



# Energy

What makes our energy practice unique?

## Geography

Bricker & Eckler's energy group is strategically located in energy hotspots throughout Ohio. In addition to the firm's main office, which is located in close proximity to Ohio's state government, we have on-the-ground presence in Eastern and Northern Ohio and [two offices](#) in the heart of the Utica shale play.

## Depth

Our team of over 20 attorneys and paralegals includes a former commissioner of the PUCO, the former Master Commissioner of Public Utility Law for the Ohio Supreme Court, and the former Chief Legal Counsel at the Ohio Department of Natural Resources, as well as former federal law clerks and congressional aides.

## Breadth of experience

From litigation (in federal and state court) to transactional work, our experience is broad and includes representation before regulatory agencies, such as the Public Utilities Commission of Ohio (PUCO), Ohio Power Siting Board, Ohio Environmental Protection Agency and Ohio Department of Natural Resources.

## Local Counsel

Bricker energy attorneys regularly collaborate with national firms as local counsel in Ohio on litigation and transactional matters, which often include real estate, regulatory and environmental due diligence in large-scale energy financings.

## Innovation

Our team is at the forefront of the legal and regulatory proceedings that are shaping the future of energy in Ohio and the Midwest. Additionally, we have been nationally and internationally recognized for our technology-based solutions, and are known for our creative fee structures.

## Diversity and Inclusion

We recognize and value the importance of diverse and inclusive teams in meeting the needs of our energy clients, and

actively promote the use of diverse teams in completing projects for clients.

Types of clients we represent:

- Manufacturers
- Independent power producers
- Renewable energy developers
- Real estate developers
- Municipalities and government agencies
- Midstream companies
- Telecommunications companies
- Natural gas companies
- Oil and gas exploration and production companies
- Trade associations

## Areas of Focus

### Oil & Gas

We perform transactional due diligence and work with clients to foresee and resolve litigation, regulatory, environmental and enforcement issues that arise during the construction, permitting, operation and maintenance of oil and gas pipelines and exploration and production activities.

### Solar

The attorneys in our full-service solar practice advise on real estate matters; permitting matters before the Ohio Power Siting Board (OPSB) and other permitting agencies; negotiation of property tax abatements, state and local incentives, and payment in lieu of tax (PILOT) agreements; project finance, including the use of tax-increment financing (TIF) and OAQDA bond financing; negotiation of power purchase and offtake agreements; and disputes relating to the scope and/or validity of leases and easements.

### Ohio Power Siting Board

Bricker & Eckler's energy team has extensive experience and deep knowledge of the OPSB process. Our attorneys have represented the successful certification of over 10,000 MW of new, non-utility generation and dozens of intrastate transmission projects.

### Environmental Law

The hallmark of our firm's environmental law practice is our solid relationships with environmental regulators and agencies, including the Ohio EPA, U.S. EPA, government enforcement personnel such as the Ohio Attorney General's Office and the U.S. Department of Justice, and our colleagues within the Ohio environmental bar.

## Energy Policy & Government Relations

Bricker's lawyer-lobbyists are continuously monitoring the political climate — and in certain cases driving legislation — to influence the energy-related issues that directly impact our clients. We use firsthand knowledge of election, ethics, lobbying and contracting law to represent clients before various state regulatory commissions. Specific services include specialized rule compliance, certification, permitting and siting, reporting compliance, regulatory requirement guidance, policy-making procedures and consumer issues.

## Advanced & Renewable Energy

One of few firms that practice before the Ohio Power Siting Board, we are intimately familiar with the regulatory structure established by Senate Bill 221 and the OPSB certification process. Within our large and comprehensive practice, Bricker attorneys assist clients in developing renewable energy projects — from financing to negotiation, construction, project development and more. Our team also works on the cutting edge of the transforming energy sector, including energy storage, distributed generation, microgrids and electric vehicle projects.

## Eminent Domain

We work with entities, such as pipeline and public utility companies, in eminent domain proceedings, counseling clients through the right-of-way acquisition process and negotiations and representing them in state and federal court appropriation cases.

## Economic Development

We partner with public and private entities to help clients work through regulatory challenges, find creative and realistic funding options, and obtain available incentives at the state and local levels. Our attorneys have unmatched experience guiding clients through all phases and types of property assessed clean energy (PACE) transactions for energy efficiency and alternative energy improvements. We also structure and implement tax-abated and tax-exempt bond financings for energy projects, including serving as bond and issuer counsel to the Ohio Air Quality Development Authority.