

Global Projects & Infrastructure

NEWS AND RECENT DEVELOPMENTS

Periodically we like to update our clients on the latest deals and news at Mayer Brown. In doing this, we hope you gain a broader understanding of our global capabilities in the projects and infrastructure sectors.

We are pleased to report we have opened our office in Singapore. The new office will focus on four primary areas of legal practice: asset finance, project finance, energy and international arbitration.

Our Projects group continues to get recognition for our work in Latin America with a tier 1 ranking for projects by Chambers Latin America 2012. Additionally, three of our partners preserved their individual projects rankings in the region. According to Chambers Latin America 2012, "These lawyers are always available and willing to help in order to close a transaction. They add immense value with their strategic thinking."

We hope you find this update of interest.

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News

Financial Times 2011 Innovative Lawyers

Mayer Brown has been awarded a top tier "stand-out" ranking in the "Legal Innovation in Finance" category of the 2011 Financial Times Innovative Lawyers report (Europe).

This accolade was awarded for the work, led by global head of Mining Ian Coles, undertaken to develop the mining industry in Afghanistan. The Mayer Brown work was described as "instrumental in developing a legal framework to attract sophisticated investment into the country's mining sector, which is potentially valued at \$3,000 billion."

The Financial Times Innovative Lawyers report is an annual survey and league table of the most innovative law firms in areas such as corporate and financial law, litigation and legal business management.

Mayer Brown Illinois PPP Presentation

Illinois has a new law that governs public-private partnerships in transportation. On August 23, 2011 Illinois Governor Pat Quinn signed House Bill 1091 (HB 1091), or the "Public-Private Partnerships for Transportation Act," into law. Mayer Brown lawyers, working with the Metropolitan Planning Council, played a key role in drafting this new law.

On September 27, 2011, Mayer Brown hosted a presentation on key issues facing infrastructure investors and advisers as well as construction, engineering, consulting, architectural and other professional firms in Illinois that perform work in the transportation area. Introducing the presentation were Representative Elaine Nekritz and Senator Heather Sterns.

Please click below for the full presentation which provides more insight into the house bill.

http://www.mayerbrown.com/public_docs/6159.pdf

Mayer Brown JSM Opens Singapore Office

On October 17, 2011 Mayer Brown JSM opened its new office in Singapore. The new office which will focus on four primary areas of legal practice: asset finance, project finance, energy and international arbitration.

Kevin Owen is the Partner in Charge of our Singapore office.

Contact information for the new office is:

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Recent Engagements

Ohio Department of Transportation

We are advising the Ohio Department of Transportation in developing a policy for the implementation of Public-Private Partnerships (PPP) as permitted by recently enacted state authorizing legislation and the evaluation of the feasibility of specific projects. We have also advised a private consortium in discussions with two state transportation departments on the use of design-build-finance techniques to accelerate construction of approved and unfunded high-visibility highway infrastructure projects.

Botswana Mine

We represented Discovery Metals Limited with the \$205 financing for the development of the Boseto copper and silver mine development in Botswana.

Canadian Solar

We are representing US Ex-Im Bank for the second time on the financing of a Canadian solar power project. The engagement involves the \$129 million Stardale Solar PV Project, a 27 MW solar power development located outside St. Eugene, Ontario. The project sponsor is Solaris Energy Partners Inc., wholly owned by Innergex Renewable Energy Inc.

Guatemala Hydropower

We are representing the lenders with the financing of a 114 MW expansion of a hydropower project in Guatemala.

Egyptian Petrochemical Plant

We have been retained by US Ex-Im Bank on the project financing of a new \$3.5 billion petrochemical plant in Egypt. This will be the largest lending transaction by Ex-Im Bank in Egypt and the largest the firm has handled for Ex-Im Bank.

Mayer Brown Articles

The Future of Infra Funding: Playing Cassandra

October 19, 2011

By Paul Forrester

Published in
Infrastructure Journal

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Reinvesting in Infrastructure Has Benefits for All

August 18, 2011

By Joe Seliga

Published in
InfraAmericas

[Read the article >>](#)

Illinois P3 for Transportation Act: A New Tool for Undertaking P3 in Illinois

August 29, 2011

By David Narefsky,
Joe Seliga
and Mitch Holzrichter

Published in
Infrastructure Journal

[Read the article >>](#)

Southeast Asian Nuclear Development for 2011

August 8, 2011

By Kevin B. Hawkins

[Read the article >>](#)

Latin America Offshore Roundup

August 8, 2011

By Jose L. Valera and
Andrew J. Stanger

Published in
Offshore magazine

[Read the article >>](#)

UK Oil and Gas Tax—A Shock to the System

August 8, 2011

By James Hill

[Read the article >>](#)

SEC Staff Comments on Companies' Compliance with New Oil & Gas Reserves Disclosure Rules

August 8, 2011

By Marc H. Folladori,
Jeff M. Dobbs,
Robin L. Clarkson

[Read the article >>](#)

Legal Updates

ENERGY

Vietnam Issues Mechanisms for Wind Power Development

Legal Update – *September 19, 2011*

The Prime Minister issued the long-awaited Decision No. 37/2011/QĐ-TTg (Decision 37) on 29 June 2011 under which the State for the first time set out mechanisms for supporting and developing wind power projects in Vietnam.

[Read more >>](#)

California's Renewable Auction Mechanism (RAM) Resolution

Legal Update – *September 15, 2011*

On August 18, 2011, the California Public Utilities Commission (CPUC) adopted a resolution (the RAM

Resolution) implementing program details and bidding protocols for California's Renewable Auction Mechanism (RAM). The resolution also approved standard form purchase contracts for use by each of California's three investor-owned utilities (the IOUs) in the RAM program.

[Read more >>](#)

European Union Tightens Sanctions Against Syria, Including an Oil Embargo

Legal Update – *September 7, 2011*

The European Union has adopted new sanctions against Syria, including an oil embargo, that entered into force on 3 September 2011 and build upon EU sanctions that became effective on 10 May 2011. The United States strengthened its sanctions against Syria on 18 August 2011.

[Read more >>](#)

Changes to Climate Change Agreements Announced

Legal Update – *September 5, 2011*

Following its pledge in the 2011 Budget that the Climate Change Agreement (CCA) scheme will (subject to State Aid approval) be extended to 2023, the Government has just issued a consultation on how it proposes the new scheme will operate.

[Read more >>](#)

United States Announces Sweeping New Sanctions Against Syria

Legal Update – *August 19, 2011*

In the latest of a series of steps to strengthen sanctions against the regime of Syrian President Bashar al-Assad, the United States Government announced a substantial expansion of sanctions against Syria effective on August 18, 2011. These new sanctions will affect the activities of US citizens, US residents, and US businesses (collectively, “US Persons”) not only with the Syrian government but also with Syrian customers, suppliers, and financial institutions.

[Read more >>](#)

Government Publishes Electricity Market Reform White Paper

Legal Update – *August 8, 2011*

On 12 July, the UK Government published its much anticipated White Paper on Electricity Market Reform, alongside its Renewables Roadmap. The proposals set out in the White Paper represent the biggest shake-up in the UK electricity market since privatisation in the 1980s.

[Read more >>](#)

US EPA Proposes to Control Air Emissions from Hydraulic Fracturing and other Oil and Gas Operations

Legal Update – *August 8, 2011*

On July 28, 2011, the US Environmental Protection Agency (“EPA” or “the Agency”) announced the release of a 604-page suite of proposed air regulations for oil and gas production, processing, transmission, and

storage. Covered operations and equipment would include completions and recompletions of hydraulically fractured natural gas wells, compressors, pneumatic controllers, various storage tanks, and gas processing plants. The proposals are the result of a court settlement that also requires the Agency to issue final standards by February 28, 2012.

[Read more >>](#)

French 3GW Tender

Legal Update – *August 2011*

The aim of this legal update is to provide a brief overview of the recent French tender relating to offshore wind facilities for the first five areas identified by the French government (“3GW tender”).

[Read more >>](#)

FERC Issues Order Concerning Transmission Planning and Cost Allocation

Legal Update – *July 25, 2011*

On July 21, 2011, the US Federal Energy Regulatory Commission (FERC) issued Order No. 1000, a landmark order regarding transmission planning and allocation of the related costs. (The rulemaking that led to Order No. 1000 was previously discussed in our Legal Updates dated June 21 and July 27, 2010.) Order No. 1000 potentially represents the next significant step toward making electric transmission planning a key priority for FERC.

[Read more >>](#)

US Department of the Interior Releases Draft Environmental Assessment for Designated Wind Energy Areas Offshore New Jersey, Delaware, Maryland and Virginia

Legal Update – *July 14, 2011*

US Secretary of the Interior previously announced a “Smart From the Start” initiative for Atlantic offshore wind development that is anticipated to dramatically reduce timelines for related environmental permitting.

[Read more >>](#)

INFRASTRUCTURE

List of Prioritised Programs and Projects Eligible for Government Guarantees

Legal Update – *October 21, 2011*

On 18 August 2011, the Prime Minister (PM) issued Decision No. 44/2011/QD-TTg (Decision 44) promulgating the list of prioritised programs and projects for considering issuance of Government guarantees.

[Read more >>](#)

Vietnam Power Development Plan for the 2011-2020 Period

Legal Update – *September 1, 2011*

The Prime Minister of Vietnam approved the national power development plan for the 2011-2020 period with the vision to 2030 (the “Power Master Plan VII”) on 21 July 2011 under his Decision No. 1208/QD-TTg. The Power Master Plan VII puts strong emphasis on energy security, energy efficiency, renewable energy development and power market liberalisation. It also aims to address various problems encountered during the implementation of the previous Power Master Plan VI.

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