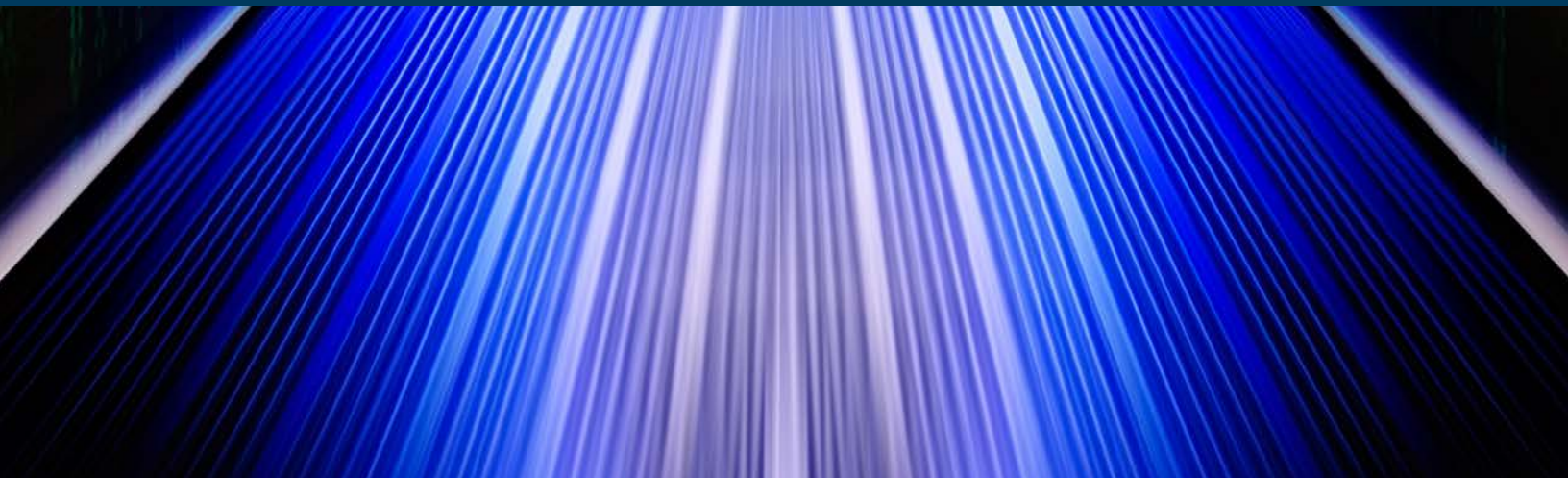




McGuireWoods

ENERGY SERVICES OVERVIEW FOR DATA CENTERS



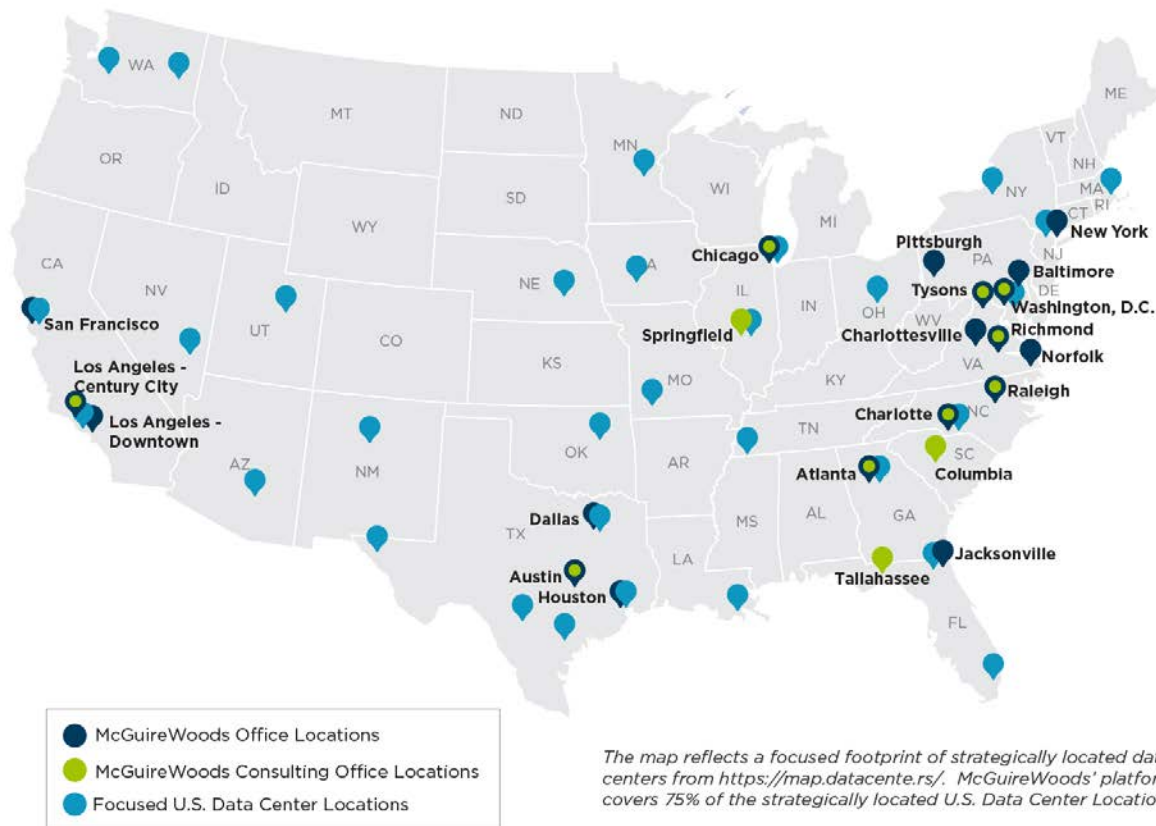
ENERGY SERVICES FOR DATA CENTERS



McGuireWoods provides comprehensive services domestically and internationally through a coordinated “industry team” approach that combines industry-specific expertise with the breadth of legal services that our clients need to accomplish their multi-dimensional business goals. We are not simply making deals. We are closing your deals, and to do that we need to know your industry.

OUR DATA CENTER FOCUS

McGuireWoods’ practice has a finger on the pulse of data exchange industry. From the commencement of electronic data collection, through storage and security, we have provided guidance on best practices to companies across industries on how to manage the legal risks associated with data centers and collection.



Our lawyers have experience in real estate, incentives, tax, transactions, litigation, data privacy, and information security. With offices in key markets, including San Francisco, Los Angeles, Atlanta, Chicago, Charlotte, Houston, Dallas, New York, Richmond and Washington, we bring the firm’s collective resources – more than 1,000 lawyers complemented by a top-flight consulting group – to bear wherever our clients do business. Our team offers sophisticated counsel to clients at every stage and on all sides of data center developments.

OUR COMPLEMENTARY ENERGY SERVICES

The availability of reliable cost-efficient energy is probably the biggest constraint to continued industry growth, and data centers are one of the most energy-intensive building types. We regularly partner with our data center clients to negotiate power purchase and other related agreements as well as evaluate the procurement of renewable energy to best power our client's operations.



PROJECT DEVELOPMENT AND ENERGY-AS-A-SERVICE: We have significant experience assisting clients managing energy costs and commodity exposure through the use of Energy Service Agreements (ESAs) in connection with the development and operation of microgrids and behind the utility meter energy generation facilities. Our attorneys have broad expertise in advising our clients in the development and financing of renewable energy projects related to these types of generation projects and facility structures, and have the bench strength and depth to manage all of the ancillary issues incident to behind-the-meter distributed generation, include structuring terms and conditions related to the operation and asset management of these types of generation systems. We have represented multiple data storage owners in connection with developing behind the meter grid resiliency programs. We have also structured and negotiated all material agreements related to the development of a behind the meter central utilities plant to provide a wholesale manufacturing facility with additional resiliency related to power, steam and compressed air needs in connection with the manufacture of carbon fiber in Southeast. We have experience dealing with the commercial, environmental and regulatory implications of these types of projects, always making sure that we mitigate those commercial risks and issues so our client can have cost and operational certainty related to its overall investment in the behind the meter resources.



RENEWABLE ENERGY EXPERIENCE: McGuireWoods is a leading law firm in the renewables industry. We've been involved in projects in 40 states totaling over 27 GWs and represent utilities, developers, independent power producers, and infrastructure funds – some of whom are looking for partners, investors and off-takers for their projects. We have a strong, full-service renewables practice group that provides assistance in all aspects of the development, acquisition/disposition, construction, offtake, debt finance, tax equity finance, ownership and operation of renewable energy projects. In addition, our experience spans the resource spectrum utilized today, including solar, biomass (including wood, wood waste, LFG, animal and plant waste), wind (on- and off-shore), energy storage, and geothermal projects. Select representative transactions are highlighted below.



POWER PURCHASE AGREEMENTS: Our attorneys have significant experience with power purchase agreements of all types, including tolling arrangements, non-tolling arrangements, and short-term transactions. This includes experience on both the purchase and sale sides of the transaction with firm sales, unit contingent sales, block sales, system sales and all-requirements sales, and covering power generating facilities of all types, including natural gas, wind, solar and solar + storage. We have also reviewed and analyzed the form of power purchase agreements issued by off-takers in RFPs for power, and reviewed and abstracted power purchase agreements in the context of acquisitions and financings. Our attorneys' deep understanding of renewable energy finance reassures our clients that they are negotiating favorable but financeable revenue contracts.



INTERCONNECTION: Our attorneys have experience with a wide variety of interconnection issues, including traditional large and small generator interconnection agreements, multi-party and joint ownership agreements, behind-the-meter solar and solar + storage interconnection agreements and other agreements involving renewable resources. We help companies understand the relevant rules, negotiate and draft terms (where applicable), and interpret both newer agreements and agreements that predate FERC rules requiring conformity. We also have experience with "wires to wires" transmission interconnection agreements.

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