

NHG advised Fibra Infraestructura y Energía Mexico

written by Nader, Hayaux & Goebel | mayo 5, 2023

NHG advised Fibra Infraestructura y Energía México in (i) structuring the trust so that it complies with the requirements applicable to this type of vehicles so as to maintain their tax treatment as a FIBRA E trust; (ii) preparing the tax section of the financial model that was used by the banks in order to define the financing to be provided for the transaction; (iii) structuring the acquisition of certain target entities contributed by their partner (Coconal); and (iv) structuring the drop-down of the shares owned in a portfolio of companies previously owned by CKD Infraestructura México.

NHG advised Water Operator Agency of Los Cabos Municipality for USD\$144 million

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NHG advised Water Operator Agency of Los Cabos Municipality (OOMSAPASLC) to sign a USD\$144 million public-private partnership (PPP) agreement with a municipality in the northwestern Mexican state of Baja California to build a desalination plant.

Financing of OPDEnergy's photovoltaic plants by Sumitomo Mitsui Banking Corporation

Category: Energy

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NHG advised Sumitomo Mitsui Banking Corporation in the financing of two photovoltaic plants under development by subsidiaries of OPDEnergy in Mexico, a Spanish company dedicated to the development, operation and maintenance of renewable energy projects.

NHG advised Sumitomo Mitsui Banking Corporation in two facilities for US\$101 million in total, including letter of credit facilities for USD\$15 million to subsidiaries of OPDEnergy in Mexico. The purpose of the loans will be to finance the development of two solar plants in Aguascalientes (29.67 MW) and Coahuila (82.5 MW), Mexico .

NHG advised CDPQ and CKD Infraestructura México on the tax aspects of the acquisition of an 80% stake in a portfolio of renewable

energy projects

Category: Tax

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NHG assisted CDPQ and CKD Infraestructura México in performing tax due diligence of the nine companies involved, as well as in structuring the transaction whereby CDPQ and CKD Infraestructura México acquired an 80% stake in a portfolio of renewable energy projects developed by Enel in Mexico for USD\$1.35 billion.

The transaction involved three different jurisdictions and three companies with very different profiles: a Canadian institutional investor who manages pension funds (CDPQ), a Mexican investment vehicle for Mexican pension funds (CKD Infraestructura México), and an Italian energy company (Enel). The transaction was particularly complex as it required that the structure consider the different tax regimes applicable to each of the participants, while also considering the possibility of new projects being added to the structure in the future.