

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

Saarstahl Holding

Comprehensive legal advice on environmental, planning, state aid, energy and public procurement law in the pioneering "Green Steel" project for the decarbonisation of steel production (including hydrogen procurement, hydrogen transport/negotiations with suppliers). Advising on obtaining subsidies in the amount of EUR 2.6 billion. The energy law team led by Dr Holger Stappert advised ROGESA Roheisengesellschaft (subsidiary of SHS) on the drafting of the contract with two German grid operators, Creos Deutschland and the French grid operator GRTgaz. They intend to invest a total of EUR 110 million in the development of a cross-border hydrogen network called "mosaHYc". This project has been recognised as a "Project of Common Interest" by the EU Commission, among others.

Energy supplier

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

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

"In the energy sector, Stappert's team is one of the leading practices with in-depth regulatory and contract expertise."

JUVE (2023/2024) – Tier 1 – Energy Law: Regulatory

"In addition to exceptionally high legal qualifications, the Luther team brings in-depth economic 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 accessible. Overall, a very successful collaboration."

The Legal 500 (2023) – Tier 1 – Industry Focus Energy

"Holger Stappert is a master in his field."

*– Dr Holger Stappert
Chambers Europe – Band 1 – Energy: Regulatory*

References

“In addition to the extraordinarily high level of legal qualifications, the Luther team also brings in-depth economic thinking and very high personal skills. The consultation is very complex; Aspects not addressed by the client are proactively pointed out. The lawyers are very easy to reach. All in all a very successful cooperation.”

The Legal 500 (2023) – Tier 1 – Industry Focus Energy

“Very competent, always up-to-date, very communicative and pleasant to deal with.”

– Dr Holger Stappert

The Legal 500 (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

“In addition to the extraordinarily high level of legal qualifications, the Luther team also brings in-depth economic thinking and very high personal skills. The consultation is very complex; Aspects not addressed by the client are proactively pointed out. The lawyers are very easy to reach. All in all a very successful cooperation.”

The Legal 500 (2023) – Tier 1 – Industry Focus Energy

“The communication between team members is fast and effective so that as a client you have the feeling that you are being looked after very effectively and professionally..”

Chambers Europe (2023) – Band 3 – Industry Focus Energy

References

“Luther Rechtsanwaltsgesellschaft mbH comprehensively advises energy companies (including conventional energy suppliers as well as onshore and offshore wind farm operators), suppliers, energy consumers and grid operators on energy law with a focus on international arbitration proceedings, regulatory issues and transactions.”

The Legal 500 (2023) – Tier 1 – Industry Focus Energy

“fast & competent”

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

JUVE (2022/2023) – Tier 1 – 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

“In close cooperation with the firm's internal energy and procurement law practices, the environmental and planning team of Luther Rechtsanwaltsgesellschaft is ideally positioned to accompany important infrastructure and industrial projects of the energy and climate transition. The team is involved in various large-scale decarbonization projects and advises industrial companies on strategic issues as well as on immission control, nature conservation and water law. In particular, environmental lawyer Stefan Altenschmidt, who regularly advises clients in the steel and energy industries on ESG issues, is a sought-after contact for these issues.”

The Legal 500 (2024) – Tier 1 – 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:



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Munich, Shanghai, Singapore, Stuttgart, Yangon**

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www.luther-lawfirm.com

www.luther-services.com

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