ART DE LEX

ENERGY AND NATURAL RESOURCES

16 years

Of getting into industry-specific issues about energy and natural resources projects

www.artdelex.ru

ART DE LEX is one of the few Russian law firms to create and successfully run a practice consulting to clients on issues related to energy and natural resources. The practice area's team consists of attorneys who know their way around the particularities of industry-specific regulation, with many years of professional experience in energy and natural resources, including oil and gas production.

The practice area's team has been recognized for many consecutive years in the area of energy and natural resources by the law firm ranking service Pravo.ru-300.

The practice area's clients include: the largest power generating and utility holdings; Russian oil and mining companies; and oil service, engineering, and construction enterprises specializing in the energy infrastructure field.

Professional achievements of the practice area

ART DE LEX is recognized as the leader in the field of energy and natural resources by the law firm ranking service Pravo.ru-300.

Pravo.ru-300

Comprehensive consulting to one of Russia's largest power utility holdings during the performance of a multijurisdictional transaction involving the sale of a blocking stake in TNS Energo Group PJSC, valued at roughly RUB 2 bln.

Successful case

Comprehensive consulting to the Far East Development Corporation on issues related to the conclusion and performance of agreements on the construction of infrastructure facilities in advanced special economic zones, including power-supply grids, valued at a total of more than RUB100 bln.

Successful case

Comprehensive consulting to Stroytransneftegaz JSC in a project contemplating the construction of line and site infrastructure for the Power of Siberia gas pipeline.

Successful case

Services

Electric and thermal power

- Consulting to generating, grid and distribution companies, power utilities, and consumers on issues related to the application of sector-specific legislation
- Drafting agreements for the sale/purchase and transmission of power and for equipment servicing
- Protecting the property rights of market participants in the supply and consumption of substandard energy resources
- Handling energy conservation projects featuring the use of renewable energy sources
- Protecting our clients' interests in cases of the repudiation of power supply agreements, and settlements in the contractless, meterless consumption of electrical and thermal power

Comprehensive consulting to one of Russia's largest power utility holdings in the performance of a multijurisdictional transaction involving the sale of a blocking stake in TNS Energo Group PJSC, valued at roughly RUB 2 bln.

Consulting to one of Russia's largest power utility holdings in the performance of a multijurisdictional transaction – a deal involving the attraction of debt financing in excess of RUB 5 bln, a share sale-purchase agreement, a shareholder agreement and options contract, and surety and safeguards agreements – with VTB Bank (PJSC), one of Russia's largest state banks.

Advising our client and protecting their interests on issues related to the supplier's insistence on unfavorable contractual terms under an agreement for the provision of power transmission services.

Preparing and handling procedures associated with forfeiting the status of wholesale market entities and replacing the default supplier for the needs of the Nonprofit Partnership Council for Organizing an Efficient Trading System on the Wholesale and Retail Electricity and Capacity Market (NP Market Council).

Developing and supporting a project for the modernization of municipal boilers within the scope of Nizhny Novgorod Region's special-purpose program "Promoting Energy Conservation and Improving Energy Efficiency in Nizhny Novgorod Region."

Developing and supporting a project for the modernization of municipal boilers within the scope of Nizhny Novgorod Region's special-purpose program "Promoting Energy Conservation and Improving Energy Efficiency in Nizhny Novgorod Region."

Performing legal due diligence on the operations of a diversified holding managing energy assets in Russia, Europe, and the CIS, in terms of sectoral regulation of the energy industry with the aim of developing a system to prevent the violation of competition legislation in the energy field.

Antimonopoly regulation

- Representing our clients' interests in disputes over the violation of antimonopoly legislation
- Drafting of queries, applications, and complaints filed with the antimonopoly authorities, handling queries until the receipt of the respective response, clarification of antimonopoly authorities' acts and their effects on our clients
- Resolving disputes involving the abuse of dominant market position, challenging decisions and instructions in court
- Resolving disputes over the evasion of contract performance and the imposition of unfavorable terms
- Preventing violations of antimonopoly legislation in utility connections
- Auditing of transactions and operations for compliance with antimonopoly legislation
- Development and integration of antimonopoly compliance systems

Developing and launching an internal system for antimonopoly compliance and the prevention of antimonopoly risks for Russia's largest generating company.

Performing legal due diligence on the operations of a diversified holding managing energy assets in Russia, Europe, and the CIS, in terms of sectoral regulation of the energy industry with the aim of developing a system to prevent the violation of competition legislation in the energy field.

Tariff regulation

- Consulting on issues of pricing and the application of tariffs (prices)
- Settling disagreements between electric power entities and regional tariff services
- Representing our clients in court in disputes over the setting or lifting of tariffs
- Preparing and defending independent expert conclusions on issues related to tariff setting

Oil and gas complex

- Providing legal support for projects involving the development of deposits
- Providing legal support for operations involving the processing of raw materials
- Providing legal support in the sale and purchase of petroleum products and gas
- Representing our clients' interests in disputes arising in the oil and gas sector
- Representing our clients' interests in dealings with state agencies
- Providing legal support for projects involving the construction and servicing of oil and gas pipelines
- Consulting in the area of industrial safety in subsoil use and development of the continental shelf
- Providing legal support in the licensing of natural resource usage rights

Providing legal support for the conclusion and performance of an agreement (EPC-contract) with Gazprom PJSC for the turnkey construction of a section of the Sakhalin-Khabarovsk-Vladivostok gas pipeline.

Advising the general contractor under the construction of the "terminal, including port-fleet and navigational support" and "offshore gas pipeline" parts of a construction project envisioning a "terminal for the intake, storage and regasification of liquefied natural gas (LNG) in Kaliningrad Region."

Advising our client on issues associated with the conclusion and performance of agreements for the supply of specialized equipment for the development of oil and gas deposits being developed by Gazprom PJSC subsidiaries.

Construction and operation of energy infrastructure, and the extraction of natural resources

- Providing comprehensive legal support for projects involving the development of natural resource deposits
- Providing legal support for ore mining companies and their assets
- Consulting on issues associated with the legal regulation of subsoil use in the Russian Federation, as well as across the whole range of other regulatory questions arising in connection with the surveying, extraction, and sale of natural resources
- Providing legal support in the financing of natural resource projects, including project funding
- Consulting on issues related to the regulation of natural resource use and environmental protection, compliance with environmental quality standards and in other regulatory matters
- Consulting on various commercial issues arising in connection with operations involving the extraction of natural resources, including commodity supply contracts, well-drilling agreements and other service contracts, transportation contracts, and agreements on the performance of contract work
- Providing legal support for the day-to-day operations of companies doing business in the field of natural resources, particularly with respect to corporate, tax, labor and other issues
- Consulting to Russian investors on matters related to the acquisition of rights to the exploration and extraction of mineral deposits

Advising the general contractor under the construction of the “terminal, including port-fleet and navigational support” and “offshore gas pipeline” parts of a construction project envisioning a “terminal for the intake, storage and regasification of liquefied natural gas (LNG) in Kaliningrad Region.”

Extraction of natural resources

- Providing comprehensive legal support for projects involving the development of natural resource deposits
- Providing legal support for ore mining companies and their assets
- Consulting on issues associated with the legal regulation of subsoil use in the Russian Federation, as well as across the whole range of other regulatory questions arising in connection with the surveying, extraction, and sale of natural resources
- Providing legal support in the financing of natural resource projects, including project funding
- Consulting on issues related to the regulation of natural resource use and environmental protection, compliance with environmental quality standards and in other regulatory matters
- Consulting on various commercial issues arising in connection with operations involving the extraction of natural resources, including commodity supply contracts, well-drilling agreements and other service contracts, transportation contracts, and agreements on the performance of contract work
- Providing legal support for the day-to-day operations of companies doing business in the field of natural resources, particularly with respect to corporate, tax, labor and other issues
- Consulting to Russian investors on matters related to the acquisition of rights to the exploration and extraction of mineral deposits

Team

Dmitry Magonya

Managing Partner, Advocate, Head of International Economic Compliance

Magonya@artdelex.ru