WILKINSON BARKER KNAUER LLP



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This is a historic moment in energy, communications and technology. Clients in those industries look to Mark Wiranowski for corporate, commercial and project counsel to tackle complex challenges, often involving bespoke business, technology, finance, accounting, regulatory and legal issues. Mark brings a deep background in both corporate transactions — including private financings, mergers and acquisitions, joint ventures and corporate governance — and commercial and infrastructure projects — including data center agreements, energy project development and finance, communications infrastructure, as well as a broad background in commercial and technology transactions.

Good counsel means addressing people, business and legal needs. Mark draws on a diverse wealth of professional experience – in finance, consulting, executive leadership training, non-profit development and even delinquent youth programs – to help clients navigate multifaceted challenges. It is why clients seek him out as a partner and advisor for increasingly complex and novel transactions in electric power, communications and technology.

Representative Engagements

Energy

- Currently advising multiple electric utility clients on large load customer negotiations, procurement of capacity and energy resources and structuring solutions for financing, credit support, tax and accounting issues
- Represent investor-owned utilities and cooperatives for hundreds of transactions in development, financing, hedging, project acquisition and sale, power purchase, build-transfer, EPC and O&M, OEM and procurement, fuel supply, interconnection, marketing, and repowering of wind, solar, battery, gas, cogeneration, electric transmission and gas pipeline projects
- Advise utility, developer and large customer clients on complex multiparty agreements, including 3+ party arrangements between utilities, large customers and developers for colocated infrastructure; behind-the-meter cogeneration, solar and battery projects; and 3-party retail sleeving arrangements
- Represent multiple sellers and marketers in wholesale electric supply agreements with electric cooperatives
- Ongoing representation of several Fortune 100 telecommunications and technology companies in national transactions for sustainability, renewable

PRACTICE AREAS

Infrastructure

Energy Transactions

Corporate

Transactions

Data Centers & Large Load Customers

Energy

Regulatory – FERC and Organized Markets

Telecommunications and Media

Communications Transactions

Tower Siting and Infrastructure

Commercial and Technology

Emerging Companies

Financing

Mergers and Acquisitions

Cyber, National, and Supply Chain Security

Transportation and Emerging Technologies

BAR ADMISSIONS

Colorado

EDUCATION

J.D., University of Colorado School of Law — Valedictorian

M.P.P., Harvard Kennedy School of Government

B.A., Princeton University

energy procurement, virtual power purchase agreements, on-site solar, fleet vehicle electrification and energy efficiency installations
- Represent multiple investor-owned utilities in community solar and distributed energy resource transactions
- Represent numerous energy- and sustainability-focused emerging companies

Communications
- Represented multiple broadband, network developer, rural Internet and private equity clients in acquisitions, sales, joint ventures, investments and credit facilities up to $300,000,000, both in subsidized transactions involving BTOP, RDOF, CAF and BEAD, and in unsubsidized opportunities
- Represented multiple national cable operators in nationwide cellular and broadband wireless infrastructure buildouts
- Represented national wireless carrier in transaction to incentivize expedited clearing of C-band spectrum
- Represented multiple developers in wired/wireless infrastructure development solutions for state-of-the-art smart campuses and districts
- Represent infrastructure and broadband companies for right of way and pole attachment agreements with municipalities and utilities in multiple states
- Drafted legislation on behalf of national telecommunications company to provide statutory process to broaden rural electric coop easements for broadband use
- Represented technology company in multiple agreements for obtaining and providing supplementary data to public safety answering points (911)
- Represented technology company in commercial license agreement with mobile virtual network operator

Venture Capital and Emerging Companies
- Represent dozens of emerging companies in venture capital and private equity financings from $500k to $50M, including crowdfunding transactions
- Represent many companies (both buy-side and sell-side) in mergers and acquisitions, including acquisitions greater than $1B
- Represent borrowers in bank, syndicated and private credit transactions from $10,000,000 to $350,000,000
- Represent emerging companies in novel transactions combining corporate, commercial and financial elements to implement new business models, including: agribusiness; EV charging infrastructure; startup small commercial solar and battery; EdTech and FinTech companies
- Advise founders, investors, boards of directors and companies on contractual rights and fiduciary duties in a variety of corporate situations, including formations, founder breakups, redemptions, restructuring of equity holdings, acquisitions, and potential conflicts of interest
- Represent companies in commercial transactions involving term loans and lines of credit, factoring agreements, technology licensing, product development, data licensing and use, co-branding, joint marketing and sales, manufacturing, vendor and supply arrangements, distributor and reseller arrangements, exclusive partnerships, commercial real estate and equipment leasing and construction

Honors

Recognized in Best Lawyers: Ones to Watch for Communications Law and Energy Law (2021-2025)
Colorado Super Lawyers (2017-2022)

Publications

“A Good Time to Double Down and Data Analytics and Network Capabilities,” Mark Wiranowski. Published in the Utilities Telecom Council Journal, Q4 2015.
“Big Data: Opportunities and Constraints For Gas Utilities,” Mark Wiranowski and Susan Bergles. Presented at the American Gas Association Legal Forum, July 20, 2015.
“Competitive Smart Grid Pilots: A Means to Overcome Incentive and Informational Problems” by Mark Wiranowski. (2012) Colorado Journal on Telecommunications and High Technology Law

Speeches and Presentations

Teach “founder agreements” guest lecture for Entrepreneurial Law Clinic at University of Colorado Law School, annually since 2015
“Structuring Solar and Storage Development Financing,” online Strafford Webinar, January 9, 2020
“Structuring Solar Development Financing, Leasing and Operating Agreements for Commercial Properties,” online Strafford Webinar, January 25, 2018
“Renewable Energy Contracts Workshop,” Kinetic workshop series, Nashville, TN, November 29-30, 2017
“Renewable Energy Contracts Workshop,” Kinetic workshop series, Portland, OR, July 12, 2017
“Renewable Energy Contracts Clinic,” course instructor, Golden, CO, October 13, 2016.
“Drones and Utilities: Building the Business Case for Utilities,” Kinetic webinar series, panel moderator (with panelists from Exelon, San Diego Gas & Electric and PPL Electric Utilities), February 25, 2016.
“Drones and Utilities: Policy and Regulations,” Kinetic webinar series, co-presenter with Rachel Wolkowitz, February 18, 2016.
“Innovation on the Electric Grid,” moderator of panel at Denver Startup Week, October 2, 2015. Panelists included Xcel Energy, RES Americas, NREL Energy Systems Integration, Spirae, Vision Ridge Partners.