

Katten

Katten Muchin Rosenman LLP

ENERGY

Our Clients

Katten's Energy practice provides a fully integrated set of legal services to clients across the entire spectrum of energy sources, from renewable energy, biofuels and independent power producers to electric, natural gas, oil and coal. We represent project developers, commercial lenders, mezzanine debt investors, equity investors, investment banks, lessees and lessors in connection with a wide variety of energy projects and transactions. We also counsel major energy companies in all aspects of their business.

Our Services

Katten attorneys advise clients on the development and financing of domestic and international energy projects and assets in areas including waste disposal and recycling, renewable energy, mining and metals, liquefied natural gas (LNG), and petrochemicals. With an understanding of the broad range of legal issues clients face in complex energy projects, we structure, negotiate and document project and financing agreements to suit our clients' specific needs. We have substantial experience structuring power generation, transmission and distribution projects involving cogeneration, coal, nuclear, thermal, hydro, wind and alternative power sources. Our attorneys work closely with clients to address concerns related to oil and gas exploration, production, storage, refining, gasification, and production.

Katten's Energy team helps clients comply with the constantly evolving regulation and deregulation of the energy industry. Experienced with all of the major federal, state and environmental laws affecting energy

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companies, our attorneys proactively guide clients through administrative requirements to avoid legal challenges. We obtain and defend the governmental approvals, licenses and permits needed for vital infrastructure and new development, assist in preparing environmental impact statements and ensure that our clients meet local land use requirements. Our attorneys actively represent clients before federal and state agencies including the Federal Energy Regulatory Commission (FERC), US Nuclear Regulatory Commission (NRC), US Environmental Protection Agency (EPA), US Department of Justice (DOJ), US Commodity Futures Trading Commission (CFTC), US Coast Guard, US Army Corps of Engineers, and US Fish and Wildlife Service.

Katten has advised the underwriters or bond counsel on more than \$2 billion of tax-exempt bonds issued to finance hydroelectric projects. Our Energy attorneys have also represented the sponsors and operators of waste-to-energy facilities in the financing and leveraged lease refinancing of such facilities and FERC permit proceedings. We regularly engage in public power financings and draft power sales agreements and advise municipal utilities on a variety of matters, including

continuing tax law compliance, Internal Revenue Service (IRS) controversies and disputes, energy regulations, local franchise matters, and project financings.

Our corporate and finance attorneys are skilled in complex energy transactions, with experience in transfers of petroleum refineries, major pipeline systems and associated facilities. We advise clients on single-investor and leveraged lease financing of mining equipment and production plants, merger and acquisition transactions, senior note facilities, senior bank credit facilities, surety bond and letter of credit programs, preparation plant throughput transactions, and synthetic fuel tax credit transactions.

As we negotiate and structure transactions, we identify potential environmental and other liabilities and operational constraints, and work with our clients to implement strategies that maximize future operational flexibility and business value while minimizing risk. We

assist clients, including major refineries, in managing complex environmental issues associated with legacy assets/liabilities. In the course of our transactional work we address issues as varied as greenhouse gas, carbon sequestration, environmental-, health- and safety-related liabilities and permitting, and risk management and insurance options. Our Energy team also advises clients on a broad range of alternative energy project issues, including the development, financing and tax issues associated with water treatment and desalination plants, ethanol production, and solar and wind power generation.

Katten helps clients to fully capitalize on business opportunities in the energy sector, drawing upon the extensive resources of the firm to provide advice and consultation in diverse areas including public-private financing and partnerships as well as municipal, transactional, administrative, regulatory and environmental law.