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Jeffery R. Atkin

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Jeff Atkin is a partner and business lawyer with Foley & Lardner LLP, where he is the co-chair of the Energy & Infrastructure Sector and a member of the firm's management committee. Jeff is one of the early pioneers in renewable energy and infrastructure, with over 20 years of experience in the space. He is highly regarded for his deep industry connections and work with developers, sponsors, lenders, investors, equipment suppliers, and utilities.

Jeff focuses his practice on project development, project finance, mergers & acquisitions, joint ventures and developments, real estate developments, offtake agreements, supply and EPC agreements, O&M and services agreements, and corporate formation and structuring. He has guided clients through the successful completion of over 200 transactions, totaling over 20 GWs of projects, leading efforts from due diligence to contract negotiations to closing and integration. Jeff prides himself on organizing and leading a team of lawyers who provide quality work in an efficient and timely fashion.

Jeff's experience spans various technologies in relation to solar, wind, biomass/biofuels/waste-to-energy, geothermal, EV mobility, hydrogen, sustainable aviation fuel (SAF), carbon capture, microgrids, and energy transition.

In addition, Jeff has over two decades of experience structuring campus and district energy solutions for healthcare systems, universities and governments, including Energy-as-a-Service (EaaS), microgrids, central plants, energy retrofit and refresh programs, and other public private partnerships (PPP/P3).

Representative Experience

- Represented Delta Air Lines Inc. in its acquisition of a minority equity interest in Canadian airline WestJet Airlines Ltd. from Onex Partners and affiliated funds.
- Represented PIH Health in structuring, negotiating and financing a $189,000,000 Energy-as-a-Service partnership for a three-hospital health system in California.

- Represented rPlus Energies, a leading private renewable energy developer, in the formation of its platform-level partnership with Sandbrook Capital for the investment of up to $460 million in the platform alongside continued support from the Gardner Group.
- Represented New Energy Equity, a national end-to-end solar development and finance company, in the sale of 100% of its membership interests to ALLETE, an energy provider that invests in transmission infrastructure and other energy-centric businesses.
- Represented Balanced Rock Power, a Utah-based developer of high-quality, large-scale renewable energy projects, in the completion of a minority equity investment by SG Energy.
- Represented Canadian Solar, Inc. on the acquisition of Recurrent Energy LLC. The acquisition increased Canadian Solar's total solar project pipeline by 4 GW to a total of 8.5 GW and added approximately 1.0 GW of late-stage projects. The transaction was awarded the M&A Advisor Award for the Cross-Border Deal of the Year (over $250 million to $550 million) at the 14th Annual M&A Advisor Awards gala.
- Represented Goal Zero, a provider of on-the-go solar and charging products, in the sale of 100% of its membership interests to NRG Energy.
- Represented tax equity investor in a residential solar fund of up to $100,000,000.
- Represented company in $10,000,000 Series A financing.
- Represented renewable energy developers and financing parties in the acquisition, development and financing of utility scale projects across the US, including projects in Arizona, California, Colorado, Florida, Hawaii, Massachusetts, Nevada, New Jersey, New Mexico, Puerto Rico, Texas, and Utah, and projects internationally, including projects in Australia, Brazil, Canada, Central America, Chile, Japan, Mexico, and South Africa.
- Represented solar equipment and wind turbine manufacturer and project developers in the purchase and supply of nearly 11,000 MWs of solar panels and over 3,000 MWs of wind turbines.
- Represented developer in tax equity financing of a portfolio of five wind energy projects in North Dakota, Minnesota and Colorado, totaling 598 MWs.
- Represented major developer in the acquisition of a portfolio of eight wind energy projects in the U.S. and Canada.
- Represented wind and solar energy developers and construction companies in the negotiation of balance of plant and other construction-related agreements for dozens of projects in the U.S. and Canada.
- Represented wind and solar energy developers in several successful power purchase agreement bids, negotiations and projects, including with PG&E, SCE, SDG&E, SMUD, LADWP, SCPPA, UAMPS, Nevada Power, APS, SRP, TVA, and others.
- Represented major solar energy developer and manufacturer in the acquisition of three solar energy installers and technology companies in the U.S.
- Represented landowners and developers in structuring and negotiating various joint venture and development arrangements, including with several Native American tribes.
- Represented an equity investor in the acquisition of three solar development and installation companies in Pennsylvania and California, including an aggregate portfolio of more than 30 solar PV

projects.
- Represented an international developer and manufacturer in the acquisition of and equity investment in a portfolio of nine solar PV facilities on various public schools.
- Represented a construction lender and contractor in the construction and debt financings of a combined wind and solar energy project in Arizona.
- Represented the developer of the Renewable Energy and Wastewater System (RENEWS™), a closed-loop system where two waste streams are combined to produce clean water and electricity, in the structuring, financing and deployment of RENEWS; The initial system was deployed at the Musco Family Olive plant in Tracy, California, the leading supplier of table olives in the United States. The system has been featured on the Discovery Channel and numerous print articles.
- Represented the developer of a portable, modular wastewater treatment system that integrates several processing technologies to provide a purified water source; The initial commercial system was deployed at a plastics recycling facility in California.

Awards and Recognition

- Recognized, *Chambers USA: America's Leading Lawyers for Business*, Projects: Power & Renewables: Transactional (2015 – 2025)
- Selected by *Law.com,* Distinguished Leader Award (2024)
- Top 100 Lawyers – Los Angeles Business Journal (2023)
- Top Wind Attorney – Wind Industry Report: Legal Power List (2016) – *A Word About Wind*
- 40 Under 40 Award Winner (2014) – *The M&A Advisor*
- *Southern California Super Lawyers*® lists (2013 – 2023)
- Renewable/Alternative Energy Recognition (2013 – 2016) – *The Legal 500*
- Project Finance Recognition (2012 – 2016) – *The Legal 500*
- Projects and Energy (2015) – *The Legal 500 Latin America*
- Top 5 Energy Rising Star Under 40 (2012) – *Law360*

Affiliations

Over the years, Jeff has taught energy classes at several leading business schools across the country. Jeff was also an adjunct faculty at Loyola Law School and for 6 years taught a course on alternative energy development and project finance. He has also been on the Project Finance Editorial Advisory Board for *Law360*.

Presentations and Publications

- Panelist, "Supporting Energy Acquisitions" ACG Symposium on Reps & Warranties, Tax and Contingent Liability Insurance, Beverly Hills, June 22, 2023
- Panelist, "Optimizing Battery Storage ROI – From Project Economics, to Pre-Construction, to Tax Credits Enertis Webinar," October 20, 2022

- Moderator, “Financing Challenges for the California Market” Infocast Solar Power Finance & Investment Summit, March 19, 2020
- Moderator, “Banks Perspectives on CCA Lending Sponsor Equity,” Infocast Community Choice Energy Summit, November 29, 2018
- Moderator, “Sourcing Sponsor Equity and Development and Construction Capital,” Solar Power Finance & Investment Summit, March 22, 2018
- Moderator, “PPA Developments and Future Outlook,” Solar Asset Management, March 13, 2018
- Moderator, “Storage for Demand Reduction in C&I Market,” Storage Week, February 24, 2017
- Panelist, “What’s the Deal with M&A Deals?,” USC Business Law Society, October 5, 2016
- Moderator, “Accessing Development Capital,” 2016 Solar Power Finance & Investment Summit, March 24, 2016
- Moderator, “Business Development Landscape: The Large Scale Market,” Solar Mexico 2015, November 10, 2015
- Chair, Solar Power Executive Briefing, 2015 Solar Power Finance & Investment Summit, March 24, 2015
- “New Sectors, Segments, and Opportunities for China in LAC,” The 6th Latin America China Investors Forum, September 11, 2014
- “Buying and Investing in Energy Projects in Mexico and Latin America,” speaker, Energy Bootcamp, May 14, 2014
- Summit chair, Solar Power Finance & Investment Summit, February 25, 2014
- “Hot Topics in Solar PV Equipment Warranties and Performance Guarantees,” co-presenter, Renewable Energy Law Conference, January 23, 2014
- “What is on the Horizon for Distributed Solar – Future Proposals,” panelist, Distributed Solar Summit 2013, November 18, 2013
- “Financing 20MW and Under Projects,” moderator, 6th Annual Infocast Utility Scale Solar Finance & Investment Summit, September 26, 2013
- “Solar Securitization: What Solar Companies Need to Know,” co-presenter, Solar Power Finance & Investment Summit, March 18, 2013
- “Penetrating Niche Markets: Sports Teams, Nonprofits, Tribes, Schools & Military Energy Projects,” panelist, PV America East, February 6, 2013
- “Permitting with Compliance in Mind,” moderator, Infocast Utility Scale Solar Summit in San Diego, October 9, 2012
- “The Nuts and Bolts of the Section 1603 Cash Grant Application,” moderator, August 29, 2012
- “Buying and Selling Utility Scale Projects,” moderator, Solar Power Finance & Investment Summit, February 28, 2012
- “SREC Roundtable: A Comparison of State Policies and a Look into the Future of SRECs,” August 17, 2011
- “Strategic Alliances and Joint Ventures,” moderator, Solar Power Finance & Investment Summit, March 22, 2011

- “MA SRECs: The Massachusetts RPS Solar Carve-Out Program Explained,” presenter, Energy Briefing Series, January 27, 2011
- “US Offtakers’ Technical Requirements for Wind Power Projects,” moderator, US-China Wind 2010, San Francisco, December 9, 2010
- “Section 1603 Cash Grants,” presenter, Energy Briefing Series, October 21, 2010
- “A Discussion on the Present and Future of Renewable Energy,” chair and moderator, AlterEnergy 2010, Los Angeles, April 25, 2010
- “Alternative Energy Trends and Opportunities,” moderator, Foley’s 2009 Emerging Technologies Conference, September 30, 2009
- “New Renewable Energy Technologies,” moderator, California Clean Innovations Conference, May 1, 2009
- “Independent Wind Developers’ Perspective on Wind Financing and Development,” moderator, Wind Power Investment Summit 2009, San Diego, California, February 12, 2009
- “Buying & Selling Wind Power Assets,” chair of Pre-Summit Workshop, Wind Power Investment Summit 2009, San Diego, California, February 11, 2009
- “Acquisition Structures and Due Diligence,” Wind Power Investment Summit 2007, 2008 and 2009, San Diego, California
- Author, legal chapter, Project Development in the Solar Industry book (2012)

Languages

- Spanish

Sectors

- Airport & Aviation
- Energy & Infrastructure
- Energy Transition
- Hydrogen
- Power & Renewables

Practice Areas

- Corporate
- Finance
- Financial Institutions
- Japan
- Mexico
- Public Private Partnerships (P3), Transportation & Infrastructure
- Transactions

Education

- Brigham Young University (J.D., magna cum laude)

    - Member, *Brigham Young University Law Review*
- Southern Utah University (B.A., summa cum laude)

Admissions

- California
- Utah