

Renewable Energy

The attorneys in the Sills Cummis & Gross renewable energy practice represent property owners, solar developers and installers in connection with solar energy transactions throughout the country. The Firm has a broad client base in this area, including large publically held companies, private equity solar developers and installers.

The Firm represents its clients in connection with the structuring, implementation and financing of renewable energy transactions, including the drafting and negotiation of EPC agreements, O&M agreements, power purchase and energy services agreements, site leases, master option agreements, REC contracts, loan agreements and related financing documents.

The Firm's lawyers practicing in this area are all experienced transactional attorneys who also have the requisite knowledge of the applicable energy regulatory and incentive programs, avoiding the balkanization, pitfalls and high legal fees that often occur in this practice area. For example, a Sills Cummis & Gross power purchase or energy services agreement will not only address whether the energy buyer has to sign the interconnection agreement; but will also address SNDAs and each party's responsibility for state sales taxes and local real property taxes.

The lead attorney on a Sills Cummis & Gross solar energy transaction will always be a seasoned transactional attorney, with a corresponding knowledge of the applicable federal and local renewable energy regulations and incentive programs. This lead attorney will also have the ability to call on hyper-specialists within the Firm when needed.

Representative Matters

- Representing a major New York-based REIT in connection with solar site leases for the California VNMP program.
- Representing a major California-based REIT in connection with solar site leases for the California VNMP program.
- Representing a Manhattan-based solar developer in connection with solar site leases, power purchase agreements and EPC agreements.
- Representing a private equity solar developer in connection with the power purchase and license agreements to permit the installation of over two megawatts of photovoltaic systems on four shopping centers in New York City.
- Representing a pv system installer in connection with three EPC agreements for the installation of over four megawatts of photovoltaic systems on three shopping centers in California.

Sills Cummis & Gross P.C.

- Representing a publicly traded retail REIT in structuring, implementing and financing the installation of photovoltaic systems totaling 4.2 megawatts on five of its shopping centers in two states. This representation included the preparation and negotiation of two EPC agreements, five site leases, two O&M agreements, 16 power purchase agreements and numerous financing and other ancillary documents.
- Representing a publicly traded retail REIT in a transaction with a national solar developer for the purchase of electricity generated by and the installation of over 30 megawatts of photovoltaic systems in 35 states.
- Representing a national pension fund in connection with a 6.8 megawatt on-site photovoltaic system transaction where the fund is a Host and one of several energy buyers. This transaction included the negotiation and drafting of a site lease and several power purchase agreements.
- Representing a national pension fund in connection with a 4 megawatt, 25 site, three state photovoltaic system transaction where the fund is the Host and energy purchaser at each site. This transaction included the negotiation and drafting of multiple site leases, power purchase agreements, bills of sale and SNDAs.
- Representing a national pension fund in connection with a 1.2 megawatt on-site photovoltaic system transaction.
- Representing a Manhattan-based private equity solar developer in connection with a 600 kilowatt, six school transaction. This transaction included the negotiation and drafting of six energy services agreements, six site licenses and an EPC agreement.
- Representing a Princeton-based private equity solar developer in connection with a 1.2 megawatt on-site photovoltaic system transaction. This transaction included the negotiation and drafting of an EPC agreement and the financing of the system.