

## Renewable Energy

Renewable energy sources help power the new energy economy. Brownstein is at the forefront of representing companies in the clean technology sector, and combines decades of traditional energy sector experience with substantial knowledge of the increasingly complex business, financial and regulatory environment facing renewable energy companies.

Brownstein's Renewable Energy Group brings a wealth of experience to every aspect of clean technology projects, from project development and securing financing from the private sector and the federal and state governments, to protecting intellectual property and obtaining all necessary permits and agreements for a project to promptly proceed. Our energy lawyers represent clients in every sector of clean energy, including developers, manufacturers and investors in solar, wind, geothermal and advanced biofuel projects.

Using a collaborative team approach, our group helps clients develop strategies that address governmental agency requirements while also focusing on each company's overall business plan. For years, we have been closely involved with state legislatures and government agencies on matters relating to biofuels, alternative energy and new energy technology. Whether working with agency regulators or enabling access to the highest levels of government, one of our most important functions is helping our clients make the connections necessary to ensure the success of a project.

### **Representative Matters**

- Represent Central Valley solar project in federal and California endangered species act issues.
- Represent San Diego County solar project through all phases of permitting and CEQA/NEPA.
- Represent solar project developer through diligence and acquisition for multiple projects in Southern California.
- Successfully defended Major Use Permits for solar technology company and resolved pending CEQA litigation filed against the client, the County of San Diego, and other real parties in interest.
- Represented a renewable energy company and its subsidiaries on corporate and contract issues regarding three wind farms in Wisconsin, Iowa and Minnesota. Corporate work included negotiating and drafting joint venture structure and equity financing documents. Assisted the companies with negotiating and drafting master supply agreements, and operations, maintenance and supply agreements with vendors and contractors. Finally, assisted with analysis and negotiations concerning the availability of Section 1603 cash grants for its properties.
- Served as land use counsel to the City of Mesa, Arizona regarding the development agreement with First Solar, Inc. Brownstein provided counsel on agreement concerning the redevelopment of up to 263 acres for photovoltaic solar manufacturing facilities.
- Represented U.S. Geothermal Inc. in the development and construction of its \$137 million, 22-megawatt-net geothermal power plant in Oregon. Part of the project financing included negotiating a loan and a loan guarantee with the U.S. Department of Energy and the Federal Financing Bank for this leading renewable energy geothermal development company.
- The Firm is providing advice and guidance on the sale of power from major wind farm facilities (up to 1500 MW) in Mexico to investor owned and public utilities in California, including securing cooperative agreements for transmission capacity, framing and wheeling, qualifying and registering projects with the California ISO (CAISO) and Energy Commission (CEC) as renewable energy projects, negotiating Power Purchase Agreements (PPAs), securing financing for projects and/or joint venture agreements, negotiating design, construction and operational agreements, and securing and unbundling Renewable Energy Credits (RECs) for the project.

- Outside general counsel to a Nevada Indian tribe in a number of large scale development projects, including the development of a 200 MW concentrated solar project in southern Nevada. Work includes the negotiation of lease and other agreements with a large renewable energy developer, development of water rights for the project, negotiation with the U.S. Bureau of Indian Affairs and other federal agencies and guiding the tribe through the NEPA process. Legal work also included the development of a sales and use tax regulatory structure for the tribe.
- Represent Honeywell International Inc. in its biofuels certification and Department of Energy grant processes.
- Provided strategic counsel to Bion Environmental Technologies, Inc. in establishing federal-level guidance for a nutrient trading program and in evaluating the possibility of a cellulosic-styled tax credit that would apply to Bion's process for producing cellulose-based renewable energy. Brownstein facilitated meetings with the U.S. Environmental Protection Agency (EPA), the Council on Environmental Quality (CEQ), key members of Congress and other strategic government officials to discuss the issue of basin-wide nutrient trading and energy production from Bion's integrated facilities.
- Represent a major hydroelectric utility company in litigation against the State of Idaho and Bureau of Reclamation regarding whether contracts between the parties obligated the federal government to release water from its upstream reservoirs to ensure certain flows in the Snake River.
- Represented a Colorado solar company in successfully negotiating and installing a large solar project in an army base in Afghanistan.
- Brownstein represents Amyris Biotechnologies, a leading Bay Area biofuels and bioproducts company, in negotiating a \$25 million cooperative agreement with the U.S. Department of Energy in expanding its Emeryville, CA biorefinery that uses sorghum to create renewable diesel.

## News & Events

- Brownstein's Mark Mathews Receives American Red Cross Volunteer Leadership Award
- Brownstein Takes State Bar of California EcoPledge
- Brownstein Client Alert: New Federal Renewable Energy Project Funding Opportunities
- FOREcast - Funding Opportunities for Renewable Energy
- Colorado Energy News: Denver Law Firm Joins CleanLaunch Tech Incubator
- Client Alert: Brief Overview of Discussion Draft of Graham Energy Bill
- FOREcast - Funding Opportunities for Renewable Energy, Volume 6
- FOREcast - Funding Opportunities for Renewable Energy, Volume 5
- Brownstein attorneys assist in obtaining \$49 million in stimulus funding for Celgard
- Brownstein Stimulus Update: DOE Issues New Round of Loan Guarantees Under the Recovery Act
- Brownstein Stimulus Update: DOE Issues New Round of Loan Guarantees Under the Recovery Act
- Renewable Energy Speaker Series: Mapping a New Energy Strategy for the West

### Meet The Team

Steven C. Demby	Shareholder	T 303.223.1119	sdemby@bhfs.com
Stephanie Osler Hastings	Shareholder	T 805.882.1415	shastings@bhfs.com
Mark J. Mathews	Shareholder	T 303.223.1179	mmathews@bhfs.com
Ronda L. Sandquist	Shareholder	T 303.223.1191	rsandquist@bhfs.com
Jon Hrobsky	Policy Director	T 202.872.5294	jhrobsky@bhfs.com
Robert J. Saperstein	Shareholder	T 805.882.1417	rsaperstein@bhfs.com

# Brownstein Hyatt Farber Schreck

---

Bradley J. Herrema	Shareholder	T 310.500.4609	bherrema@bhfs.com
Christine A. Jochim	Shareholder	T 303.223.1163	cjochim@bhfs.com
William J. McGrath	Shareholder	T 202.383.4703	wmcgrath@bhfs.com
Michael P. Smith	Associate	T 303.223.1150	msmith@bhfs.com
Ryan Waterman	Shareholder	T 619.702.7569	rwaterman@bhfs.com
Luke D. Johnson	Policy Director	T 202.747.0513	ldjohnson@bhfs.com

---