

Energy, Utilities and Renewables

Energy represents one of the largest segment of the global industrial economy. Energy, utilities and renewables are heavily regulated industries, with many compliance pressures, intense scrutiny from regulators, as well as intense competitive pressure. They are complex and global sectors which require well-integrated and multi-disciplinary legal advice to reconcile the requirements of various regulatory frameworks, as well as commercial pressures.

Energy, utilities and renewables are commonly viewed among the most promising and attractive investment fields in Turkey. Vigorous market activity is supported by liberalisation and privatisation projects which have taken place in all segments of the Turkish economy during recent decades. Currently, Turkey relies heavily on imported energy and local energy consumption far overshadows domestic production.

The Turkish government is exploring a number of initiatives to reduce the country's reliance on imported energy and increase domestic energy security. Among other things, this includes offering incentives for renewable energy generation and research, developing and commissioning multiple nuclear power plants, hosting tenders for developing off-shore wind energy potential, as well as projects to explore converting vegetative waste into energy.

Moroğlu Arseven assists a wide range of clients with innovative advice and strategic guidance in the local as well as international arenas. We advise clients in all aspects of energy, utilities and renewables, from research and exploration through to generation, distribution and eventual retail to consumers. The firm offers a diversified practice, supporting companies and investors operating in all aspects of the energy supply chain, mainly focusing on renewables and clean technology solutions such as wind, solar, hydro, thermal and biomass generation.

The firm understands both the traditional legal principles and evolving trends in these industries, allowing us to proactively support clients to keep up with market and regulatory developments. These are complex and global sectors which require well-integrated and multi-disciplinary legal advice to reconcile the requirements of various legal and regulatory frameworks, while also addressing commercial and operational legal issues.

Our experience includes advising clients on technical issues, license applications, cross-border energy distribution, and stock financing related to energy commodities. We often support clients with negotiating, drafting and implementing agreements for EPC or O&M agreements, as well as power purchase agreements. The firm regularly assists clients involved in sale or purchase of energy power portfolios, offering end-to-end support. Support stretches from due diligence of corporate, license and environmental issues, through to financial structuring, establishing SPVs, transferring operating rights, assets or shares, as well as all aspects of regulatory relations. We also counsel clients on asset financing and investment incentive legislation related to energy production.

Our regulatory counselling to clients includes environmental and tax issues, as well as market manipulation and design. We have broad experience advising on how regulatory matters impact commercial transactions in these industries, to ensure that our clients are aware of available strategic options, as well as a transaction's potential consequences or ongoing regulatory and compliance obligations.

Many legal arrangements or processes are unique or heavily tailored to the sector and local approach in the Turkish power market. For instance, project development, bespoke EPC or O&M agreements, waste disposal arrangements, balancing and settlement transactions, energy sale and purchase, connection and system use agreements, as well as commodity trading.

Moroğlu Arseven is at the forefront of energy developments in Turkey, regularly supporting clients to navigate the legal and incentive hurdles to investing and project development, particularly regarding renewable energy. Turkey has a significant potential for renewable energy and the government actively encourages the growth of the country's renewable energy portfolio, including sources such as solar, hydroelectric, wind, tidal, geothermal and bio-fuel. Since Turkey has increased its focus on creating and securing domestic energy sources, the vast availability of local renewable sources and continued global push for energy efficiency indicate that Turkey's renewable market will continue to expand.

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Turkey's increasing domestic demand and production capabilities, along with its strategic position as an energy transport hub between Europe and the Middle East, make it an attractive investment option. Moroğlu Arseven is qualified and experienced to provide clients in all areas of these markets with the associated legal and strategic support they require, tailored to each client's specific needs and sub-sector characteristics.

Moroğlu Arseven regularly advises on processes and requirements for Turkey's Ministry of Energy and Natural Resources, the Energy Market Regulatory Authority and the Directorate General of Renewable Energy, among other relevant regulatory bodies. We strategically support and represent clients during all aspects of their interactions with these bodies, assisting clients to obtain a wide range of routine and exceptional approvals, exemptions or licenses. Our support includes dealing with day-to-day regulatory relations, as well as high-stakes regulatory investigations or enforcement proceedings.

The firm's dispute resolution team provides full-scope and integrated support to energy, utilities and renewables clients, meaning conflict specialists are involved from the early stages of emerging issues. We support clients with all aspects and perspectives on disputes, along with regulatory investigations. Support includes representing clients in a full spectrum of forums and related processes, including civil and administrative litigation, arbitration and alternative dispute resolution methods, strategic negotiation and settlement processes, as well as injunctions and enforcement actions. For instance, representing clients involved in disputes about energy generation and distribution licenses.

Moroğlu Arseven's strong intellectual property team helps energy, utilities and renewables clients to proactively protect their intellectual property in Turkey. The firm supports with a full range of issues, including litigation, enforcement, counselling, prosecution and transactions. Intellectual property advice is tightly integrated with other practice areas, assisting clients to establish, protect and commercialise their intellectual property assets from the earliest possible stage. For instance, technology transfer, licensing, smart grid and IoT issues. We also have significant experience assisting with patent and design protection for new technologies.

Moroğlu Arseven assists energy, utilities and renewables clients with all types of major corporate transactions, including mergers, acquisitions, joint ventures, strategic partnerships, spin-offs, divestitures and group restructures. The firm has significant expertise assisting during complex, inter-jurisdictional transactions, where strategic guidance is required to deal with the legal, commercial and operational factors simultaneously. These projects often involve high values, or complicated leveraging and equity structures. We work closely with companies, shareholders, investors and financiers on both buy and sell-side, assisting through all stages of these projects. Moroğlu Arseven places a strong focus on ensuring we consider each client's business objectives and the dynamics of the energy, utilities and renewables industries, then reflect these factors into the transaction's structure, risk allocation, or asset transfers.

Related Practices

- [Public Procurement and Government Contracts](#)
- [Infrastructure and PPP](#)

- Privatizations
- Project Finance
- Secured Financing
- Administrative Procedures and Actions
- Commercial Contracts
- Corporate
- Mergers and Acquisitions
- Foreign Investment and Business Set-up
- Antitrust and Competition
- Employment and Labor
- Tax, Fiscal and Public Debts
- Directors' and Officers' Liability
- Corporate and Commercial Litigation
- Investigations
- Business Crimes