



Burges Salmon **Marine Energy Projects**

Energy and Infrastructure Team of the Year

THE LAWYER Awards 2009



**BURGES
SALMON**

Who we are

Burges Salmon is a large UK law firm with over 650 staff and lawyers. We offer the full range of legal services to individuals, governments, companies, investors and lenders.

We are a leader in Renewable Energy law and in 2009 won UK Energy / Infrastructure Team of the Year at The Lawyer Awards.

IP Protection

Our team of intellectual property lawyers advises developers on how to protect and commercialise their IP rights and in particular the IPR ownership issues which need to be addressed when negotiating collaboration agreements and consortium arrangements. IP issues also need to be considered in the context of contracts placed for system components, spares, test equipment and installation work.

We also advise consortium members on licensing structures and IP transfer arrangements to ensure that the project vehicle has appropriate access to the underlying IPR.

Grant Funding

We have a long history of assisting early stage companies on grant funding. We help with applications, review terms and help compliance with conditions and on the risk of repayments. Our experience includes acting for The Carbon Trust and the Energy Saving Trust as well as funding under NER300 and the Technology Strategy Board.

Tax Incentives

We have a strong tax team that advises across the renewables sector and can help make the most of tax incentives and advise on efficient tax structuring.

Corporate Fundraising and M&A

We have been active in the wave and tidal space helping on investments into companies, consortium agreements, joint ventures, M&A and associated due diligence. Details of some recent transactions are set out on the next page.

Tendering

As well as helping to tender for grant funding we are well known for our procurement advice. We have advised on many renewable procurements including The Crown Estate Pentland Firth, and Rounds 1, 2 and 3 of offshore wind. We have helped prepare tenders, agree documents and challenge procurement outcomes.

The Crown Estate and Real Estate

We have a thorough understanding of The Crown Estate and have for many years advised on The Crown Estate documentation for offshore renewable energy developments. This includes Rounds 1, 2 and 3 of offshore wind as well as Round 1 of wave/tidal. Our real estate experience covers England, Wales, Northern Ireland and Scotland and we have advised on the real estate aspects of over 350 renewable energy projects for utilities, developers, landowners, investors and funders.

Power & Grid (including OFTO)

We have advised on Grid connections large and small throughout the UK totalling well over 7GW including remote island connections grid offers, novations and queries. Through our offshore wind work we have advised extensively on the OFTO regime. We have negotiated numerous power offtake arrangements with counterparties such as E.ON, Npower, Statkraft.

Marine Consenting

We have been in marine renewables for over 10 years and are one of the few law firms to have actually consented marine projects including Greater Gabbard and currently Seagreen's Firth of Forth 3,500MW offshore wind farm and MeyGen's 400MW tidal project. We act on projects throughout the UK and sit on many of the influential industry consenting bodies.

Construction and Operation

We have experience of many types of construction contracting structures. We regularly help procure technology and plant and have experience of cable contracts, O&M, foundation and installation vessel contracts.



International Power

We advised International Power on its investment in MeyGen Limited. MeyGen is a joint venture between Atlantis Resources Corporation, International Power and Morgan Stanley and has been awarded an agreement for lease for the Inner Sound tidal project in the Pentland Firth by The Crown Estate.

Carbon Trust

Advising The Carbon Trust on its initiative in marine energy called the Marine Energy Challenge which supported the development and increased understanding of wave and tidal stream energy technologies.

Tidal Generation Limited

We advised Tidal Generation Limited on the recommended offer by Rolls-Royce Group plc for the entire issued share capital of TGL.

Swan Turbines

Advising Swan Turbines on developing its tidal technology, protecting its intellectual property and grant funding and corporate fundraising.

Channel Islands

Advising a FTSE 100 energy group on a proposed investment in an SPV formed to generate electricity from the tidal flows around the Channel Islands.

MeyGen

Advising MeyGen on its proposed 400MW tidal stream project at the Inner Sound in Pentland Firth including all consenting and build out.

“The legal expertise, customer focus and quality of service here is equivalent to - and in many cases better than - any London firm.”

“Burgess Salmon has a dominant position in the renewables and nuclear energy fields.”

“...excellent value for money and friendly, pragmatic and thorough advice.”

“A national, premier-league firm.”

Chambers Legal Directory

Why Burges Salmon?

- Energy & Infrastructure Team of the Year – *The Lawyer* Awards 2009
- Environment led approach to renewables sector
- Long term, proven track record in renewable energy projects
- Strong regulatory understanding of the technologies
- Perspective from all industry levels, investor, developers, local authority, infrastructure provider and banks
- Cost effective approach and high quality service

Who to contact



Ross Fairley – Partner, Head of Environment and Energy

Mobile: 07785 500949

DDI: +44 (0) 117 902 6351

ross.fairley@burges-salmon.com



Nick Graves – Partner, Corporate

Mobile: 07779 133680

DDI: +44 (0) 117 939 2200

nick.graves@burges-salmon.com

www.burges-salmon.com

One Glass Wharf, Bristol BS2 0ZX Tel: +44 (0) 117 939 2000 Fax: +44 (0) 117 902 4400

Chancery Exchange, 10 Furnival Street, London EC4A 1AB Tel: +44 (0) 20 7685 1200 Fax: +44 (0) 20 7685 1266

Burges Salmon LLP is a Limited Liability Partnership registered in England and Wales (LLP number OC307212) and is regulated by the Solicitors Regulation Authority.

A list of members, all of which are solicitors, may be inspected at our registered office: One Glass Wharf, Bristol BS2 0ZX.