

Panel II

Green Energy and Efficiency

19 September 2011

***To produce green energy
you need an ideal environment***

- For windparks you need wind
- For solar-thermal and photovoltaic you need sun

***To produce green energy
you need an ideal environment***

But in addition to that you need a good

- Technical environment/equipment
- Legal environment!

***To produce wind energy,
the following legal steps are necessary***



***To begin with,
you have to know what you want***

- Planning
- Construction
- Operating



Construction of plant

- **Urban planning/zoning**

Is the construction legally possible?



Planning/construction of a plant



■ Financing

- Do we get subsidies?

Feed in tariff which is guaranteed?

Investment grant or loan?

- Shall we collect private money?

- Which contract with which bank shall be concluded?



Construction of plant

- **Real Estate**

Should we buy or should we rent/lease?



- **Equipment**
 - Contracts with manufacturer or importer?
 - What are the customs duties?
 - Do we need installations certificates (are there technical norms to be fulfilled)?



- **Legal permissions**
 - Construction permit?
 - Concession for generating energy?
 - Import licence?
 - Environmental assessment?

To operate a windpark you need

- Grid-related permissions
- Contracts with
 - Grid operator
 - Electricity trader



To operate a grid you need

- Construction permit
- Concession
- Environmental assessment
-

Energy contracting

- Contract between a company and the private or public client
- Tasks of the company
 - implementing a customized energy service
 - planning, building, operating (fuel purchase, financing)

- **Company**

- Guarantees for all inclusive cost and results
- Lasts usually 10 to 15 years

➔ Outsourcing of risk, interfaces and guarantees to an energy service company

➔ Minimizes project cycle costs

Fotovoltaic – Two alternative mechanisms

- **Private persons**
 - Get subsidies for installations &
 - Consume the electricity generated there

or

- Invest in other houses & get money from an electricity company for electricity fed into the grid

Who we are

- **Leading international law firm with offices in**
 - Vienna (Austria)
 - Bratislava (Slovakia)
 - Baku (Azerbaijan)

- **Cooperation partners throughout**
 - Central and South Eastern Europe
 - the Caucasus and Central Asia
 - U.S.A.



LANSKY, GANZGER + partner

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GANZGER
+
partner

Who we are

- **Legal advisors close to**
 - Prominent business and social groups,
 - Institutions and organizations
- **Pragmatic problem-solvers**



Our clients

We deliver our services to

- Public sector clients
- Private sector clients

We are known for our strength in the public and near-public sector

- Transportation (aviation, railroads etc.)
- Energy
- Communal services

We represent sovereign states

- International public law
- Adoption of EU-acquis communautaire
- International standards compliance

Legal fields

- International arbitration matters (private and public clients)
- European law
- Human rights
- Criminal law
- Commercial transactions
- Media law
- Public procurement
- Privatizations
- Mergers and acquisitions
- Competition law
- Corporate law
- Real estate transactions
- High tech and telecommunications, Infrastructure,
- Banking,
- Project finance and capital market matters,
- Environmental issues, energy law

BHM Lansky, Ganzger & Partners LLC



Who we are

- **Europe's „legal hub“ in Caucasus**
 - First Azeri-European Joint Venture
 - One of the largest law firms in Azerbaijan
 - Historic strength in the public and near-public sector
 - Well-established international experience of LGP
- **Goals:**
 - Being a full-service provider to foreign investors in Azerbaijan
 - Representing sovereign states
- **Legal fields:**
 - Arbitration
 - Corporate law
 - Privatization
 - Public sector
 - Infrastructure
 - Energy
 - International legal representation
 - International standards compliance



The speaker



Dr. Gabriel Lansky

- **Senior Partner LGP**
- Attorney, registered in
 - Austria
 - Belgium
 - Hungary
 - Slovakia
- Over 30 years of experience

- **Lecturer at Vienna University / Faculty of Law** (modern interest representation on national and EU level)
- **Areas of practice:**
 - Infrastructure
 - Internationalization
 - Privatizations
 - Public procurement
 - Competition law
 - Human rights

**Thank you
for your attention!**



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