

## ENERGY & RESOURCES

### Overview

One of the key elements in providing high quality legal services is understanding the industries in which our clients operate. TressCox has a team of professionals who focus on the needs of the energy and resources industry, a team that stands at the forefront of energy and resources law.

We have a breadth of expertise across a number of different areas relating to the energy and resources sector, including electricity, renewable energy, gas, mining and petroleum.

**TressCox is listed as a recommended law firm in the Asia Pacific Legal 500 (2006/07, 2007/08, 2008/09 & 2009/10) for Energy & Resources.**

### Services

#### Electricity

Our partners have experience in advising electricity generators and distributors on regulatory issues. Our experience includes drafting power purchase agreements, retail electricity sale agreements, connection and access agreements and complex electricity demand side management arrangements (including embedded generation and energy curtailment solutions).

#### Renewable Energy

We have significant experience relating to renewable energy, including advice on regulatory and compliance issues and the drafting of REC and GEC sale and purchase agreements, landfill gas facility agreements, agreements associated with the supply and installation of solar (photo-voltaic) systems, and agreements relating to the sale of energy from windfarm projects.

#### Gas

Our partners have advised on regulatory issues relating to gas transportation and retail gas distribution. Our experience includes advising on a variety of gas sale, distribution and transportation arrangements (including agreements relating to coal seam gas).

#### Mining and Petroleum

Our partners have experience in the drafting and negotiation of coal supply agreements, royalty agreements and agreements relating to the transport of coal. In addition, our partners have advised on the sale and purchase of interests in petroleum joint ventures, the drafting of farmin / farmout arrangements, and the drafting and negotiation of resources joint venture agreements.

### Track Record

The matters set out below detail some of the recent energy and resources projects which Partners at TressCox have advised on:

#### Electricity

- Curtailment of Electricity Supply Project (Major Electricity Entity) - Advised a major electricity entity in relation to the establishment of contractual mechanisms for the curtailment of electricity supply via remote synchronisation with on-site standby generators for large users during times of peak energy demand. The mechanisms facilitated a physical hedge for the retailer against high pool prices whilst maintaining supply to customers, and formed a significant component of that entity's demand side management strategy.
- Power Purchase Agreement for an Isolated Transmission Network - Advised a major resources company in its

negotiations with a joint venture entity representing a group of landholders for the purchase of surplus electricity generated at one of the company's mines. The project involved the transmission of electricity to users via a newly built network, isolated from the main transmission network. The project included negotiating the Power Purchase Agreement and advising on necessary regulatory approvals required for the project.

- Generator Connection Agreement - Advised a major mining company in its negotiations with the owner of a generator for a Generator Connection Agreement at the company's Queensland based coal mine. The project involved connecting the generator to the mine distribution network operated by the mining company so that the owner and operator of the generator could access the mine distribution network for the purposes of supplying the electricity generated by the generator to the mine distribution network at the connection point and for supply into the Ergon Distribution Network.
- Voluntary Load Curtailment Agreement - Advised a major electricity retailer in its negotiations with a large industrial customer for a voluntary load curtailment agreement.
- Generation Load Agreement - Advised a major electricity retailer in its negotiations with a hydro generator for a generation load agreement.
- Embedded Generation - Advised a major electricity retailer in relation to an embedded generation project, including the regulatory approval process and connection arrangements.

#### Renewable Energy

- REC and GEC Sale and Purchase Agreements - Drafted contracts for the sale and purchase of RECs, including some of the first contracts for the sale and purchase of Gas Electricity Certificates just prior to the commencement of the GEC legislation in Queensland.
- Agreements for the Sale and Purchase of NGACs and Other "Green" Rights - Advised electricity retailers on sale and purchase arrangements relating to NGACs, and on compliance with the requirements of the New South Wales Greenhouse Gas Abatement Scheme.
- Regulatory advice on compliance with Renewable Energy Legislation - Advised electricity traders from a major generation entity on regulatory issues relating to renewable energy legislation, including MRET obligations under the Renewable Energy (Electricity) Act.
- Wind Farm Projects - Advised an electricity retailer on arrangements for the purchase of wind power from a 40 MW wind farm to be located in South Australia.

#### Gas

- Major Coal Seam Gas Sales Agreement - Advised a major gas retailer in its negotiations with a coal seam methane producer for the purchase of coal seam gas. This was one of the first major coal seam gas sales arrangements entered into in Queensland, and the gas derived from the arrangements under that contract formed a significant part of the client's gas portfolio.
- Gas Supply Agreements - Negotiated the supply of gas to numerous large industrial customers.

- Gas Transportation Arrangements - Extensive experience in the negotiation of transportation arrangements for gas on behalf of both gas producers and users, including firm and interruptible forward haul services, backhaul agreements, park and loan agreements, and capacity reservation agreements.
- Landfill Gas Facility Agreements - Negotiated landfill gas facility agreements.

#### **Mining and Petroleum**

- Sale and Purchase of Interests in Petroleum Tenements - Our partners have been involved in advising petroleum producers on aspects associated with the sale of interests in petroleum tenements, including advice on the sale, assignment and registration of the interests, and advice on critical elements of the existing joint venture arrangements.
- Coal Supply Agreements - Our partners have been involved in drafting and negotiating coal supply agreements for both coal mining companies and end users of coal. This advice has also included advice on contract management issues and price review processes under the contracts.
- Resources Joint Venture Agreements - Our partners have advised resource industry participants on joint venture arrangements, including the drafting of joint venture agreements and joint operating agreements, advice relating to the administration of contractual processes under those agreements and the rights of individual participants.
- Royalty Agreements - We have experience in drafting and advising on royalty agreements relating to resources projects.

#### **Lawyers**

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