

Energy & Infrastructure

Hydrogen

Alternatives to fossil fuels are needed for the long-term success of the energy transition. Low-carbon hydrogen plays a key role in this and is expected to make a significant contribution to decarbonising the energy sector whilst driving forward sector coupling.

A number of economic and legal challenges (still) need to be overcome for the market ramp-up, an efficient and comprehensive use of the potentials of low-carbon hydrogen and the achievement of national and European environmental goals. Hydrogen production on a significant scale is still in its early stages and there is little in the way of commercial production. Due to existing alternative fuels, pricing plays a central role for successful market ramp-up and demand development. Production, transport, storage and distribution are often regulated differently and fall under the scope of different regulatory authorities. There is also a lack of physical infrastructure for distribution and storage.

Our Energy & Infrastructure Sector Group provides you with comprehensive legal support for your hydrogen projects, starting with the construction of the infrastructure, challenges of operation and questions on the rapidly changing regulatory framework. We advise on investments and contract drafting along the entire hydrogen value chain. We combine our expertise across practice areas and can draw on +15 years of experience in advising on energy law and regulatory issues that are also relevant to an evolving hydrogen industry.

Specific Advice

- Regulation of (hydrogen) networks
- Contract drafting along the entire value chain, in particular plant construction (EPC, EPCM and O&M contracts) and hydrogen fuelling infrastructure, including sourcing/procurement as well as development cooperations
- Financing of hydrogen projects
- Safety regulations
- Approval of plants for the production of hydrogen, storage facilities and transport options
- Sector-specific data protection for energy supply & networks
- Monitoring of ongoing legislative processes (national & EU)
- Advice on cooperations & joint ventures
- Power-to-X projects

Selected References

Hydrogen start up	Legal advice on the investment and shareholders agreement as well as on the capital increase structure in the context of the first and second seed financing round.
Industrial enterprise	Legal (regulatory) advice on an investment in a company regarding a possible future use of the existing infrastructure for hydrogen.
Industrial enterprise	Legal advice in connection with contract negotiations for cooperation in the development and commercialisation of hybrid engines (hydrogen plug-in) for trucks.
Logistics company	Contractual advice on joint venture structures and commercialisation as well as series production of hydrogen engines for lorries.
Holding company	Advising on a EUR 50m Series B financing round in Hydrogenious LOHC Technologies, a developer of technologies for the safe and efficient storage, transport and distribution of hydrogen.
Investor	Comprehensive legal advice to an investor on all aspects of a Series D financing round in a world-leading start-up in the field of development and production of industrial electrolyzers.
Manufacturer of hydrogen filling stations	Contractual advice on EPC contracts for power-to-hydrogen solutions for government clients (waste-to-energy plants for power-to-hydrogen production and downstream fuel solutions for hydrogen public transport vehicles).
Manufacturer of hydrogen filling stations	Contractual advice on the manufacture and supply of hydrogen fuelling systems for hybrid vehicles in multiple jurisdictions, as well as contractual advice on the joint development and series production of hydrogen fuel solutions for heavy-goods vehicles.
Green hydrogen producer	Legal advice on the drafting of infrastructure contracts for entry into the German market.
Energy company	Legal advice on data protection and competition law when approaching customers or potentially interested parties about current and future offers for hydrogen-related products, technologies and services.

Your Team



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