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CMS Energy

Hot topics for the energy transition



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With more than **450 energy and climate change lawyers in 75 offices across the globe** the CMS Energy and Climate Change practice is one of the largest of its kind in the world. The practice was founded on groundbreaking work on designing and implementing modern energy markets and has subsequently guided the sector in the push to decarbonisation. CMS remains at the forefront of developments on energy transition, we understand businesses face new and evolving areas. Below are a selection of areas our teams are actively working on for clients.

For further information please contact your usual CMS contact or get in touch:



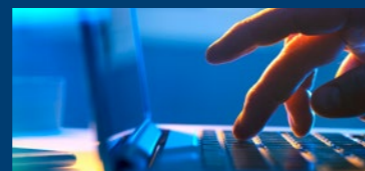
Munir Hassan
Head of Energy & Climate Change
T +44 20 7367 2046
E munir.hassan@cms-cmno.com



Developing projects in increasingly congested locations: Key considerations for developing projects alongside adjacent projects, project extensions and co-location of technologies.



M&A deals are evolving: Maximising deal values by wrapped risks and structuring, terms arising from the changing investor landscape, novel investment structures, portfolio deals, new regulatory and industry dynamics and the nature of the asset.



Regulatory risks – interventions and investigations: Helping industry manage the approaches of economic regulators to investigations and ensuring audit trails and approaches to be prepared to respond.



Political risks – Covid-19, Brexit, Nationalisation and others: As these matters become key risks across active transactions and projects, we help to navigate this and uncertain landscape to help business continuity or secure investment committee approvals.



Electric vehicles and charging infrastructure: Vehicle-to-grid, the principal business and payment models, investor and market developments and key considerations from recent projects and transactions.



AI, blockchain and disruptive technologies: Deployment of AI and blockchain in the energy sector for operational efficiencies and peer to peer trading, and planning for cybersecurity risks in the sector.



Energy storage: Changing investment parameters, large portfolio development platforms, development & contract procurement arrangements, multiple revenue streams and business models, and the shaping a cross-jurisdictional approach.



Challenges in the retail market and challenger retailers: Establishment and consolidation of retailers, increasing M&A in the space and challenges to ensuring viable business models for incumbent utility retailers.



Capacity markets and demand side response: Responding to State Aid challenges, and participating in the schemes to secure successful contracts.



Delivering Renewable Projects: New leasing and tender rounds, designing subsidy/procurement schemes, emerging geographies such as Asia and taking FOAK projects to market such as floating offshore wind.



Cross-border Interconnectors: New regulatory regimes are emerging to support these (such as cap & floor), investors in this asset class are changing and project financing is being sought for merchant lines driving new developments.



Optimisation of operational generation projects: Including co-location and regulatory changes.



Financing of power projects: Trends in recent project financings; First-of-a-kind (FOAK) financings for new technologies.



Power sector contracting – ensuring bankability: Considerations from formation of packages, key focus for negotiations, considerations from changing FIDIC standard templates and emerging practice from the pathfinder projects.



CCUS & Hydrogen: Emerging opportunities and key considerations for delivering projects in these nascent parts of the sector.



PPAs: Private wire/behind the meter, virtual PPAs, first of a kind CPPAs in new jurisdictions, changing agreements and the broader impact of subsidy free renewables on corporate and utility PPAs.



Repowering & project extensions: Consenting, contracting, practical and shareholder considerations in relation to repowering/extensions of existing projects.



Network charging regimes: Changes arising from sectoral changes such as establishment of an independent system operator and separation of distribution system operators.



Net Zero: Assisting corporate clients with net zero strategies and implementation, the role of oil & gas majors in a net zero future, and risk, resilience and reputational considerations.



Company reorganisations: Restructuring multi-technology companies into reorganised groups with clearer technological / geographical delineations.



Extracting additional value from O&M: Restructuring asset operational models to secure additional value (directly or through divestment values).



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CMS Cameron McKenna Nabarro Olswang LLP
Cannon Place
78 Cannon Street
London EC4N 6AF

T +44 (0)20 7367 3000
F +44 (0)20 7367 2000

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