

POWER TRANSACTIONS

Project Client: Cummins Power Generation (Nigeria) Limited

Project Description: ALP advised Cummins Power Generation (Nigeria) Limited on its bid for the acquisition of an Independent Power Plant located in Ogun State. The Energy & Infrastructure team advised the client on the terms of the existing power project agreements and other ancillary agreements and the impact of such terms on the sale and purchase of the plant.

We also advised the client on its acquisition of majority shareholding in a licensed indigenous IPP in Nigeria. Our scope of services included drafting, reviewing and negotiating the share sale and purchase agreement for the transaction.

Project Client: Bates Wells Braithwaite

Project Description: The firm was engaged by Bates Wells Braithwaite LLP, a firm of UK solicitors, to review and advise on the FIDIC Yellow Book Conditions of Contract for the purposes of the EPC/Turnkey contract for the construction of a 1 MW natural gas fired power plant in the Niger Delta Nigeria.

Project Client: Fan Milk

Project Description: The Energy & Infrastructure team recently advised Fan Milk Plc on the terms of its electric power purchase agreement with a private power generating company. Services provided to the client include the review and negotiation of the electric power sales and purchase agreement between both parties with a view to renegotiating its terms.

Project Client: Omotosho Electric Energy Company Limited & Sepco – Pacific Energy Partners Limited.

Project Description: ALP advised Omotosho Electric Energy Company Limited & Sepco – Pacific Energy Partners Limited on their bids for the acquisition of two separate Federal Government/NIPP owned power plants located in the south west region of Nigeria. In providing its legal services to the clients, members of the Energy and Infrastructure team reviewed and advised the clients on the draft power project agreements to be entered into by the clients if and in the event their bids were successful. Such draft agreements included but were not limited to the Gas Sale and Aggregation Agreement, Gas Transportation Agreement, Grid Connection Agreement, Power Purchase Agreements, and Ancillary Services Agreements and Put and Call Option Agreement.

Project Client: OSH Power West Africa Limited

Project Description: We are retained counsel to OSH Power West Africa Limited, an indigenous IPP investing in the power industry across Nigeria and West Africa. The firm recently advised the company on its joint venture with an international power producing company for the purposes of setting up, operating and maintaining power barges in and around Lagos State, Nigeria.

Project Client: Cummins Cogeneration Limited

Project Description: The firm acting as local counsel in conjunction with Wragge & Co, a firm of solicitors in the UK, advised Cummins Cogeneration Limited in respect of its acquisition of majority shareholding in a licensed indigenous power generating company in Nigeria.

Project Client: Exxon Mobil

Project Description: Members of our Energy & Infrastructure team were part of the legal team that proffered preliminary advice to ExxonMobil on its 350 Mega Watts thermal independent power plant in Bonny, Nigeria. The role involved advising the client on various legal issues such as applicable tax regime for the project, sovereign guarantees and the effect of the impending deregulation and restructuring of the Nigerian Electricity Industry on the project.

Project Client: Bureau of Public Enterprise

Project Description: Members of the Energy & Infrastructure team formed part of a consortium of advisers that advised the Bureau of Public Enterprises (“BPE”) on the blue print for the unbundling of the electricity sector in Nigeria and the state owned utility company NEPA. Their roles included reviewing the existing legal and regulatory framework and advising on the creation of a new independent regulatory body. In addition, the consortium advised on the unbundling of the electricity sector and prepared all the necessary documentation required for the formation of the new successor entities: Power Generation Companies, Transmission Company and Distribution companies for the new electric supply industry.

For more enquiries, please contact:

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