

# Energy for your success

Overview of our Energy practice

# As successful as you are

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## Our Energy practice

For many sectors worldwide, smart management of energy and raw materials is a factor which drives innovation and growth. Market players are faced with politically motivated measures and regulatory requirements as well as geopolitical risks and new technologies.

Our Energy team combines comprehensive know-how in all relevant legal areas with profound industry knowledge. This enables us to provide our clients with proven expertise across the entire spectrum of the energy sector. We are familiar with the specific challenges, whether in exploration and production, procurement or the transport and distribution of energy. Furthermore, CMS was one of the very first law firms to engage with the emerging fields of smart energy and eMobility and has advised some of the leading players on pilot projects and new business models.

We liaise closely with our clients to create innovative legal products, handle investments, optimise structures from a tax perspective, manage risks and resolve conflicts. Our pragmatic and cost-effective advice has earned us a reputation as a pioneer in energy law.

### **Our expertise includes in particular:**

- Plant construction
- Mining law
- Climate change (fossil fuel phase-out, network expansion, etc.)
- Digitisation and decentralisation (smart energy)
- eMobility
- Energy trading & energy contracts
- Energy regulation
- Energy storage
- Energy law
- Renewable energy projects, incl. project finance
- Concession contracts
- Alliances, mergers and acquisitions, the sale of companies and holdings, etc.
- Power purchase agreements
- District and neighbourhood solutions
- Environmental and planning law
- Procurement law



## Selected references:

- **ads-tec** | Establishment of a joint venture with Bosch Thermotechnik GmbH for battery storage technology.
- **Alliander** | Advising on the successful award of a concession for the installation and operation of 220 electric car charging points in Berlin.
- **EnBW Energie Baden-Württemberg** | Advising on negotiations for a 15-year power purchase agreement (PPA) for a planned solar park in Mecklenburg Western Pomerania.
- **EnBW Energie Baden-Württemberg** | Advising on the structuring of the offshore wind farm projects Hohe See and Baltic 2 and the sale of a 49.9% stake to Enbridge and Macquarie in a structured bidding process.
- **Femern** | Advice on the planning approval procedure for the Fehmarn Belt Fixed Link.
- **Fluxys and NOVATEK** | Advising on the establishment of a joint venture to operate a head station for the storage of LNG in Rostock.
- **Highland Group Holdings Limited** | Advice on the acquisition, development and financing of the Veja Mate offshore wind farm and its partial sale to Siemens Project Ventures and CIP and on the joint sale of 80% of the shares to a European consortium.
- **NetConnect Germany and GASPOOL Balancing Services** | Representation in the Konni Gas 2.0 appeal proceedings.
- **Netze BW and ED Netze** | Advice and representation in numerous electricity and gas concession proceedings.
- **N.V. Nederlandse Gasunie and Gasunie Deutschland** | Advising on the acquisition of a stake in the EUGAL pipeline project from Gascade.
- **Polish energy company** | Advising on an agreement to trade electricity and gas using blockchain technology.
- **PRISMA European Capacity Platform** | Representation before the ACER Complaints Committee regarding the determination of the gas capacity platform to be used at the German-Polish border.
- **Project planners and operators of renewable energy plants** | Advice on project development, planning law, approval procedures, legal defence of the approval, direct marketing of electricity, proprietary electricity models, possibilities of avoiding grid fees, concession fees, electricity tax and EEG surcharge.
- **Stadtwerke München** | Advice on the acquisition of the Polish onshore wind farm project Jasna.
- **Electricity and gas traders** | Drafting of contracts for the purchase and sale of electricity, advice on gas and electricity supply contracts and on portfolio management contracts with industrial customers.
- **terranets bw** | Representation as an interested party in the REGENT and AMELIE appeal proceedings.
- **TransnetBW and Tennet TSO** | Public procurement law advice in connection with the preparation and implementation of the public procurement procedures for the SuedLink power line.
- **TenneT TSO and 50Hertz Transmission** | Advice on several network expansion projects.
- **VERBUND** | Advice in various water-law licence and planning approval procedures for several hydroelectric power plants on the Inn and the Danube; issues include: EIA issues, water and environmental protection law, waste law, maintenance duties.

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**CMS locations:**

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