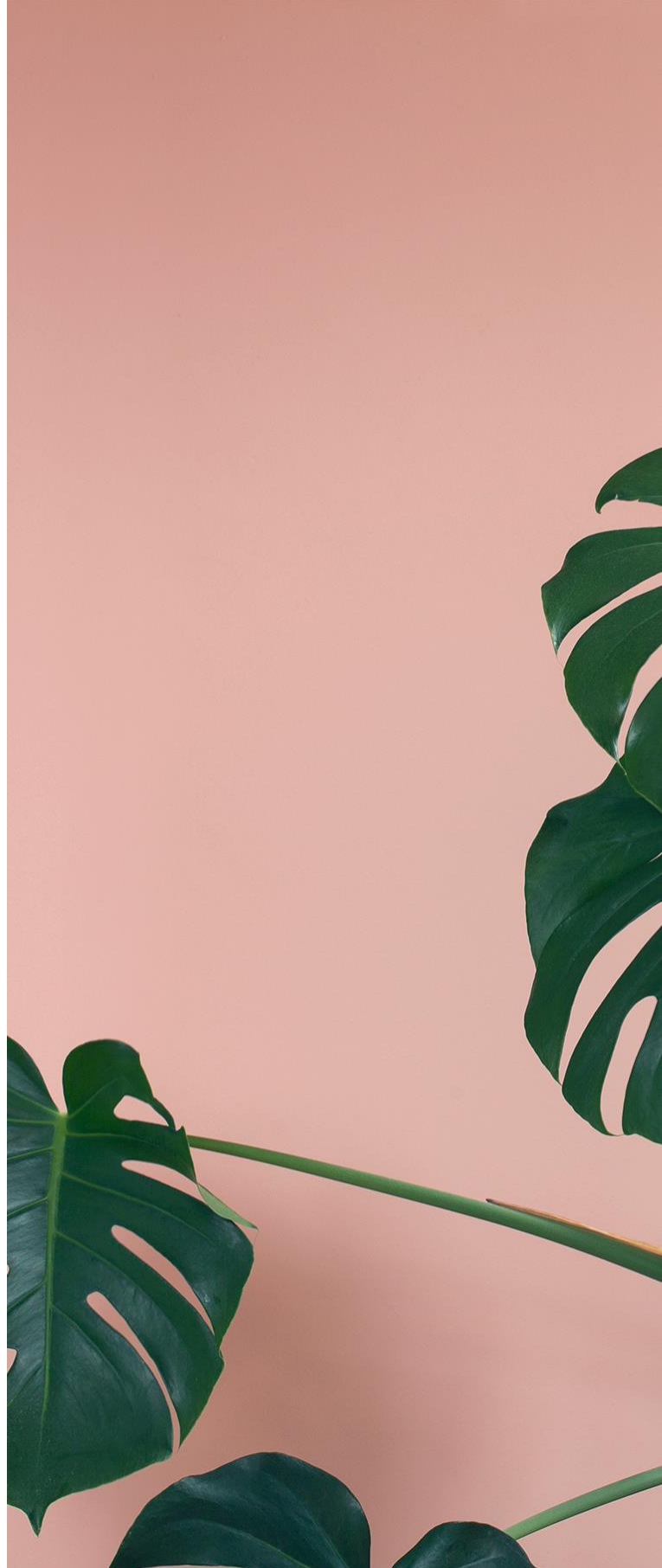
Our Energy & Utilities Group

Our Energy and Utilities team of over 100 lawyers spread across our network advise on energy and utilities matters across all of our practice areas. As an international team, our sector approach is not broken down by offices but into sub-groups that focus around particular aspects of the Energy and Utilities sector. A key focus area for us is renewable energy, covering solar, wind, biomass, anaerobic digestion, energy from waste and energy efficiency.

We believe we have one of the leading international renewable energy practices in the world, and have recently been ranked as the most active legal advisers on both renewable energy M&A and project transactions in Europe. We are a cohesive and expert team who understand how to work together to complete renewables projects to international investor standards.

This industry experience has meant we have closely tracked the emergence of Corporate PPAs, where global multinational corporations are buying electricity directly from the developers of wind and solar parks. This completely revolutionises the market for renewable power from subsidy and utility driven to market demand driven. We consider we are at the forefront of this market, having developed and negotiated innovative contract and business PPA structures, from physical PPAs to synthetic/virtual PPAs.

To read our latest [International Corporate PPA report](#), please [click here](#).



A leading renewable energy practice

Our Energy & Utilities Sector Group is named global leader in Clean Energy.

Our Energy & Utilities Group has been ranked number 1 globally in the 'Top 20 Legal Advisers by Number of M&A Deals' in the 'Clean Energy Legal League Tables 2022'.

The league tables produced by Clean Energy Pipeline, a sister publication of The Lawyer Magazine, relate to 2021.

We have been at the forefront of legal advice in the renewable energy industry for over a decade. Our lawyers have advised developers, landowners, EPC contractors, off-takers, regulators, banks and funders across a number of jurisdictions.

Our sector group brings together an international team of lawyers across practice areas, including corporate, tax, commercial, banking and finance, real estate/planning, regulatory and administrative, technology and IP. All of our team understand the industry.

Bird & Bird's involvement in renewable energy and cleantech forms part of our longstanding and broadly based work in the energy and utilities sectors.

Our renewables & cleantech team advise commercial and public sector organisations on a wide range of legal issues within the renewables and cleantech sector including advice on the use of carbon credits and trading schemes, solar and wind feed-in tariffs, unbundling of European energy supplies and protection and maximisation of intellectual property assets.

Our clients include many organisations that are developing or investing in projects and technological solutions to the challenges presented by the combined forces of climate change and energy security. We advise these clients on a wide range of issues such as corporate work, projects, intellectual property, regulatory, commercial contracts and dispute resolution.

Our dedicated solar energy team acts for:

- Developers and operational
- Funders, including banks and private equity
- Landowners
- Local authorities/Government bodies





It is an exceptional and perfectly structured organisation," reports one client. The lawyers have "a broad knowledge of smart energy-related laws and upcoming policies."

Chambers UK, 2020

International solar energy highlights

Recent matters we have advised on include:

- Advising a **UK based infrastructure fund** on the establishment of a joint venture with a locally based developer to develop, construct, operate and finance large scale solar PV assets in Australia.
- Advising a **major international contractor** on an EPC and O&M contract for the development and construction of a 100MW solar PV project in Port Augusta, South Australia.
- Advising **two IPPs** in connection with the negotiation and drafting of power purchase agreements for a solar PV project and a hydro-power project in Kenya with Kenya Power (KPLC).
- Advising a **UK bond issuer** in connection with refinancing of portfolio of UK operating PV assets by way of a £40m bond issue.
- Advising on the largest **Italian photovoltaic grid** parity project refinancing to date in Italy.
- Advising **syndicate of banks** on one of the largest Italian project financings of a biomass plant Italy.
- **Abbey Group Cambridgeshire Limited**: on the sale of development rights for various ground based solar PV projects in the UK.
- **Abraxa Integrated Financial Solutions, S.G.E.C.R., S.A** on the corporate acquisition and financing of solar photovoltaic plants in Spain.
- **Adenium**: specific issues arising on Jordanian Solar PV Contracts.
- **AMP Capital Infrastructure**: on the acquisition of several photovoltaic plants in the Czech Republic and Italy.
- **Anwar al Ardh for Solar Energy Generation & Ardh al Amal for Solar Energy Generation**: ongoing advice for two project companies that have secured solar project equally a total of 30MW under round 1 in Jordan.
- **Aurora Partners Pte Ltd**: on the acquisition and development of utility scale solar energy projects in S.E. Asia
- **Auxifip** for the financing of a photovoltaic power plant located on the St François site (Guadeloupe)
- **Auxifip** and **Natixis Energieco** for the financing of a photovoltaic power plant located on the Ducos site (Martinique)
- **Auxifip** and **Caisse Régionale de Crédit Agricole Mutuel de la Réunion** for the financing of a photovoltaic power plant located on the Roseraye site (Ile de la Réunion)
- **Auxifip** and **Caisse Régionale de Crédit Agricole Mutuel de la Réunion** for the financing of a photovoltaic power plant located on the Mangassaye site (Ile de la Réunion)
- **Banca March**: on financing of a 20MW solar plant.
- **Bank of America Merrill Lynch**: on the due diligence review of several photovoltaic greenhouse plants.
- **Bluefield Partners LLP**: (through their listed fund Bluefield Solar Income Fund) on the establishment of a solar EIS fund and the subsequent due diligence and acquisition of numerous solar PV projects in the UK (including the associated EPC and O&M arrangements).
- **Bluefield Partners LLP** on the acquisitions of three sub-5 MW solar plants from Primrose Solar Management Limited. The three assets include a 4.7 MW plant in Lincolnshire and two 4.99 MWp plants in Norfolk.
- **Carlo Maresca Group**: on the negotiation and structuring of the acquisition of a PV power plant owned by Banco Santander
- **Castlepines Corp.**: on the acquisition of a 40 MW solar portfolio in Germany.
- **Catalyst**: in relation to solar PV projects in Round 1, Round 2 and Power Wheeling.
- **Centrobanca**: on financing to Solsalento S.r.l. for the construction of solar farms in Italy.
- **China State construction and engineering**: on a 100MW solar project in Dubai (with Hareon).

- **Clean Energy Concepts:** in relation to the corporate and commercial aspects of the Round 1 projects in Jordan.
- **Clean World Capital Partners:** on its acquisition of a portfolio of residential roof top solar projects in the UK.
- **Conergy AG** (a solar systems provider) on
 - a series of solar PV projects in Thailand including development, financing, supply and construction. The advice included the drafting and negotiating of consortium agreements, supply and construction agreements and providing advice on corporate structure.
 - the development of the Philippines' first solar park project for San Carlos Solar Energy Inc., a joint venture between Bronzeoak Philippines and Thomas Lloyd Group of the UK.
 - their acquisition of the business of Shell Solar in the Philippines and Indonesia. Our advice included investment structures, tax and foreign investment issues in each country and coordinating with local counsel on employment law issues. The transaction represented a major investment by Conergy in the rapidly growing Asian solar power industry.
 - an acquisition of an Indonesian solar energy engineering company. We advised on foreign investment regulations, due diligence and drafting the transaction documentation.
- **COPEX Group:** on the licenses and permits/preliminary due diligence, commercial due diligence, and the negotiation and structuring of loan facilities aimed at building solar farms in the southern part of Italy.
- **Desert Technologies:** on the commercial structure and documentation for Round 1 projects in Jordan.
- **Deutsche Biofonds:** on the acquisition of various photovoltaic power plant projects in Italy.
- **Dyesol Ltd.:** on the proposed joint venture with a German car manufacturer in the field of 3rd generation solar technology.
- **Ecolutions:** on the acquisition of various photovoltaic power plant projects across Europe.
- **EDF EN:** in relation to the project financing of two solar PV projects, under the Egyptian feed-in-tariff programme, with EBRD and Proparco.
- **Endurance Energies,** company specialized in the development of photovoltaic projects with the drafting and negotiation of development (EPC contracts) and maintenance agreements (O&M) with various sub-contractors (from April 2010 to the present)
- **Enneray:** on a 20MW Solar Project in Jordan.
- **European Jordanian Renewable Energy & Green Land Alternative Energy:** providing advisory services from concept to delivery on two solar projects in Jordan totalling 30MW. We provided a comprehensive advisory service on: the bidding and procurement process; commercial documents necessary for the build, operation and grid connection of plant; and the suite of project finance and corporate documents required to implement these Round 1 solar projects. We also provided project management and strategic advice.
- **European Jordanian Renewable Energy:** on a direct proposal to MEMR for a 50MW solar project with a north Jordan University.
- **Fondo Star One, managed by Polis Fondi Immobiliari Sgr S.p.A.:** on the administrative and regulatory, corporate, and commercial due diligence, negotiation and structuring of the acquisition of a PV power plant owned by Marsolar S.r.l.
- **Fondo Star One, managed by Polis Fondi Immobiliari Sgr S.p.A.:** on the administrative and regulatory, corporate, and commercial due diligence, negotiation and structuring of the acquisition of a PV power plant owned by Silver S.r.l.
- **Fondo Star One, managed by Polis Fondi Immobiliari Sgr S.p.A.:** on the administrative and regulatory, corporate, and commercial due diligence, negotiation and structuring of the acquisition of a PV power plant owned by Murgia S.r.l.
- **Frettricity PLC:** on its debt/equity financed projects to install and operate solar panels on both residential and commercial roofspace in the UK.
- **Gamma Energy:** on the acquisition of UK solar projects and associated EPC and O&M services.
- **Goldbeck Solar GmbH:** on the design, build, operation and financing of circa 115MW of solar PV plants in the UK. The construction costs of these projects were either owner financed, project financed (Macquarie or Investec) or financed by Goldbeck Solar GmbH vendor financing. We have most recently advised on

their acquisition of the 50MW Sandridge site in the UK.

- **Gransolar:** on their proposed portfolio of projects in the UK.
- **Green Lucca:** on Italian PV portfolio financing.
- **GuarantCo:** in relation to its role as the guarantor of the dual currency USD and Taka financing by One Bank Ltd and Standard Chartered Bank of a ground mounted 28MW solar PV installation.
- **Hareon:** on the bidding process for a 100MW solar project in Dubai.
- **Hastings Funds Management Limited:** on the refinancing of a portfolio of operating solar PV ground mounted and rooftop assets, developed and operated by Hazel Capital LLP in the UK.
- **Hightex International:** on a merger with SolarNext to create a new AIM listed holding company, Hightex International Plc implementing a solar park project.
- **HSH Nordbank and Better Energy:** on financing, developing and marketing 4 solar Parks in Denmark
- **IDCM Limited and Pensions Infrastructure Platform:** as funders providing c. £20m senior secured debt over a portfolio of over 1900 operating solar PV installations on UK residential properties.
- **IDCM Limited:** in relation to all aspects of a c. £27.5m refinancing a portfolio of operating residential rooftop mounted solar PV assets, developed and owned by Spring Park Capital.
- **Island Green Power:** on their joint venture and investment with local partners to develop, construct and operate over 75MW of solar projects in NSW and Victoria.
- **Juwi Renewable Energies Pte Ltd:** on the design, engineering, supply, construction and commissioning of over 30 MW of solar PV projects in Thailand developed by Soleq/Equis Funds Group. Our advice included advising on all aspects of the projects including supply, EPC and Operations and Maintenance arrangements.
- **Juwi Renewable Energies Thai Ltd:** on the design, engineering, procurement, construction, testing and commissioning aspects of a 8MW solar photovoltaic power plant being developed by B. Grimm Power in Saraburi, Thailand.
- **Juwi AG:** on the share acquisition of Qi Power Limited, an Australian based solar energy company. This was Juwi's first investment into Australia and our role included due diligence and drafting the transaction documentation.
- **Large photovoltaic assembler and installer:** on assisting in localising construction contract templates for use in Singapore and Malaysia relating to project planning and construction of photovoltaic arrays for feed-in to the power-grid.
- **Luzentia:** on the promotion and construction of a 20MW solar farm in Murcia.
- **Major German leasing group:** on the acquisition and subsequent sale of various photovoltaic power plants in Germany.
- **Meinl International Power/Power International:** on the acquisition of various photovoltaic power plant projects across Europe.
- **Moser Baer/Hindustan Clean Energy:** on multiple solar power projects developed by the group in the UK, including acquisition, financing, regulatory aspects, construction and sale of the projects, including sale of three solar projects to John Laing plc and to Next Energy.
- **MPS Capital Services:** on project financing of four Italian PV plants.
- **Neoen:** on bids for Round 2 project in Jordan.
- **Odersun AG:** on all legal aspects of its business, including terms & conditions for the supply of its solar modules, regulatory advice, equity financing rounds, private placements and bridge loan financings.
- **Pension Infrastructure Platform:** on the refinancing of a portfolio of operating solar PV assets by way of a private placement bond issue to Standard Life and HSBC Bank Pension Trust.
- **PS Renewables/Padero Solaer:** on both the due diligence and corporate acquisition of over 20 sites for development of solar projects, together with subsequent sales (along with associated EPC and O&M arrangements). We have most recently advised on their acquisition on subsequent sale of the 50MW Eveley solar project.
- **Phoenix Solar:** (an international photovoltaic systems integrator) on customising its contracts for the turn-key Solar Power Plants in Singapore and Malaysia, including advising on regulations and real estate issues relating to the solar energy business.
- **Push Energy:** on the sale and build of numerous projects at in the UK.
- **Renovalia Solar 2, S.L:** on the refinancing of a total debt of EUR 226m, coming from the

construction of a photovoltaic farm with a total power of 47.6 MW. By means of this transaction, Renovalia Solar 2, S.L. has refinanced its debt with a banking syndicate involving Spanish and international banks and led by Banco Santander, S.A. as Agent.

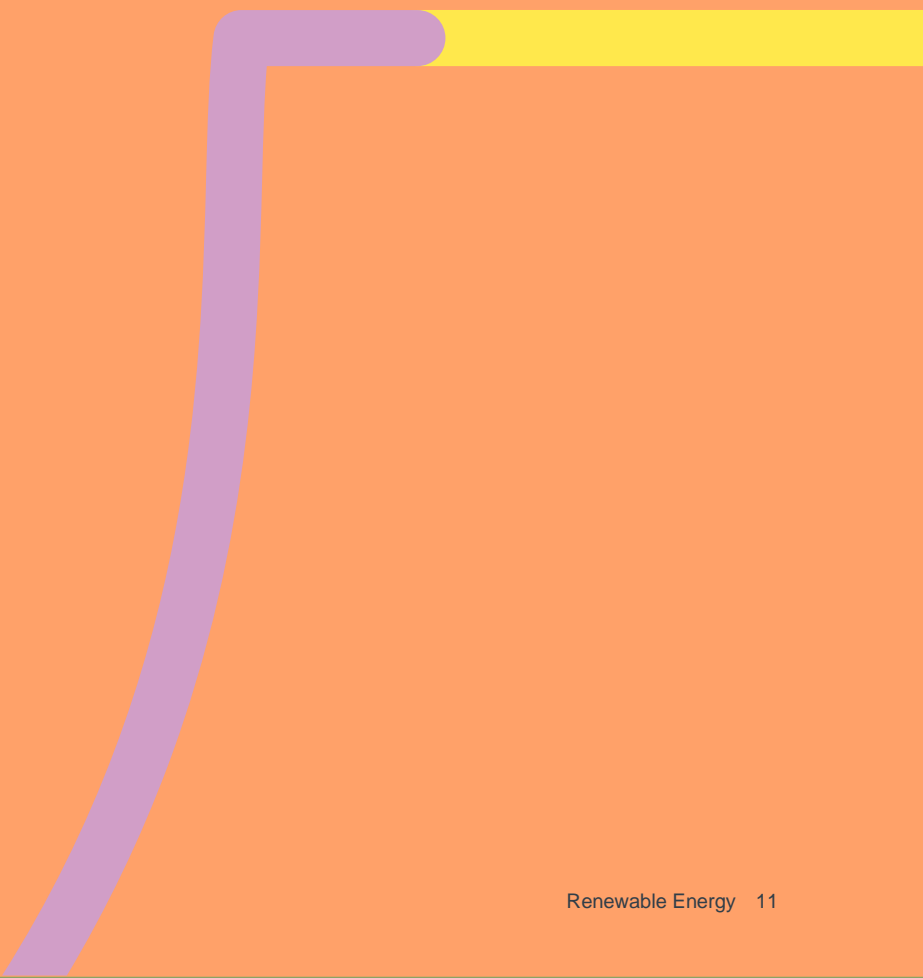
- **RSV United Energy AG:** on the acquisition of several photovoltaic greenhouse plants in Italy.
- **Santander:** in relation to the refinancing of a 4.17MW ground mounted solar PV installation owned by a community interest company and partly funded by way of a retail bond issue.
- **SEIF and INFRAVIA:** regarding their taking of a shareholding in a holding created by the Casino Group in order to acquire and operate supermarket roof-mounted and car park shade mounted photovoltaic power plants.
- **Senergy Inc:** on the licenses and permits/preliminary due diligence, commercial due diligence, and the negotiation and structuring of loan facilities aimed at building solar farms in the southern part of Italy.
- **Shunfeng:** on their proposed portfolio of projects in the UK.
- **Sojitz Europe:** on the acquisition of a 24 MW solar park in Germany.
- **Solarcentury:** on contractual, administrative and regulatory aspects in connection with the designing and installing of several PV plants in Spain and in the UK.
- **Solar Juice:** Developing branding strategy and trade mark filing plan for this company in Australia and throughout Oceania in tandem with its acquisition by a Chinese company and expansion outside Australia.
- **Solarig:** on the proposed acquisition of a number of solar projects in the UK
- **Sun and Soil:** on the disposal of various developed UK solar projects to a number of buyers/funders.
- **TGC Renewables Group Limited:** on the sale of development rights for various solar projects.
- **Wholesale distributor of Solar PV panels:** Developing branding strategy and trade mark filing plan for an Australian wholesale distributor company of Solar PV panels, solar inverters, components and complete solar systems, throughout Oceania in tandem with its acquisition by a Chinese company and its international expansion outside Australia.
- **Zebasolar:** on the acquisition of various photovoltaic power plant projects in Italy.





Bird & Bird is very experienced in the energy sector," adding: They have a very good track record and that makes them stand out from the usual suspects."

Chambers Europe, 2020



Selected wind energy experience

Recent wind credentials from AsiaPac

- Assisting **Asia Green Capital** as the sponsor/developer on developing Indonesia's first wind project, in South Sulawesi including advising on the acquisition of the project rights from General Electric and due diligence.
- **Vestas**: on its Singapore setup and contractual issues consultancy and corporate research agreements.
- **Vestas Asia Pacific**: on the contract for the supply on wind turbines for its 47MW Vandiya Power Wind Project in Gujarat, India.
- Acting for **Enerfin A/S** (a subsidiary of Elecnor) on the sale of their 100% interest in the Bulgana Wind farm located in Victoria, Australia. The transaction involved the sale of shares in the company owning the rights to develop the wind project and agreement on EPC and O&M contracts.

Recent wind credentials from Germany

- **Various turbine suppliers**: on TSAs and O&M contracts for German offshore wind farms.
- **English cable manufacturer**: on several contracts for the sale of AC cables for the in-field cabling of offshore wind farms.
- **German North Sea TSO**:
 - on all HVDC grid connection systems to connect offshore wind farms in the German North Sea, including drafting and leading negotiations of the EPC contracts for the systems BorWin1, BorWin 2, DoIWin 2, DoIWin3, HelWin 2, SylWin1, DoIWin6 and DoWin5
 - on several EPC project contracts for the offshore interconnector NordLink
 - on several offshore grid related litigations
- **German equity investor**: on the joint venture with an onshore wind project developer and turbine manufacturer, including EPC Contracts and full corporate documentation.

- **International renewable investor**: on an onshore wind farm project in Russia (up to 300MW), including export financing.
- **German bank**: on various onshore wind projects in France.

Recent wind credentials from The Netherlands

- Advising **Lagerwey**, a Dutch wind turbine manufacturer, on all legal aspects in respect of its wind JV with Rosatom.
- Advising **Lagerwey**, a Dutch wind turbine manufacturer, in relation to the construction, financing and development of several wind parks.
- Advising on the Corporate PPA structure and contracts for the offtake of **major wind parks in the Netherlands**, including the PRP and balancing agreement as part of the Corporate PPA structure.
- Advising **EURUS Energy Europe** on the EPC and O&M arrangements for several wind farms and other ongoing matters relating to their wind portfolio.
- Advising **EURUS Energy Europe** on the project agreements in relation to its acquisition of Dutch and Finnish onshore wind farms.
- Lead counsel for the developers/operators of the 195MW onshore wind farm in **NOP Agrowind**, one of the largest project financed wind farms in the Netherlands and will employ the latest technology 7,5 MW Enercon wind turbine. Financing support by EIB.
- Lead counsel for the developers of the **Westermeerwind project**, the Netherlands' largest near shore wind farm. The wind farm employs SWT-3.0-108 Siemens wind turbines and is designed to generate 144MW of wind power. Financing support by EKF.
- Lead counsel for the construction, financing and acquisition of **Caribbean renewable projects**, including the Playa Kanoa and Tera Kora wind projects on Curacao.

- Lead counsel for the construction, financing and acquisition of the **Vader Piet wind project** on Aruba.
- Lead counsel for the construction, financing and acquisition of the **EcoPower wind/bio-diesel project** on Bonaire.
- Advised investors on the structure and participation in the **Gemini wind farm project** in the North Sea.
- Advised one of the developers on the structuring of the **Amalia wind farm**, the first offshore wind farm built in the Netherlands.
- **Delta Network Company**: on regulatory issues including transport tariffs and the connection of wind farms to the grid.

Recent wind credentials from the UK

- **A private equity/leveraged finance house**: on a number of on-shore wind farm developments in the UK and Ireland.
- **Advising a UK wind farm generator** (owned by Ventus and managed by Climate Change Capital) on its sleeved PPAs with Sainsbury's supermarket. Sainsbury's became the first company in the UK to enter into a PPA directly with the generator as a result of this deal. Another of our energy partners advised Sainsbury's on this deal whilst at his previous firm SNR Dentons so our lawyers are familiar with this project from all perspectives (generator, corporate and licensed supplier).
- Advising on bids for cabling on the following offshore wind farms **Dunkerque, Hornsea 2, Northwester 2, Icebreaker, Moray Firth, Neart Na Gaoithe**
- Advising on its acquisition of Myroe Energy Limited owner of three operational 250kW wind turbines in Northern Ireland
- **Airtricity**: advising Irish wind farm company Airtricity Holdings Limited in relation to the establishment of a joint venture with Fluor International Limited for the development, construction and operation of an offshore wind farm in the Thames Estuary and on the sale of 50 per cent of the shares in Braes of Doune Wind Farm in Scotland and associated financing and construction work.
- **Albion Community Power Plc**:
- **Australian infrastructure investor and others**: Due Diligence on contracts for the construction of offshore wind farms and advising on necessary renegotiation of EPC-contracts to protect investors.
- **Beatrice**: Advising contractor on demonstrator project comprising two 5MW turbines located 25km off shore on the seabed, linked to the Beatrice AP oil platform by sub-sea cable.
- **Black Hill** : advising lender KfW-IPEX Bank GmbH on all aspects of the acquisition financing, negotiation and drafting of finance documents in relation to a 28.6MW operating UK onshore wind farm.
- **Carraig Gheal Wind Farm** : advising the lender group in relation to the £94 million project financing of a 46MW wind farm project in Scotland.
- **Cummins Inc.** on its sale to Woodward of its subsidiary SEG (production and sale of wind power plant components) which included German and international operations.
- **Dudgeon**: Contract for provision of copper core inter-array cables and range of cable accessories to collect and transit generated power.
 - Establishment of ACP WNI Limited and purchase of two wind farms
- **Greater Gabbard Offshore Winds**: advised Greater Gabbard on various issues on the Round One OFTO process.
- **Hallmark Power Limited**: on its projects to both install and/or install, own and operate wind farms in the UK.
- **Kelburn** : advising Renewable Energy Systems on the construction and financing of the 28MW Kelburn wind farm in Scotland, financed by Lloyds Banking Group and BNP Paribas and using Vestas wind turbines.
- **London Array**: One of the largest offshore windfarms, with the first phase comprising 175 wind turbines and two offshore substations. Advising on contract for engineering, design and manufacture of over 200km of 33kV subsea array cables with hang-off and termination systems.
- **NIBC Infrastructure**: in an auction procedure to acquire an offshore wind project in the Baltic Sea from Plambeck AG ("Project Godewind").
- **Pioneer Point Partners**: On its acquisition of energy platform Brockwell Energy Limited from Hargreaves Services plc. Brockwell has a range of energy from waste and onshore wind projects in Scotland, with a potential capital requirement of £800 million. Our work included due diligence and negotiation of amendments

to the full suite of project documents (including EPC, O&M, fuel supply, grid connection and PPA agreements).

- Purchase of Sterke Wind Limited
- Purchase of wind farm at South Arnloss Wind Farm
- **Sandbank:** Supporting cabling contractor on contracts for inter-array cables and copper conductor cable. This project, off the German North Sea coast, includes 72 x 4MW turbines and 105km of inter-array cabling.
- **Tallentire Hill and Meikle Carewe:** advising lender KfW-IPEX Bank GmbH on all aspects of the project financing, including negotiation and drafting of finance documents and review of project documents in relation to a portfolio of two UK onshore wind farms.
- **Walney:** advising a group of five lenders in connection with finance documentation for a £225m project financing package to fund a minority stake in the Walney offshore wind farm.

Recent wind credentials from the Nordics

- **Amliden:** advising NV Nordisk Vindkraft AB in relation to the development, construction and disposal of a 41.4MW Swedish wind farm project, using Vestas wind turbines, to Hg Capital.
- Advising **corporations** at their joint application to the Swedish Energy Markets Inspectorate for a binding interpretation as regards exemption for wind farms from the obligation to acquire concession for an internal network under the Electricity Act.
- **Confidential client:** Advising a large electric industrial consumer on disruption of service.
- **Confidential client:** Advising a municipality on sourcing district heating. (2018)
- **Confidential client:** Advising a project developer with legal, contractual and corporate issues at the establishing of a wind project portfolio which includes several substantial wind farms, and preparing for the divestment of the wind farms to an external investor.
- **Confidential client:** Advising at negotiating a Joint Development Agreement with a major global wind turbine supplier, including reviewing and commenting on the Joint Development Agreement from a Swedish law perspective, advising on Swedish law corporate issues and drafting Share Purchase Agreements related to the transfer of the shares in the respective SPVs.
- **Confidential client:** As part of the structuring of a project portfolio, advising the project developer at the negotiation and drafting of a Call Option Agreement, an Asset Transfer Agreement and a Cooperation Agreement granting the project developer an option to acquire a wind farm.
- **Confidential client:** Legal advice related to a Corporate PPA. Advising a global corporation in its negotiation of the purchase of all electricity from a large scale on-shore wind farm, including drafting a comprehensive and complex Power Purchase Agreement.
- **French developer of wind projects:** Due diligence of onshore wind power investments in Sweden.
- **Gamesa AB:** Overseeing tax due diligence of a company developing, constructing, and providing maintenance for, wind turbine generators.
- **Kyrkberget:** advising NV Nordisk Vindkraft AB in relation to the development, construction and disposal of a 23MW Swedish wind farm project, using Siemens wind turbines, to Jämtkraft AB.
- **Jadraas:** advising a private equity fund manager in relation to the project financing of a €336 million, EKF supported, 200MW onshore wind farm in Sweden.
- **Havsnas :** advising the sponsor group in relation to the financing and development of a 95.4 MW onshore wind farm in Sweden.
- **Swedish municipality:** Advising a municipality at its contemplated acquisition of a number of physical wind turbines (in whole and in part), as well as on the Cooperation Agreements to be entered into, including a legal Due Diligence of the wind farms and the related agreements and review and comment on draft Acquisition Agreements.
- **Uppsala Kommun:** acquisition of wind turbines in Sweden.
- **Ytterberg:** advising NV Nordisk Vindkraft AB in relation to the development, construction and disposal of a 44MW Swedish wind farm project, using Vestas wind turbines, to Hg Capital.

Recent wind credentials from Spain & Latin-America

- **Alstom:** assistance on the acquisition of Spanish wind turbine manufacturer and renewable projects developer Ecotècnia Energias Renovables.
- **Confidential client:** Assistance in the drafting and negotiation of a Corporate PPA with a relevant supplier in the Spanish energy market. The relevant plants include wind farms and pv solar plants.
- **Confidential client:** Assistance in the implementation of a model for trading energy (Corporate PPAs) using blockchain technology. This assistance includes the preparation of the model Corporate PPA.
- **Elecnor:** Providing legal assistance on the regulatory aspects applicable to the development, construction and commissioning of a wind park in La Rinconada (Navarra).
- **Renovalia Energy:** Advising Renovalia Energy, S.A. on the refinancing of the debt of its Hungarian wind portfolio for the total amount of HUF 2,439,000,000 (EUR 7,512,120).
- **Renovalia Energy:** Assisting the shareholders of Renovalia Energy, S.A. in the sale of their stake to Renaleto Servicios y Gestiones, S.L., a subsidiary of the US based investment leading fund Cerberus Capital Management for the total amount of EUR 230 million. Renovalia is a major Spanish sponsor of renewable projects (including wind farms and photovoltaic solar plants) in Spain, Hungary, Chile and México (among others) with a total power capacity greater than 650 MW
- **Renovalia Reserve, S.L.:** Refinancing of the debt of three Spanish subsidiaries part of the Renovalia Energy Group. As a consequence of this transaction the company refinanced the debts arising from the construction of different wind farms in Spain. Bird & Bird advised Renovalia in its negotiations with the bank syndicate as well as in the drafting of the different agreements in connection with the refinancing
- **Innoeolico B.V.:** Assistance in relation with the development of a 50MW wind farm in Cuba and negotiation of the PPA with the off-taker.

Recent wind credentials from Italy

- Advising **Foresight Group** on the review for bankability purposes of the Long Term PPAs in relation to a 40MW greenfield wind project in the Campania Region (Italy), to be entered into by an SPV (part of the Toto Group).
- **AGSM Verona S.p.A.:** we have joined forces with a local law firm in advising AGSM on the administrative and regulatory, corporate and commercial due diligence and on the negotiation and structuring of the acquisition of two wind farms totalling 30MW.
- **Banca Nazionale del Lavoro (BNL) S.p.A. :** we advised the client on the due diligence process aimed at financing the development of the projects, in relation to a wind farm 16MW in Apulia Region, Italy.
- **Banca Nazionale del Lavoro S.p.A.:** we are advising the client on the due diligence process aimed at financing the development of the projects, in relation to a wind farm 16 MW in Puglia Region, Italy.
- **BNL S.p.A./Difesa Wind:** advising BNL S.p.A. on the review of the original Euro 23.8 Million project finance facility agreement and the related financial documentation for Difesa Wind S.r.l..
- **BPER Banca S.p.A./Candela:** assistance to BPER Banca on the transfer of the original Euro 60 Million financing, from a pool of banks, to the special purpose vehicle Daunia Candela S.r.l. for the construction, development and management of a wind plant with a total capacity of 39.1MW, in the Municipality of Candela, Apulia.
- **Carlo Maresca S.p.A.:** we advised the client on the due diligence process aimed at acquiring a project for the development of a wind farm of 22 MW in Campania Region, province of Avellino, Italy.
- **Carlo Maresca S.p.A.:** we advised the client on the due diligence process aimed at acquiring a project for the development of a wind farm of 22.5 MW in Campania Region, province of Benevento, Italy.
- **Cubico Sustainable Investment:** we advised the client in relation to a wind project in Turkey.
- **DB/Belenergia:** advising DB on the construction and operation of the Bel Eolico Project (first off-shore wind farm in Italy), owned by Belenergia to be built in Apulia Region (Italy) (aborted) and subsequently sold to the Toto group (we have assisted also on the sale of the project).

- **Energy System Services S.r.l.:** we advised the client on the due diligence process aimed at acquiring a project for the development of a wind farm of 10MW in Apulia Region, Italy.
- **Energy System Services S.r.l.:** we advised the client on the due diligence process aimed at acquiring a project for the development of a wind farm of 10 MW in Apulia Region, Italy.
- **Margherita S.r.l./Deliceto 1:** advising Margherita S.r.l., an Italian company specialising in the manufacturing, development, and management of renewable energy generation plants, as sponsor on the negotiation and drafting of project contracts for the supply, installation, construction and operation of a wind farm of 18MW in the municipality of Deliceto (FG), Apulia. This was the first vendor loan structuring applied in Italy.
- **Margherita S.r.l./Deliceto 2:** advising Margherita S.r.l., as sponsor on the negotiation and drafting of project contracts (aero-generator supply agreement, maintenance agreement, etc.) for the supply, installation, construction and operation of a wind farm of 63MW in the municipality of Deliceto (FG), Apulia.
- **MPS S.p.A., UniCredit S.p.A./Daunia Savignano:** advising MPS and UniCredit on their purchase of stakes in the Euro 73 Million financing granted to Daunia Savignano S.r.l. by a syndicate of banks in relation to a 77MW wind farm in Ascoli Savignano, Campania (Italy).
- **MPS, Banca ICCREA and UniCredit:** assistance in favor of MPS, Banca ICCREA and UniCredit in relation to the restructuring of the facilities, up to an amount of Euro 280 Million, granted for the development of 4 wind farms, having a total capacity of 180MW and owned by Margherita S.r.l. and the French private fund Ardian.
- **Murgeolica/Campidano/Wind Farm Projects:** we advised Banco BPM and Société Générale in relation to the amendment on the finance documents related to (i) Euro 42 Million financing for the realization and maintenance of 32MW wind farm and (ii) Euro 85 Million financing for the realization and maintenance of a 70MW wind farm in Italy.
- **PLC System,** through its controlled subsidiary **Arpinge Energy Efficiency and Renewables S.r.l.**, has completed its acquisition of the entire capital of two wind power plants from PLC System S.r.l. and some other local business partners. We assisted PLC System in the financial aspects of the deal.
- **PLC System:** through its controlled subsidiary Arpinge Energy Efficiency and Renewables S.r.l., has completed its acquisition of the entire capital of two wind power plants from PLC System S.r.l. and some other local business partners. We assisted PLC System in the financial aspects of the deal.
- **PLC System:** we assist PLC System - as Sponsor of Tolve Windfarms Holding S.r.l., the special purpose vehicle that has developed 3 wind farms with a nominal capacity equal to 37.2MW in Basilicata Region - in the negotiation of the finance documentation of the Project Finance (about Euro 40 Million).
- **PLC System:** we assisted in the financial aspect of the project finance related to a wind farm (12MW) in the Basilicata Region.
- **PLC System:** we assisted in the financial aspect of the project finance related to a wind farm (10MW) in the Basilicata Region.
- **PLC System:** we assisted in the financial aspect of the project finance related to a wind farm (15MW) in the Basilicata Region.
- **Pool of banks/Gorgoglione:** advising a pool of banks on the financing for the revamping of a 3.3MW wind plant in Italy.
- **Pool of banks/Mimiani:** advising a syndicate of banks on the restructuring of a Euro 53 Million bank loan originally granted for the construction and operation of a 22MW wind plant located in the Sicilian municipalities of Caltanissetta and Marianopoli (Italy).
- **Syndicate of banks/Montaguto:** advising a syndicate of three banks on the transfer of the original Euro 53 Million financing for the construction of a 35MW wind plant in Montaguto in Avellino province, Campania, Italy. The wind plant is owned by an SPV controlled by French private equity fund Ardian and Italian renewable energy provider Margherita S.r.l..
- **Two pools of banks:** advising two different pools of banks respectively headed by Banco BPM and Société Générale on the amendments of two project finance facility agreements and the related financial documentation. The two project financing loans, respectively of Euro 42 Million and Euro 85 Million, were granted to two borrowers controlled by Fri-EI Group and EDF Renewables Group for construction and operation of two wind farms of, respectively, 32MW and 70MW.
- **UBI Banca S.p.A.:** we advised the client on the due diligence process aimed at financing the development of the projects, in relation to two

wind farms of 16MW in total in Apulia Region, Italy.

- **UniCredit S.p.A./ Grottole:** advising UniCredit S.p.A. on the circa Euro 40 Million project financing of 54MW wind plant located in Grottole Municipality, in the Basilicata region of Italy. The plant is owned by an SPV of Fri-El Group, one of Italy's leading green energy company, active in the Italian wind sector since 2002.
- **UniCredit S.p.A./Belenergia:** advising UniCredit on the construction and operation of the Bel Lavello Project (onshore wind farm), owned by Belenergia to be built in the Basilicata Region in Italy.
- We assisted **PLC System** - as Sponsor of TOLVE WINDFARMS HOLDING S.R.L., the special purpose vehicle that has developed 3 wind farms with a nominal capacity equal to 37.2 MW in Basilicata Region - in the negotiation of the finance documentation of the Project Finance (about 40 million Euros).

Recent wind credentials from France

- **An electricity producer**, using renewables, for urban planning and environmental law issues, within the context of the development of a wind farm in Yonne, France.
- **Bremer Landesbank:**
 - financing advice for a wind park composed of seven turbines located in the cities of Cerbois, Limeux and Lazenay in the Cher department
 - advising on project financing for a wind park composed of five turbines located in three cities in the Seine Maritime department
 - financing of a wind park composed of six turbines located in the cities of Sasseville and Drosay in the Seine Maritime department
 - advice on financing of a wind park composed of ten turbines located in the cities of Annelles and Ménil-Annelles in the Ardennes department
- **Crédit du Nord** for the financing of a wind park located in the Marne department
- **Neon Underwriting Limited:** advising on underwriting of acquisition of French wind project (2017)

- **The Région Hauts de France** for the formation of a local semi-public company in the renewable energy sector, including wind farms, and its financing arrangements.

Recent wind credentials from the CEE region

- **Naftna Industrija Srbije (NIS):** Advising NIS in relation to their EUR 160 million investment in Plandište Wind Farm, with 34 wind turbines and a total installed capacity of 102 MW. The project is developed by NIS Energowind, 50% of which is owned by NIS, with the remaining 50% owned by private investors.
- **Rudine wind farm :** advising developer RP Global on all aspects of finance documents in relation to 34MW onshore wind farm in Croatia funded by IFC and UniCredit Bank.



Bird & Bird ATMD LLP has demonstrated particular expertise in new technologies including rooftop and floating solar projects, and hydrogen and fuel cell projects.

Legal 500 Asia-Pacific, 2020

Selected energy from waste/biomass/biogas experience

- **BTA:** on the project documentation and contract drafting for the Glasgow waste to energy facility.
- **DS Smith Paper Limited:** advising in respect of the 50MW energy from waste CHP plant to be constructed at DS Smith's site at Kemsley Mill. Advice included negotiation of the steam supply agreement, direct agreements with the lender consortium, interface arrangements and other regulatory matters.
- **Empure:** on the contracts for energy technology for the Manchester waste scheme.
- **Foresight Group:** advising on nine anaerobic digestion projects in Northern Ireland, Scotland and England, including advising on the re-financing arrangements for 2 of those projects. Funding for these projects has come from a mixture of debt finance from the Green Investment Bank, asset financing and projects that are funded using money from EIS investors.
- **Foresight Group:** in connection with its £13.1m investment into a 3 MW anaerobic digestion plant in Ballymena, which will be the world's first AD plant to be fuelled exclusively by chicken litter. The project also included an £8.7m investment from Invest NI and £1.5m from the EPC contractor, Xergi.
- **Ingenious Infrastructure:** advising on its investment in and development of an anaerobic digestion project at Thomas Swan's chemical processing plant in Durham.
- **Ingenious infrastructure:** on its investment into and development of three anaerobic digestion gas-to-grid plants in England and Scotland using EIS funding.
- **International energy developer:** on a major project/strategic partnership to offtake heat from a large EFW facility and supply to thousands of homes.
- **IQB Biogas Limited:** a joint venture between Ingenious Infrastructure and Qila Biogas Limited, in connection with its investment into and acquisition of 8 anaerobic digestion gas-to-grid plants in England and Scotland that are being project financed by Gravis Capital Partners.
- **Kenrick:** advising in connection with the development of a pyrolysis plant at a waste management site in the West Midlands.
- **Major infrastructure investor:** in connection with its investment into sustainable wood pellet refineries.
- **Major multinational conglomerate:** on its joint venture collaboration with a global water and waste company on the development, build and operation of pioneering pyrolysis units to transform waste into a plastics feedstock.
- **Pioneer Point Partners:** Advising on the acquisition of Brockwell Energy Limited from Hargreaves Services plc, which included a portfolio of renewable energy assets, including energy from waste, onshore wind flexible generation assets.
- **Riskpoint A/S:** on the W&I insurance underwriting for the sale of SSE's 50% stake in an energy from waste portfolio (two EFW plants, 75MW and 45MW respectively). Our role includes review of all DD carried out on project, including project docs diligence.
- **Scotia Gas Networks:** on the procurement of a proposed energy from waste centre.
- **The National Exhibition Centre:** on its public procurement of a large scale waste wood low carbon CHP system which will supply heat and power to NEC, LG Arena and possibly Birmingham International Airport, the hotels in the area and the proposed Leisure and Entertainment Centre.
- **Two Scottish Local Authorities:** on all public procurement law aspects of their waste procurements, including the procurement of an energy from waste centre.



Bird & Bird are all outstanding. Their knowledge of the reality of business which, together with their superior legal skills, allows them to provide customised and practical advice." "communication and quick answers."

Chambers Europe, 2020

Key contacts



Elizabeth Reid

Partner

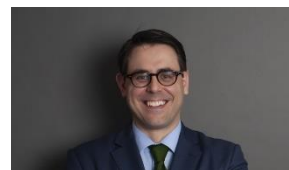
+442079056226
elizabeth.reid@twobirds.com



Sophie Dingenen

Partner

+31703538812
sophie.dingenen@twobirds.com



Michael Rudd

Partner

+442074156174
michael.rudd@twobirds.com



Matt Bonass

Partner

+442074156731
matt.bonass@twobirds.com



Sibylle Weiler

Partner

+33142686016
sibylle.weiler@twobirds.com



Boris Martor

Partner

+33142686320
boris.martor@twobirds.com



*Hermenegildo
Altozano*

Partner

+34917903202
hermenegildo.altozano@twobirds.com



Alfonso Bayona

Partner

+34917903220
alfonso.bayona@twobirds.com



Simone Cadeddu

Partner

+390669667007
simone.cadeddu@twobirds.com



Dr. Matthias Lang

Partner

+4921120056000
matthias.lang@twobirds.com



Dr. Hermann Rothfuchs

Partner

+498935816000
hermann.rothfuchs@twobirds.com



Lars Kyrberg

Partner

+4940460636000
lars.kyrberg@twobirds.com



*Patricia Bendlin Spür,
LL.M.*

Associate

+498935816000
patricia.bendlinspuer@twobirds.com



Laura Huomo

Partner

+358962266215
laura.huomo@twobirds.com



Mikko Ahonen

Partner

+358962266735
mikko.ahonen@twobirds.com



James Durnall

Partner

+61292269850
james.durnall@twobirds.com



Sandra Seah

Partner

+6564289429
sandra.seah@twobirds.com



Grzegorz Pizon

Partner

+48225837989
grzegorz.pizon@twobirds.com



Thank you

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