



ONSHORE WIND ENERGY

The expansion of wind energy on shore is fundamental to the success of the energy transition. According to the current Renewable Energies Act (EEG 2023), 115 gigawatts (GW) of onshore wind turbines are to be installed in Germany by the end of 2030.

Successful onshore wind energy projects require expertise from various areas of law. Thanks to our firm's broad range of expertise, we provide sound, practice-orientated and comprehensive advice in all project phases. In recent years, we have supported a large number of onshore wind farm projects throughout Germany - from the initial idea to commissioning and the operational phase.

Our clients are project developers and planning companies, local authorities, energy supply companies, plant engineering companies, construction companies, investors and banks. Our team is actively involved in the relevant committees of the Bundesverband Windenergie e.V. (BWE, German Renewable Energies Association), in particular the Legal Advisory Board.

We support the expansion of wind energy on shore and provide advice exclusively for the energy transition.

ADVISORY SERVICES

Support for regional and urban development planning

We advise regional planning authorities, districts and local authorities on issues relating to the organisation of regional and urban development planning for wind energy on shore.

Experience includes:

- Municipality of Wörthsee: Ongoing advice in connection with a partial land-use plan wind

Advice on approval procedures under immission control law, including all sectoral legislation

We advise project developers and planning companies as well as the responsible authorities on issues relating to

approval procedures in connection with immission control law, including all sectoral legislation (nature and species protection, aviation law, monument protection, etc.). We also offer to accompany discussion meetings or information events.

Experience includes:

- neoVIS-s.e. GmbH, Landshut: Ongoing advice on the development and realisation of several wind farms
- ENOVA Group, Bunde: Ongoing advice on the development and realisation of several wind farms
- Ingenieurbüro Sing GmbH, Landsberg a. Lech: Ongoing advice on the development and realisation of several wind farms, e.g. Lamerdingen, Berg and Fuchstal wind farms (BY)
- Fürstenfeldbruck public utilities: Ongoing advice on the development and realisation of several wind farms
- Qair Windpark Merzig GmbH & Co KG, Munich: Successful advice and representation in the context of change authorisation proceedings for the cancellation of a summer shutdown
- Burg Lichtenfels GmbH & Co. KG, Lichtenfels: Ongoing advice on the development and realisation of several wind farms
- Wust Wind und Sonne GmbH & Co. KG, Markt Erlbach: Ongoing advice on the development and realisation of several wind farms

Representation in opposition and complaint proceedings

We represent project developers and planning companies in opposition and complaint proceedings.

Experience includes:

- Bürgerwind Fuchstal Gemeindewald GmbH & Co. KG, Fuchstal: Advice and legal representation against the lawsuit of an environmental association
- SILA fünf GmbH & Co. KG, Markt Erlbach: Advice and legal representation against the lawsuit of an environmental association
- Tetra r.e. GmbH, Landsberg a. L.: Advice and legal representation against action brought by the local municipality
- Bürgerwind Höhenkirchner Forst GmbH & Co KG, Höhenkirchen: Advice and legal representation against legal action and interim legal protection of an environmental association and a neighbouring municipality

Securing land and land registration law

We advise project developers, planning companies and local authorities on securing the necessary land and provide advice on related issues.

Experience includes:

- ENOVA Group, Bunde: Ongoing advice on securing land for several wind farms
- Ingenieurbüro Sing GmbH, Landsberg a. Lech: Ongoing advice on issues relating to securing land for several wind farms
- neoVIS-s.e. GmbH, Landshut: Ongoing advice on securing land for several wind farms
- Energiebauern GmbH, Aichach: Comprehensive advice on the development and realisation of the Aichach/Sielenbach/Dasing wind farm

Co-operations and structuring

We advise project players on the structuring of co-operations, whether between project developers and local authorities, various project developers or in other constellations. We also provide comprehensive advice on the legal structuring of wind farms.

Experience includes:

- neoVIS-s.e. GmbH, Landshut: Comprehensive advice on various co-operations
- Ingenieurbüro Sing GmbH, Landsberg a. Lech: Advice on various co-operations

Construction contract law, in particular plant construction contracts, general contractor agreements and other construction contracts

We advise project developers and planning companies, energy supply companies, plant engineering companies and construction companies on all matters relating to construction contract law. We negotiate plant construction contracts, general contractor agreements and other construction contracts.

Experience includes:

- ENOVA Group, Bunde: Ongoing advice on the negotiation of plant construction contracts, general contractor agreements and other construction contracts.
- Burg Lichtenfels GmbH & Co. KG, Lichtenfels: Ongoing advice on the negotiation of plant construction contracts

Maintenance and operating agreements, plant safety

We provide advice on questions relating to maintenance and operating agreements as well as questions on plant safety.

Experience includes:

- ENOVA Group, Bunde: Ongoing advice on maintenance and operating agreements
- Burg Lichtenfels GmbH & Co. KG, Lichtenfels: Ongoing advice on the negotiation of plant construction contracts

Repowering and continued operation

We advise wind farm operators on all aspects of repowering. We examine the related public law issues as well as all subsequent public law issues.

Experience includes:

- ENOVA Group, Bunde: Ongoing advice on repowering projects

Procurement law

We advise public stakeholders, such as municipalities and municipal companies, on issues relating to public procurement law.

Grid connection and Renewable Energy Act (EEG) subsidy law, in particular support in tendering procedures

We provide advice on issues relating to grid connection and Renewable Energy Act (EEG) subsidy law. We also support the tendering procedures and answer questions on Renewable Energy Act (EEG) subsidy law.

Experience includes:

- ENOVA Group, Bunde: Ongoing advice on grid connection and Renewable Energy Act (EEG) subsidy law as well as EEG tendering procedures
- neoVIS-s.e. GmbH, Landshut: Ongoing advice on grid connection and Renewable Energy Act (EEG) subsidy law as well as EEG tendering procedures

Corporate law and tax law structuring

We provide advice on issues relating to the structuring of project companies and co-operation companies under corporate law and tax law.

Project financing and conception of citizen and public participation, mezzanine financing

We provide advice on project financing issues and work with our clients to design citizen and public participation schemes.

Experience includes:

- Wust Wind & Sonne Group; Markt Erlbach: Ongoing comprehensive advice on the project development of wind farms and citizen participation models, e.g. Langenzenn and Retzstadt wind farms (BY)
- Bürgerwindenergie Morbach Nord/Süd GmbH & Co. KG: Repowering of the Morbach energy landscape including preparation of a prospectus for citizen participation in the form of a citizen energy company (RP)

Purchase and sale of wind farms, due diligence

We advise buyers and sellers on the purchase and sale of wind farms, from projects that are still under development to old wind farms with repowering potential. We organise both asset and share deals.

Experience includes:

- ENOVA Group, Bunde: purchase and sale of project rights to wind farms, e.g. Gerdshagen, Hänigsen, Müggenburg-Panschow wind farms

THE CORE TEAM

Our team consists of 11 lawyers specialising in onshore wind with experience in project-related issues from all phases of project preparation, realisation and operation. Our lawyers are familiar with the relevant issues and negotiation strategies.

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