



## Energy & Utilities

From generation to delivery and every step in-between, the energy sector is the network that powers daily life. This critical and heavily regulated industry faces a unique set of challenges - from environmental impact and project financing to rate setting and government oversight. When legal issues may affect business goals, Energy companies turn to us.

We represent investor-owned energy utilities, public agencies, merchant generators of electricity for wholesale supply, co-generators, renewable resource generators, and providers of distributed generation services. We counsel all manner of entities that purchase, provide, or plan to provide electric, natural gas, and other energy services.

We also represent customers and competitors of public utilities, property owners, and other interested parties in addressing issues related to energy projects and utility operations, services, and rates.

Our experience spans a broad range of subjects, including:

- bankruptcy proceedings
- customer complaints
- enforcement and compliance actions
- environmental review, compliance and permitting
- facilities leases
- fuel supply agreements
- market entry authorizations
- mergers and acquisitions
- policy advocacy
- policy and rulemaking proceedings
- power purchase agreements

- procurement of electric supplies and services
- rate cases
- regulatory matters
- transactional matters
- utility relocations

## RENEWABLE ENERGY PROJECTS

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Climate change and the associated push to reduce carbon emissions have spawned a number of legal and public policy initiatives focused on renewable energy resources.

We have extensive experience before the United States and California legislature, California Public Utilities Commission, California Energy Commission, and California Air Resources Board with regard to renewable energy projects. Our experience includes significant work with respect to California's Renewable Portfolio Standard (RPS) and AB 32 GHG emission reduction plan. In addition, we represent clients during rulemakings or board votes on stationary and non-stationary sources of carbon emissions and on issues specific to landfill, wastewater treatment, and biosolids disposal. We work on renewable, energy efficiency, and biosolids conversion projects and have appeared before the CPUC and CEC to obtain funding through existing state programs to offset costs of capital expenditures associated with renewable energy, energy efficiency, and water recycling programs.

We are knowledgeable on the "cap and trade" system for carbon emissions and carbon credits including the trading system being implemented by the Climate Action Registry for the western United States, and the recommendations for a cap and trade system contained in the Energy Bill passed by the U.S. House of Representatives.

These efforts include, among others, renewable energy portfolio standards ("RPS") that require utilities to obtain significant percentages of their energy supplies from renewable resources, and self-generation technologies that allow consumers to produce their own electricity and to sell excess electricity back to the public grid. These initiatives, together with the commitment to and support of clean energy technologies by the Federal and state governments, have combined to make solar energy one of the most promising clean energy technologies of the present and the future.

Nossaman is able to assist consumers, commercial real estate owners, developers, equipment manufacturers, renewable energy generators, and utilities with the development, project financing, implementation, and operation of all types and sizes of solar energy projects. We have the knowledge and expertise to:

- Provide general legal advice with respect to photovoltaic, thermal-based, and other types of solar projects for residential uses, commercial and government buildings, and large utility scale projects.
- Assist with the project financing of solar energy projects, including advice on solar investment tax credits, California Solar Initiative support, and other government incentives necessary for viable solar projects.
- Negotiate and document transactions including project financing, equipment purchases, installation and operating agreements, site and system leases, power purchase agreements, power sales to utilities, and sales/purchases of existing solar projects.
- Provide advice on renewable energy credits and the role of solar projects in carbon emission cap and trade systems.

- Represent and advocate for renewable energy generators and other interested parties before regulatory agencies such as the California Public Utilities Commission and the California Energy Commission and before Congress and state legislatures on issues related to solar energy and other renewable energy technologies.
- Advise and assist solar energy project developers with obtaining financing from the more than \$60 billion in grants, tax credits, and other incentives relating to renewable energy and energy efficiency programs authorized by the American Recovery and Reinvestment Act of 2009 and the Energy Improvement and Extension Act of 2008.

## AREAS OF CONCENTRATION

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Dam Construction, Operation & Removal  
Public Utilities Regulation  
Renewable & Alternative Energy  
Telecommunications