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FOCUS ON RENEWABLE ENERGY

The renewable energy industry has grown rapidly in recent years as states and the nation recognize the increasing need to diversify their energy supply. This growth has been fueled by demand and favorable government policies, most notably New York's Renewable Portfolio Standard whose goal is to obtain 25% of the state's electricity from renewable resources by the end of 2013.

The breadth and depth of the Harris Beach Energy Industry Team uniquely positions us to help organizations in all aspects of acquiring, financing, and developing both public and private renewable energy projects in New York state. This team, lead by a former chairman of the NYS Public Service Commission, provides clients with deep insight into key regulatory, energy, and environmental issues.

We can help organizations:

- Navigate the evolving and additional regulatory requirements for renewable energy production, distribution, and use
- Identify and benefit from state and federal tax credit and incentive programs encouraging renewable energy development; including Renewable Energy Credits and Carbon Credits
- Mitigate the inherent risks involved in working on the leading edge of a developing industry
- Secure public and private funding for renewable energy project development
- Facilitate state and local approvals
- Establish, administrate, and appear before Municipal Distribution Agencies (MDA's)
- Develop "closed loop" renewable energy facilities utilizing multiple technologies

The Harris Beach Energy Industry Team has extensive experience representing renewable energy developers, producers, and investors. We have helped these clients with such diverse environmental issues as zoning and land use, negotiating with municipalities, conducting public hearings, and working with agencies such as the Federal Energy Regulatory Commission (FERC), New York Power Authority (NYPA), NYS Energy Research and Development Authority (NYSERDA), and NYS Public Service Commission (PSC). Our experience with renewable energy technologies includes wind energy farms and production facilities, biodiesel and ethanol production and distribution, methane gas and electric production facilities, and geothermal energy production facilities.

While New York state offers its share of tax credits and incentives promoting renewable energy, even favorable government policies create complex legislative and regulatory climates to work within. Due to their complex nature, renewable energy matters typically cross disciplines and Harris Beach takes an interdisciplinary team approach to providing comprehensive energy-related solutions to our clients. Our energy team attorneys often work closely with other Harris Beach attorneys in our Environmental Law, Tax Law, Commercial Real Estate, Construction & Surety Law, Public Finance & Economic Development, Government Compliance & Investigations, and Corporate/Regulatory Practice Groups. In addition to traditional legal services, Harris Beach offers communications support for controversial projects and crisis management to enhance the potential for successfully preserving an organization's reputation and brand. Our affiliate Public Affairs Venture LLC can assist with government and legislative advocacy.



RENEWABLE ENERGY SERVICES

- Project financing through public and private sources
- Environmental review including zoning, land use, and State Environmental Review Act (SEQRA)
- Regulatory proceedings including FERC and PSC
- Intellectual property
- Transmission and interconnection issues
- Legislative relations
- Leasing and use of public lands
- Communications consulting on media and public relations, and controversial issues
- Communications strategies
- State and federal tax strategy

RENEWABLE ENERGY EXPERIENCE

We represent and provide strategic counsel to clients involved in all aspects of renewable energy project development, siting, financing, acquisition, and corporate activity.

SELECT ENGAGEMENTS

WIND ENERGY

- Serving as counsel for one completed wind farm and six pending upstate wind farm applications
- Siting and SEQRA approvals for wind farms
- Development of a 120 MW wind farm

ETHANOL

- Serving as company counsel on the development of an ethanol demonstration plant and a cellulosic ethanol research and production facility
- Development and financing of two 50 MGY ethanol plants

BIODIESEL/BIOMASS

- Successful defense of the contested siting of a 50 MGY ethanol production facility and biomass plant in an Article 78 proceeding (currently being appealed)
- Development of a 50 MGY biodiesel production facility in Hampton, NY

- Counseling on a county-wide, multi-site biodigester and methane pipeline project
- Counseling on permitting and zoning issues for a Northeast renewable fuel company
- Development of a 10 MGY biodiesel production facility in Volney, NY
- Representing various biodigester/methane production projects throughout NYS
- Development and financing of a 13 MGY biodiesel production facility in Ontario, NY

ENERGY EFFICIENCY

- Strategic counseling for the largest privately-held U.S. energy demand response provider

ENERGY TEAM MEMBER ASSOCIATION INVOLVEMENT

Former Associations

- NYS PSC Chairman
- New York Power Authority Chairman
- NYSERDA President and Board Member
- NYS Board on Electric Generation Siting and the Environment Co-Chair
- FERC-appointed Vice-Chairman of the Federal Joint Board on Economic Dispatch for the Northeast Region

Current Associations

- Environmental Business Association of New York State, Inc. (EBA-NYS) Biofuels Industries Task Force subcommittee Chairman
- NYS Business Council Member
- Independent Power Producers of New York Member
- Council on Competitiveness' Energy Security, Innovation & Sustainability Initiative Advisory Committee Member
- Northeast Energy Bar Association Board Member
- Alliance for Clean Energy New York (ACE NY) Member

For more information on Harris Beach, contact William Flynn at 518-701-2724 or wflynn@harrisbeach.com

ALBANY

677 Broadway
Suite 1101
Albany, NY 12207

BUFFALO

Larkin at Exchange
726 Exchange Street
Buffalo, NY 14210

GENESEO

131 Main Street
Geneseo, NY 14454

ITHACA

119 East Seneca Street
Ithaca, NY 14850

NEW YORK

805 Third Avenue
New York, NY 10022

NIAGARA FALLS

800 Main Street, 4 floor
P.O. Box 712
Niagara Falls, NY 14302

ROCHESTER

99 Garnsey Road
Pittsford, NY 14534

The Granite Building
130 East Main Street
Rochester, NY 14604

SYRACUSE

One Park Place
300 South State Street
Syracuse, NY 13202

YONKERS

470 Nepperhan Avenue, Suite 320
Yonkers, NY 10701

NEWARK, NJ

One Gateway Center
Suite 2500
Newark, NJ 07102

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