



Jackson Kelly's Renewable Energy practice group represents project developers, project owners, and utilities considering investments in renewable energy. Our attorneys consult on issues from siting, state regulatory certification, real property rights and acquisition, environmental, taxation, to financing aspects in the renewable energy space. The Jackson Kelly Renewable Energy team is ready to assist on projects from construction and financing through permitting and compliance.

### REPRESENTATIONAL EXPERIENCE

- Represented renewable energy developer in solar farm developments producing over 2.5 gigawatts on approximately 10,000 acres in Indiana and Illinois, assisting with drafting and negotiating lease terms and regulatory approvals for land-use
- Represented municipal landowner in 4 megawatt, \$6 million solar farm project on 15 acres in Evansville, Indiana, with drafting and negotiating lease terms, as well as land-use approval before the board of zoning appeals
- Represented municipality on 1.2 megawatt solar project utilizing the build-operate-transfer statute in Indiana Code 5-23-5 for public-private partnerships
- Representation of investor-owned electric, gas and water utilities before the WV Public Service Commission
- Certificate applications
- General rate cases
- Served as lead counsel on several wind energy projects before the PSC
- Advised both landowners and lenders on wind energy projects
- Development of multiple wind farm and solar projects
- Advised solar developers in the acquisition of land concerning large-scale solar development sites in Pennsylvania

### NOTABLE CASES

- *Sierra Club v. ICG Hazard, LLC*, No. 13-5086 (6th Cir. 2015) (affirming application of Clean Water Act "permit shield" to discharges of selenium in citizen suit)
- *Kentuckians for the Commonwealth, et al. v. U.S. Army Corps of Engineers and Leeco, Inc.*, No. 13-6153 (6th Cir. 2014) (affirming § 404 fill permit in face of CWA and NEPA challenge)
- *Ohio Valley Environmental Coalition v. Aracoma Coal Co.*, 556 F.3d 177 (4th Cir. 2009) (same)
- *Ohio Valley Environmental Coalition v. Bulen*, 429 F.3d 493 (4th Cir. 2005) (reversing district court decision invalidating a "general" § 404 permit issued by Corps of Engineers)