

PRESS RELEASE

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Subject	Advising EnBW Energie Baden-Württemberg AG

CMS advises EnBW on construction of 500 MW North Sea wind farm with Canadian partner Enbridge

Stuttgart – The co-investor has now been confirmed for the Hohe See offshore wind farm, a major project led by EnBW Energie Baden-Württemberg AG. Canadian energy infrastructure company Enbridge Inc. is acquiring 49.9% of the shares in EnBW Hohe See, while EnBW is retaining the remaining 50.1%. EnBW took the investment decision to construct the 500 MW facility at the end of 2016. The two companies will implement the project jointly and also finance it jointly, from construction through to commissioning. Comprising 71 wind turbines and total investment of around EUR 1.8 billion, EnBW Hohe See is currently the largest German offshore wind farm project in the construction phase. EnBW will operate and maintain the completed wind farm on the basis of a service and management contract.

A team headed by lead partner Dr Jochen Lamb advised EnBW on all legal aspects of structuring the project, on the procedure for selecting the investor and also during the negotiations with Enbridge. This included granting an option for Enbridge to invest in another offshore wind farm project initiated by EnBW in the North Sea, the Albatros wind farm. The special feature of the Hohe See project is that for the first time CMS – with a team headed by Dr Holger Kraft – advised EnBW on all aspects of the matter, from the tendering procedure through to negotiating the contracts for construction of the wind farm. This is also the first time in Germany that the contract for manufacture and installation of wind turbines and their foundations has been awarded to a single main contractor. EnBW has relied for a number of years now on the expertise of CMS lawyers, including advice on the investment by Macquarie Capital in the EnBW Baltic 2 offshore wind farm in the Baltic Sea.

EnBW's Hohe See project will be built in the Exclusive Economic Zone of the North Sea, some 90 km to the north of Borkum and 100 km north-west of Helgoland, covering an area of 42 square kilometres. Once it goes into service, which is scheduled for 2019, the wind farm will have a capacity of 497 MW and generate around two billion kilowatt hours of electricity a year. That is enough to supply some 560,000 households with power, leading to a reduction in CO2 emissions of approximately 1.5 million tonnes.

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