

Luther.

Hydrogen – Energy and Mobility of the Future

Our expertise. Hits the mark.

Hydrogen – Energy and mobility of the future

Global climate protection is the challenge of the century. Binding climate protection targets agreed worldwide will permanently change the economic market environment of all industries, in particular, the energy sector. Climate protection and the preservation of resources will become increasingly important factors, not only in the energy supply and in the industrial power industry, but also in the heating and mobility sector. A key element to achieving greenhouse gas neutrality will be the use of hydrogen.

The EU Commission's Green Deal and the German Federal Government's Climate Protection Programme contain individual relevant hydrogen strategies. The goal of both schemes is the development of a hydrogen industry that shifts away from today's predominant use of grey hydrogen to the use of green hydrogen in 2050.

The current key drivers for the economic viability of hydrogen projects are:

- legal framework conditions (such as charges, or the exemption from levies and other charges, or the transposition of RED II into national law);
- subsidy programmes for hydrogen projects at European or national level;
- legal framework and development of the price of carbon certificates.

Our experts at Luther, who have detailed know-how and industry knowledge about these drivers and many years of experience advising on numerous complex energy projects, can make the difference for your hydrogen projects. We have not only just identified hydrogen as a topic of the future: our first project dates back to 2009!



When things get difficult...

Energy industry group. Luther's Energy team consists of around 45 experienced experts who offer full-service legal and tax advice to energy suppliers, project developers, industrial companies, financial investors as well as governments and the public sector. The experts from our Energy industry group provide you top-quality advice throughout the value chain, be it on projects regarding conventional or renewable energy sources, on infrastructure, such as energy supply networks or storage facilities, on transactions or other innovation projects, on energy trading and the distribution of energy or on contracting projects. Due to their wealth of experience in the energy sector, our advisors have first-class knowledge of the industry and also expertise in technical and economic matters. We also use specialists to handle project management tasks in particularly complex projects that we have been mandated with. Luther's Energy team is also well-known for its special expertise in dealing with legal disputes all the way to the highest courts, and in arbitration proceedings. Internationally, we work closely with leading law firms who, like us, focus on providing comprehensive advice in the energy sector.

Expertise



Excellent legal knowledge is our trademark. Many years of experience and good relations with governments and public authorities help us provide correct assessments.

Interdisciplinary



Our teams of advisors are closely networked in the market with technical and economic consultants. When things get very complex and difficult, we know who to rely on.

Innovative



Innovation topics, such as the hydrogen industry, have not just been on our minds since yesterday: our Energy team has been advising on the climate-friendly use of hydrogen since 2009.

Future-oriented



We are already thinking about tomorrow today. We are supporting the further development of the European and national legal frameworks with our expertise and many years of experience in legislative processes.

Excellent



For many years now distinguished by the German legal publisher JUVE and The Legal 500 as a leader in projects and regulation in the energy industry due to the large number of outstanding lawyers on our team.

Excellent expertise for your hydrogen project

Antitrust Law
R&D Agreements

Energy
Regulatory Law

Renewable Energy Law

Energy Contract Law and
Corporate PPAs

EU State Aid Law

Energy Tax Law

Public Procurement Law

Plant Construction Law

Emissions Trading Law

Corporate/M&A

Financing and Subsidy
Programmes

Environmental and Planning
Law

References

Refinery

Advising on the establishment of a joint venture with a leading energy supplier for the construction and operation of a 150 MW electrolyzer for the production of green hydrogen, including the structuring of the contract for the supply of the electrolyzer, connection to rededicated gas transmission networks and to a partially newly constructed hydrogen network, underground storage of hydrogen and project management

Energy supplier

Advising on high-volume international import contracts for hydrogen and ammonia from Canada, Norway, etc.

Saarstahl Holding

Comprehensive consulting in a hydrogen project for decarbonization of steel production (including hydrogen procurement, hydrogen transport/negotiations with suppliers)

LEAG

Comprehensive advice on hydrogen projects in Brandenburg, Saxony, Saxony-Anhalt

Energy supplier

Advising on the planned investment in the APEX Group, a provider of complete hydrogen solutions

MET

Advising on the establishment of the joint venture H2 Lubmin with the hydrogen producer HH2E and the subsequent exit from the joint venture through the sale of the shareholding from to the infrastructure investor Foresight

Energy supplier

Consultation on the planned entry into a joint venture with Nikola, the U.S. manufacturer of hydrogen trucks, for the distribution of hydrogen

“Fast, competent and comprehensive advice on energy-related topics. Risks and opportunities from the respective issues are well presented.”

(The Legal 500 (2022/2023) – Tier 1 – Industry focus Energy)

“Excellent and long-standing expertise, fast response time.”

“Quick response. Good commitment. Prudent advice.”
(The Legal 500 (2021) – Tier 1 – Industry focus Energy)

“Top strategist”, “very good, comprehensive cooperation. Cooperation, results are thoroughly researched and well usable.”

– Dr Holger Stappert
(JUVE Handbook (2022/2023) – Energy Law)

References

“Extremely strong client focus, clear transparent approach, excellent project management incl. on-time delivery and active management, broad experience and helpful input of essential, important details. Intensive, effective establishment and implementation of goals and strategies, theoretical and pragmatic risk and opportunity assessment. Overall, excellent, competent and successful advocacy.”

(The Legal 500 (2022/2023) – Tier 1 – Industry focus Energy)

“Extremely experienced, fast, knowledgeable.”

– Dr Holger Stappert

(The Legal 500 (2022/2023) – Tier 1 – Industry focus Energy)

Refinery

Advising on the establishment of a joint venture with a leading utility for the construction and operation of a 100 MW plus x electrolyzer for the production of green hydrogen, including advice on long-term PPAs from offshore wind power, connection to redirected gas transmission networks as well as to a partially newly constructed hydrogen network, underground storage of hydrogen and project management

Avacon

Providing comprehensive legal advice on “wind-to-hydrogen” flagship project for emission-free steel production in a joint venture with Salzgitter Flachstahl and Linde, comprising the construction of a PEM electrolysis plant and an onshore wind farm

Lower Saxony public transport company (LNVG Niedersachsen)

Providing comprehensive advice on a pilot project regarding the procurement of 14 hydrogen-powered trains; assisting with the contract award procedure, discussing the requirements for a subsidy for the trains with the authority granting the subsidy, advising on the plan approval procedure for the hydrogen filling station, negotiating all contracts with Alstom and Linde as a syndicate

Open Grid Europe

Providing comprehensive advice on the formation of the “evety” joint venture with the technical inspection association TÜV SÜD and the management consultants Horváth & Partner regarding the use of hydrogen as a technology of the future

Leipzig public utilities (Stadtwerke Leipzig)

Conducting the contract award procedure and providing advice during the construction of a 120 MW(el) gas turbine power plant equipped with technology designed for 100% green hydrogen

References

Salzgitter Flachstahl

Advising on the climate protection law aspects of hydrogen-based steel production

ArcelorMittal

Advising on whether hydrogen can be taken into account for the purposes of the German Greenhouse Gas Emissions Trading Act (TEHG)

ArcelorMittal

Advising on the climate protection law aspects of switching to hydrogen-based steel production

Power plant operator

Converting a large black-coal-fired power plant to operate on hydrogen as a fuel

Mitsui & Co.

Advising on the acquisition of a stake in the ride pooling provider CleverShuttle (mobility service involving hydrogen-powered cars)

Evonik Degussa GmbH

Providing representation in proceedings for a preliminary ruling from the ECJ regarding burdens on hydrogen production resulting from EU climate protection law

ThyssenKrupp Steel Europe

Advising on the climate protection law aspects of switching to hydrogen-based steel production

“Goal-oriented, client-focused, establishes helpful contacts with industry participants.”

– Karsten Köhler

(The Legal 500 (2021) – Industry focus Energy)

“High level of litigation expertise, including in arbitration proceedings, as well as operational industry know-how.”

JUVE Handbook (2022/2023) – Energy Law

“Excellent knowledge of developments and current state of energy law. Fast response time.”

(JUVE (2020/2021) – Tier 1 – Regulated Industries – Energy Industry Law)

References

“In addition to exceptionally high legal qualifications, the Luther team brings in-depth business thinking and very high personal skills. The advice is very complex; aspects not addressed by the client are proactively pointed out. The lawyers are very easy to contact. Overall, a very successful collaboration.”

The Legal 500 (2023) – M&A

“fast & competent”

*– Dr Stefan Altenschmidt, LL.M.
(Nottingham)*

*(JUVE Handbook (2022/2023) – Public
Law – Environmental and Planning Law)*

Refinery

Advising on a project regarding taking hydrogen into account in the greenhouse gas emissions reduction rate when using hydrogen in refineries

Worlée-Chemie GmbH

Developing a strategy for greenhouse gas neutral production by 2050

Glass manufacturer

Providing environmental energy and planning law advice with regard to switching to hydrogen-based glass production

Industrial gases manufacturer

Advising on connecting a hydrogen electrolysis system

Schwarza thermal treatment plant

Developing a strategy for greenhouse gas neutral production by 2050

ITAD – Interessengemeinschaft der Thermischen Abfallbehandlungsanlagen in Deutschland e.V., a community of interest of German thermal waste treatment plants

Advising on how to integrate thermal waste treatment into the hydrogen production for decarbonisation as part of the energy transition

Holcim (Deutschland) GmbH

Advising on switching completely to the renewable energy source hydrogen as a basis for cement production within the group

References

Refinery

Advising on using “green hydrogen” in connection with EU requirements for the reduction of greenhouse gas emissions in fuel production for the transport sector

Industrial gases manufacturer

Providing energy law advice with regard to a planned production facility for the production of hydrogen and carbon monoxide in an industrial estate

Gas storage facility operator

Analysing business models in the field of energy storage in selected jurisdictions (USA, UK, Sweden, France, Hungary, Czech Republic, Benelux)

Gas storage facility operator

Advising on a project regarding taking hydrogen into account in the biofuel quota (today, greenhouse gas emissions reduction rate) when using hydrogen in refineries

Gas storage facility operator

Carrying out a comprehensive analysis of the national and European legal framework and assessing about 100 business models for the use of hydrogen and Power to X using energy storage facilities

Builder of P2G plants

Advising on an innovation project regarding hydrogen carried out in cooperation with an automobile manufacturer and an energy provider; 6.3 MW electrolysis system

“Very good specialist knowledge, negotiating skills, flexibility, focus on the project goal.”

(The Legal 500 (2021) – Public Law – Public Procurement Law)

“Very good industry know-how. Very high availability and reliability in often very time critical and complex M&A transactions!”

(The Legal 500 (2021) – Tier 1 – Industry focus Energy)

“Is an absolute expert in energy law and on the German Greenhouse Gas Emissions Trading Act (TEHG)!”

(The Legal 500 (2020) – Public Law – Environmental and Planning Law)

Contact

If you have any questions, please contact your contact person at Luther or one of the experts listed below:



Dr Holger Stappert
Lawyer, Partner

Energy Law, Antitrust Law
Dusseldorf

holger.stappert@luther-lawfirm.com



Dr Guido Jansen
Lawyer, Partner

Energy Law, Antitrust Law
Dusseldorf

guido.jansen@luther-lawfirm.com



Gerd Stuhlmacher
Lawyer, Partner, Location Head

Compliance & Internal Investigations,
Corporate/M&A, Energy Law
Munich

gerd.stuhlmacher@luther-lawfirm.com



Dr Angelo Vallone
Lawyer, Partner

Energy Law
Dusseldorf

angelo.vallone@luther-lawfirm.com



Cosima Flock
Lawyer, Counsel

Energy Law, Antitrust Law
Dusseldorf

cosima.flock@luther-lawfirm.com



Dr Sabrina Desens
Lawyer, Certified Specialist in
Administrative Law, Partner

Environment & Planning Law, Regulatory,
Real Estate, State, Administration, Public
Undertakings

Leipzig

sabrina.desens@luther-lawfirm.com

Contact

If you have any questions, please contact your contact person at Luther or one of the experts listed below:



Dr Stefan Altenschmidt,
LL.M. (Nottingham)
Lawyer, Partner

Environmental Energy and Planning Law
Dusseldorf

stefan.altenschmidt@luther-lawfirm.com



Dr Gernot-Rüdiger Engel
Lawyer, Partner

Environmental Energy Law
Hamburg

gernot.engel@luther-lawfirm.com



Dr Michael Bormann
Lawyer, Partner

Corporate/M&A
Dusseldorf

michael.bormann@luther-lawfirm.com



Karsten Köhler
Lawyer, Partner

Plant Construction and
Public Procurement Law
Leipzig

karsten.koehler@luther-lawfirm.com



Ulf-Dieter Pape
Lawyer, Partner

Public Procurement and State Aid Law
Hanover

ulf-dieter.pape@luther-lawfirm.com



Dr Stefan Mager
Lawyer, Partner

Public Procurement Law
Essen

stefan.mager@luther-lawfirm.com

Luther.

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Hamburg, Hanover, Ho Chi Minh City, Kuala Lumpur, Jakarta, Leipzig, London, Luxembourg,
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www.luther-services.com

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