



The United States faces significant challenges to its electric transmission infrastructure: aging facilities, the development of new renewable resources located far from existing transmission lines, and demands for increased electric power reliability and security. Predictable returns, assurances of cost recovery and other economic incentives, combined with a favorable regulatory climate, have spurred the formation of a host of stand-alone transmission companies (transcos) and new market participants to address these significant infrastructure needs.

With reduced barriers to market entry, new federal incentives for the orderly development of electric transmission projects, stable and predictable rates of return, and historically low borrowing costs, investment in U.S. electric transmission projects has become attractive to a broad range of investors, from energy and utility companies to investment banks, private equity groups, investment funds, and sovereign wealth funds.

K&L Gates' multi-disciplinary projects team offers a full suite of services involved in siting, permitting, financing, constructing, and interconnecting transmission infrastructure. We advise clients from across the spectrum of project participants, including institutional investors and lenders, project companies, utilities and transcos, construction contractors, and more. Our services include specialties in the following areas:

### Regulatory Approval

Our energy regulatory lawyers advise on all aspects of federal and state regulatory matters, including with respect to the Federal Energy Regulatory Commission (FERC), Regional Transmission Organizations (RTOs), and the North American Electric Reliability Corporation (NERC). Our regulatory services include:

- FERC regulatory compliance at project formation
- Planning and cost allocation issues (including FERC Order No. 1000 compliance)
- Transmission rates and contracts
- Interconnection agreements
- RTO tariff requirements and compliance
- NERC compliance and audits
- Certificates of public convenience

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## Entity Formation and Project Transactions

Our corporate team advises transmission project participants in all aspects of entity structuring and organization. Our work includes:

- Transco entity structuring and organization
- Joint venture structuring and organization
- Project contracts
- Asset management agreements
- Operation and maintenance agreements
- Tax matters

## Project Siting and Permitting

We advise on all aspects of real estate, land use and site permitting for transmission infrastructure projects. Our services include:

- Ground and air leases
- Eminent domain
- Land use and environmental permitting
- Bureau of Land Management and other federal land management
- Indian law
- Lateral facility litigation

## Finance

Our finance team advises on debt, equity and project financing for new transmission infrastructure development. Our finance services include:

- Project financing
- Equity financing
- Mezzanine financing
- Construction financing
- Sale-and-leaseback arrangements
- Lease-purchase arrangements
- Real estate investment trusts (REITs)
- Securitization

## Construction

We represent project companies and construction contractors in a wide range of construction-related matters, including the preparation and negotiation of contracts, the formation of public-private partnerships and the prosecution, defense and resolution of disputes. From project development to litigation of construction claims, we offer a full spectrum of construction services, including:

- Requests for proposals
- Engineering, procurement and construction contracts
- Design, build, operate and maintain contracts
- Subcontractor issues
- Government contracts
- Construction litigation



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To learn more about our Transmission Project Development practice, please visit our website at [www.klgates.com](http://www.klgates.com).

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