



Luther.

Power Plants – Secured Capacity for the Energy Future

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GLOBAL
ADVISORS

Power Plants – Secured Capacity for the Energy Future

With the increasing share of fluctuating energy generation, the demand for flexible, secure power is growing. At the same time, the phase-out of coal and nuclear energy is removing considerable amounts of **secure power** from the system. Flexible **power plants** are therefore needed to ensure **security of supply** and bridge periods of low wind and low sunlight.

Market development and significance

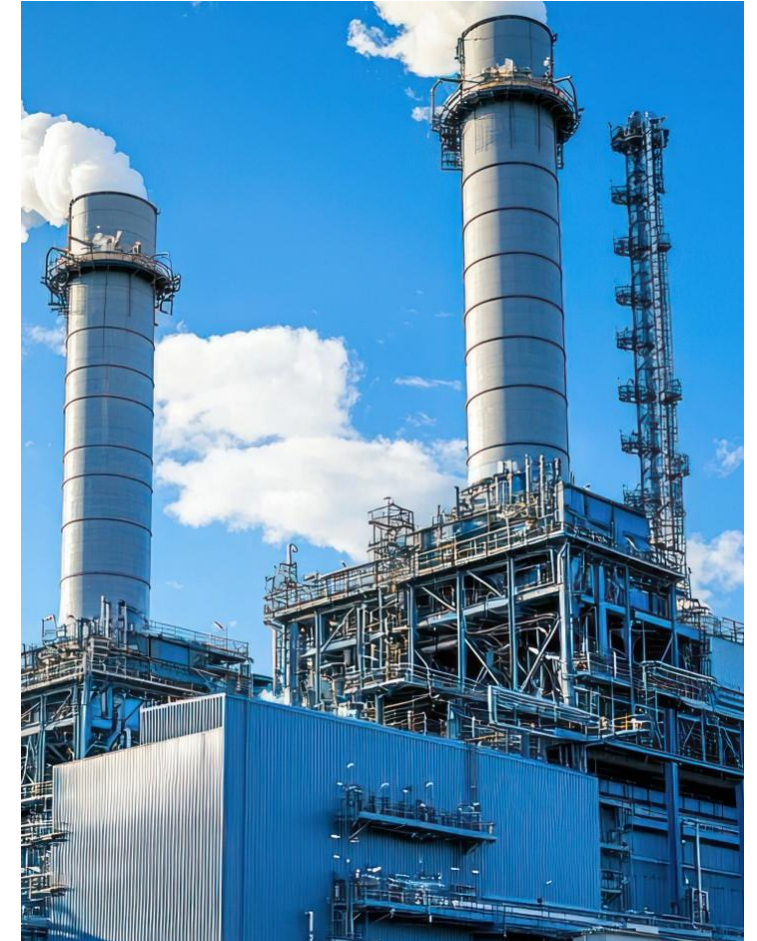
- Increasing demand for secure power as electricity consumption grows
- Flexible gas turbine and gas engine power plants as a bridging technology, with hydrogen and CCS in the near future
- Need for a balanced technology mix for long-term system stability

Challenges and trends

- Security of supply & grid stability: hedging against peak loads and renewable fluctuations
- Regulatory framework: capacity markets, support mechanisms, EU state aid law, feed-in tariffs for grid usage (“G component”)
- Transformation & decarbonisation: investments in H₂-ready technologies and hybrid systems

The announced **power plant strategy** is intended to set the framework for new investments and could thus open up additional opportunities for operators and investors. Power plants are at the heart of the transformation – between ensuring short-term supply and long-term integration into a climate-neutral energy economy.

Luther has been providing comprehensive advice on all legal aspects of power plant projects for decades – from planning and approval to financing and contract drafting to operation.



When the going gets tough...

Energy Industry Group. The Luther Energy team consists of around 50 experienced experts and offers energy suppliers, project developers, industrial companies, financial investors, governments and the public sector comprehensive full-service legal and tax advice. The experts in our Energy Industry Group provide you with the highest level of advice across the entire value chain, whether for projects in the field of conventional or renewable energies, infrastructure such as energy supply networks or storage facilities, transactions or other innovation projects, energy trading or energy distribution, or contracting projects. Thanks to their many years of experience in the energy sector, our consultants have first-class industry knowledge and expertise in technical and economic issues. For complex projects, specialists in project management are engaged on behalf of our clients. The Luther Energy team is also renowned for its particular expertise in disputes before the highest courts and in arbitration proceedings. Internationally, we work closely with leading law firms that, like us, focus on providing comprehensive advice in the energy sector.

Expertise



Excellent legal knowledge is our trademark. Many years of experience and good relationships with governments and authorities help us to make the right assessments.

Interdisciplinary



Our team of advisors has a close network of technical and economic advisors in the market. When things get very complex and difficult, we know who we can rely on.

Innovative



We have been dealing with innovation topics such as H₂-ready gas-fired power plants for some time now. We were the first in the market to advise on a >100 MW gas turbine power plant that is certified H₂-ready.

Forward-looking



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

Award-winning



For many years, JUVE and The Legal 500 have regarded us as leaders in projects and regulation in the energy sector because our team can boast a large number of outstanding lawyers.

Outstanding expertise for your power plant project

Energy law, grid connection,
grid usage

CHP law, financing and
subsidy programmes

Operational, maintenance,
service, dispatch management
and fuel (allocation) contracts

Corporate/M&A

Real estate and property law

Emissions trading law

EU state aid and public
procurement law

Balancing group agreements,
energy trading (including
energy trading supervisory
law)

Environmental and planning
law

Plant construction law

Energy supply and
procurement agreements, heat
supply agreements, energy
contract law

Marketing of balancing energy,
black start capability, reactive
power

Selected references



TEAG Thüringer Energie AG

Comprehensive legal advice on the first 100% hydrogen-compatible gas engine power plant in Germany with a capacity of more than 50 MW. Advice in particular on procurement and contract law and conducting contract negotiations.



Stadtwerke Leipzig

Comprehensive legal advice to Stadtwerke Leipzig on its major investment (approx. EUR 200 million) in the new HKW Süd power plant (120 MW). The central components of the power plant are hydrogen-compatible gas turbines.



Financial investor

Advice on the planned acquisition of the Datteln 4 power plant from Uniper Kraftwerke



Eneco

Legal advice to Eneco on the sale of its shares in Next Kraftwerke GmbH as part of an exit to Shell. Review of the possibility of exercising a pre-emptive right and performance of due diligence in this context



EVH GmbH

Comprehensive legal advice to EVH GmbH on its (new) investments in energy generation facilities, including new investments in the Dieselstraße (EUR 100 million) and Tortha (EUR 25 million) power plant sites, as well as advice on an innovative power-to-heat project

“Top-notch in terms of expertise, always up to date - all relevant aspects are considered and discussed with the client - very good at placing questions and issues in an overall business context and providing advice that is accordingly broad and goes beyond the actual legal issues.”

*The Legal 500 (2025) – Tier 1 – Industry
Focus Energy: Regulatory Advice*

***“Highly competent at the interface between energy law and antitrust law,”
“thinks economically,” “very good project management.”***

*– Dr Holger Stappert
JUVE (2024/2025) – Tier 1 – Energy Law:
Regulatory, Law Firm of the Year for
Regulation 2024*

***“Very good specialist knowledge,
negotiating skills, solution-oriented.”***

*– Karsten Köhler
The Legal 500 (2021) – Tier 3 – Public
Procurement Law*

Selected references

“Involved in major projects undertaken by the firm in connection with the phase-out of lignite in Lusatia and the promotion of extensive decarbonisation measures, Brussels-based partner Janssen is particularly well known as a specialist in state aid law. Such projects demonstrate Luther's extensive experience in the energy sector, where teams of lawyers from different disciplines work together (...) In their recognised public procurement law practice, too, the interfaces with state aid and subsidy law have gained a noticeably higher share.”
JUVE (2024/2025) – Tier 3 – State Aid Law

“High level of expertise in environmental law.”
– Dr Sabrina Desens
JUVE (2024/2025) – Tier 1 – Planning and Environmental Law



eins energie in Sachsen

Comprehensive legal advice on the establishment of a joint venture for the construction and operation of a waste-to-energy plant. In addition, public procurement law support, tender support on the bidder side (vol. approx. EUR 200 million)



Power plant operator

Advice on the establishment of two innovative and complex power plant projects in matters of state aid law and the use of subsidies from the Just Transition Fund (JTF)



HKW Heizkraftgesellschaft Cottbus mbH

Legal advice and comprehensive support for the construction of a new 50 MW CHP gas engine power plant (vol. approx. EUR 75 million)



Uniper SE

Support for an EU-wide tendering procedure for the commissioning of a combined heat and power plant (vol. approx. EUR 100 million)



State of Berlin

Advice on the acquisition of Vattenfall Wärme, including the purchase of the associated conventional power plants and carve-out of power plant marketing

Selected references



Foreign power plant operator

Comprehensive legal advice on two long-term power plant outages of a combined cycle power plant due to inadequate maintenance, resulting in large-scale damage, and on claims against the service provider under the LTSA (Long Term Service Agreement)



DREWAG Stadtwerke Dresden GmbH

Contractual advice on the Dresden-Reick gas engine power plant project (vol. approx. EUR 100 million)



Uniper Kraftwerke GmbH

Environmental and planning law advice in connection with the approval process for the Irsching gas turbine power plant



Power plant operator

Advice on the marketing of black start capability, reactive power and balancing energy



Financial investor

Advice on the planned acquisition of the Moorburg power plant from Vattenfall



Power plant operator

Representation in two DIS arbitration proceedings against the co-shareholder and its affiliated fuel supplier

“The collaboration is always constructive and goal-oriented. The strategic direction of the projects is perfectly achieved thanks to the team's advice.”

The Legal 500 (2025) – Tier 2 – Construction Law (Including Dispute Resolution)

“Their broad regulatory positioning and in-depth industry knowledge make the practice one of the leading addresses in the market for energy infrastructure operators.”

JUVE (2024/2025) – Tier 3 – M&A

“He is a very experienced litigator who has a good overview of the case and does not overlook any details.”

– Dr Richard Happ

Chambers Global (2024) – Band 3 – Dispute Resolution (Arbitration Counsel)

Selected references



MEAG

Advice on the acquisition of a stake in STEAG Fernwärme



Uniper Kraftwerke GmbH

Representation of power plant operators RWE Power AG and E.ON Kraftwerke GmbH in joint model proceedings before the Berlin Administrative Court to clarify the compatibility of auction reductions under emissions trading law with EU law



8KU-Municipal utilities

Advice on the investment in hard coal-fired power plants



Major electricity generator

Antitrust and energy trading regulatory advice on the assessment of various bidding strategies for the power plant portfolio in the marketing of electricity generation



Power plant operator

Comprehensive internal investigation and representation of a power plant operator and energy trader in fine proceedings brought by the Federal Network Agency (BNetzA)/Market Surveillance Authority (MTS) for alleged violations of REMIT



Remondis

Advice on the planned acquisition of STEAG, including STEAG's power plant portfolio in Germany and abroad

Selected references



E.ON Energy Projects GmbH

Advice on the construction of a new industrial power plant and advice to the project company on various biomass power plant projects



Plant operator

Review of grid connection and grid access issues, in particular with regard to obtaining avoided grid fees



Leading plant manufacturer

Representation of the plant manufacturer in asserting claims arising from work and services performed in a power plant



Advanced Power

Comprehensive legal advice on the development of a 420 MW gas-fired power plant in North Rhine-Westphalia (Bocholt Power) up to the construction stage



Statkraft

Advice and representation in a plan amendment procedure under the Energy Industry Act (EnWG) for connecting a pumped storage power plant to a higher grid voltage level

“Holger Stappert is a master in his field.”

– Dr Holger Stappert

Chambers Europe (2023) – Band 1 – Energy: Regulatory

“Gerd Stuhlmacher is solution-oriented, has extensive specialist knowledge and valuable experience in the energy sector. He’s always a pleasure to deal with.”

– Gerd Stuhlmacher

*The Legal 500 (2025) – Tier 1 – Industry
Focus Energy: Regulatory Advice*

“Henner-Matthias Puppel has a lot of expertise and know-how and provides us with top support.”

– Henner-Matthias Puppel

*Chambers Germany (2025) – Band 3 –
Public Law: Public Procurement/PPP*

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