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Ports –
Infrastructure for Security of Supply and the Energy Transition
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GLOBAL ADVISORS

Ports – Infrastructure for Security of Supply and the Energy Transition

Ports are the strategic backbone of the **global energy sector**. They connect the production of energy commodities with industrial consumption, both nationally and internationally. As key hubs for the import, distribution and further processing of energy, they play a vital role in **security of supply**. This is particularly true of liquefied natural gas (**LNG**), **hydrogen** and **hydrogen derivatives** such as ammonia and methanol. Inland ports are also becoming increasingly important as transhipment hubs for green energy carriers and as locations for **power-to-X facilities**.





Market developments and significance

- Transformation of traditional ports into **multifunctional energy hubs**
- Ports as **energy infrastructure** under Article 143h of the German Basic Law (“**Special Fund for Infrastructure and Climate Neutrality**”)
- Rising demand for infrastructure for **LNG**, **green gases** and **hydrogen derivatives**
- Growing importance of **ports as sites for electrolysers**, **liquefaction sites** and **storage capacitiy**
- Integration of port infrastructure into the core **hydrogen core network**

Challenges and trends

- **Legal framework & regulation**: An increasingly complex interplay of energy law, environmental regulations and state aid law – with ongoing adaptation to market dynamics
- **Financing & investment certainty**: Increasing demands relating to project structuring, funding schemes and long-term financing models
- **Sustainability & decarbonisation**: Development of climate-neutral port infrastructure, use of renewable energies, integration of hydrogen and CCS technologies
- **Site Development & permitting**: Securing suitable land, planning approval, environmental impact assessments, water law permits

The strategic development of ports as essential infrastructure for the maritime energy transition calls for multidisciplinary expertise and tailored legal solutions. Drawing on in-depth technical knowledge, extensive industry experience and a proven track record in complex energy and infrastructure projects, Luther’s experts make the difference in delivering your port project.

When the going gets tough …

Energy & Infrastructure Industry Group. The Luther Energy & Infrastructure team comprises around 50 experienced experts and offers energy suppliers, project developers, industrial companies, financial investors, as well as governments and the public sector, a comprehensive full-service legal and tax advisory service. The experts in our Energy & Infrastructure Industry Group provide you with advice of the highest standard across the entire value chain, whether for projects in the field of conventional or renewable energy, infrastructure such as energy supply networks or storage facilities, transactions or other innovation projects, energy trading, energy supply or contracting projects. Thanks to our many years of experience in the energy sector, our advisers possess first-class industry knowledge and expertise in both technical and economic matters. For complex projects, specialists in project management are brought in to support the client. The Luther Energy & Infrastructure team is also recognised for its particular expertise in disputes, right up to the highest courts, and in arbitration proceedings. Internationally, we work closely with leading law firms which, like us, specialise in providing comprehensive advice in the energy sector.

Expertise



Excellent legal expertise is our hallmark. Many years of experience and strong relationships with governments and regulatory bodies help us to provide accurate assessments.

Interdisciplinary



Our team of advisers is closely networked within the market with technical and economic consultants. When matters become highly complex and challenging, we know who we can rely on.

Innovative



Innovation is a key focus of our day-to-day work. The legal landscape is constantly evolving. We seek out challenges for which there are as yet no solutions.

Forward-looking



We are already thinking ahead to tomorrow. As the European and national legal frameworks continue to evolve, we offer our support through our expertise and long-standing experience in legislative processes.

Award-winning



For many years, we have been recognised by JUVE, Legal 500 and Chambers as leaders in projects and regulation within the energy sector, thanks to our team's roster of outstanding legal professionals.

Outstanding expertise for your port project

- Logistics, warehousing and transport law, terminal management
- Commercial & distribution law, dispute resolution
- Public procurement law
- Digital law, data law, AI regulation, cybersecurity
- EU state aid law
- Hydrogen/LNG import agreements, terminal capacity, energy trading law
- Public construction law, setback requirements
- Regulation and network access to LNG terminals and transmission networks, unbundling
- Environmental and planning law, water law
- Corporate/M&A
- European and German renewable energy law
- Financing and funding programmes

Selected references

Uniper Global Commodities SE
Advice on permitting matters for Uniper Global Commodities SE as project developer of an LNG landing terminal in Wilhelmshaven

Deutsche Energy Terminal (state-owned operator of four LNG facilities/FSRUs)
Representation of Deutsche Energy Terminal GmbH, the state-owned operator of four LNG facilities using floating storage and regasification units (FSRUs), in abuse-of-dominance proceedings before the German Federal Network Agency (BNetzA) and subsequent appeal proceedings before the Higher Regional Court of Düsseldorf (OLG Düsseldorf), including interim relief proceedings in both cases. Advice on civil-law arrangements in light of the European Commission's approval of State aid of up to approximately EUR 5 billion for the operation of the FSRUs in Wilhelmshaven (two units), Brunsbüttel and Stade.

Crédit Agricole Corporate & Investment Bank et al. v. Höegh LNG Brunsbüttel and Wilhelmshaven
Advice to the mandated lead arranger of a syndicated loan on the financing and charter arrangements for the floating LNG terminals, including the Höegh Gannet and Höegh Esperanza FSRUs in Brunsbüttel and Wilhelmshaven, respectively

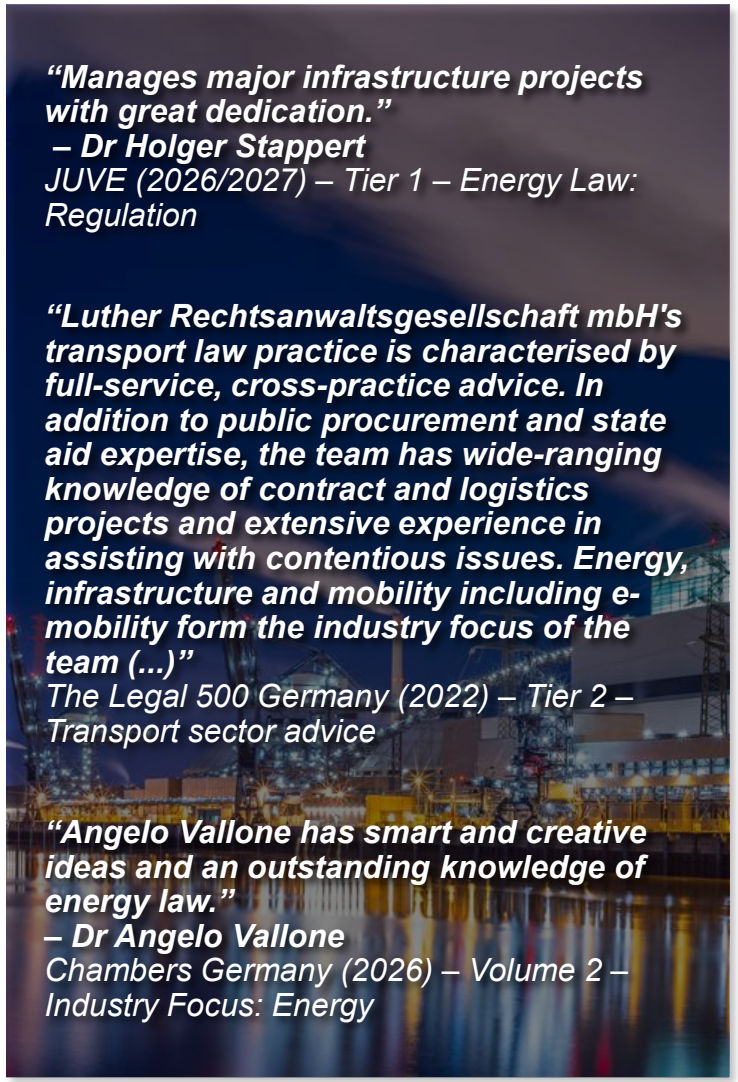
Uniper SE
Support with EU-wide procurement procedures for the award of a contract for a combined heat and power plant with a value of approximately EUR 100 million, and for the appointment of planning consultants in connection with the Wilhelmshaven LNG terminal project

Leading energy supplier
Advice on the planned land-based LNG terminal of the Hanseatic Energy Hub terminal consortium in Stade, with capacity to import and regasify three billion cubic metres of LNG per year, including the option to switch the imported product to ammonia as a hydrogen-based energy carrier

SEFE Securing Energy for Europe GmbH
Advice on high-volume international hydrogen and ammonia import agreements, including imports from Canada, Norway and the Middle East



Selected references



"Manages major infrastructure projects with great dedication."
– Dr Holger Stappert
JUVE (2026/2027) – Tier 1 – Energy Law: Regulation

"Luther Rechtsanwaltsgesellschaft mbH's transport law practice is characterised by full-service, cross-practice advice. In addition to public procurement and state aid expertise, the team has wide-ranging knowledge of contract and logistics projects and extensive experience in assisting with contentious issues. Energy, infrastructure and mobility including e-mobility form the industry focus of the team (...)"
The Legal 500 Germany (2022) – Tier 2 – Transport sector advice

"Angelo Vallone has smart and creative ideas and an outstanding knowledge of energy law."
– Dr Angelo Vallone
Chambers Germany (2026) – Volume 2 – Industry Focus: Energy

Operator of a large oil transhipment terminal in Germany
Advice on transforming the oil-handling terminal into a "New Energy Hub" for liquid bulk commodities supporting the energy transition, including hydrogen and carbon capture and storage (CCS); expanding port and rail infrastructure; developing additional production and storage facilities; and structuring and conducting the permitting procedures

Energy supplier
Advice on the regulatory assessment of activities relating to an LNG terminal, particularly the unbundling requirements applicable upon commencement of operations

Reinsurer
Advice on alternative power supply concepts for container ships in overseas ports based on mobile LNG facilities. The advice focuses on the regulatory framework for such mobile energy supply and the contractual terms for marketing the service to port operators and shipping companies.

HAVAG Hallesche Verkehrs AG
Advice on public procurement law for the "Verkehrswege 2020" infrastructure project, with an investment volume of EUR 300 million

Port of Duisburg – Duisburg Gateway Terminal
Advice on project development financing for the Duisburg Gateway Terminal (DGT) and its joint venture agreement. The DGT is Europe's largest inland container terminal and is a joint venture between duisport, HUPAC, HTS and PSA

Energy supply companies
Advice on the German energy regulatory framework for the construction and operation of a floating LNG terminal (FSRU)

Selected references

Energy Infrastructure Partners AG
Advice to Energy Infrastructure Partners AG on its acquisition of the 19.85% stake in Fluxys NV/SA ("Fluxys") held by Caisse de dépôt et placement du Québec. Fluxys operates gas pipelines and, among other assets, an LNG terminal in Zeebrugge

Healthcare group
Comprehensive advice on contractual, environmental and public law matters in connection with a port project in northern Germany

Neuss-Düsseldorf Häfen
Advice on entering into a joint venture with the urban development company of the state capital Düsseldorf to develop part of the Port of Düsseldorf

Federal state
Advice on state aid law regarding the use of funding in the port area for the establishment of innovative businesses

Energy supplier
Advice on a proposed investment in the APEX Group, a provider of end-to-end hydrogen solutions

MET
Advice on the formation of the joint venture H2 Lubmin with hydrogen producer HH2E and MET's subsequent exit from the joint venture through the sale of its stake to infrastructure investor Foresight

Energy supplier
Advice on a proposed joint venture with Nikola, the US manufacturer of hydrogen-powered trucks, for the distribution of hydrogen

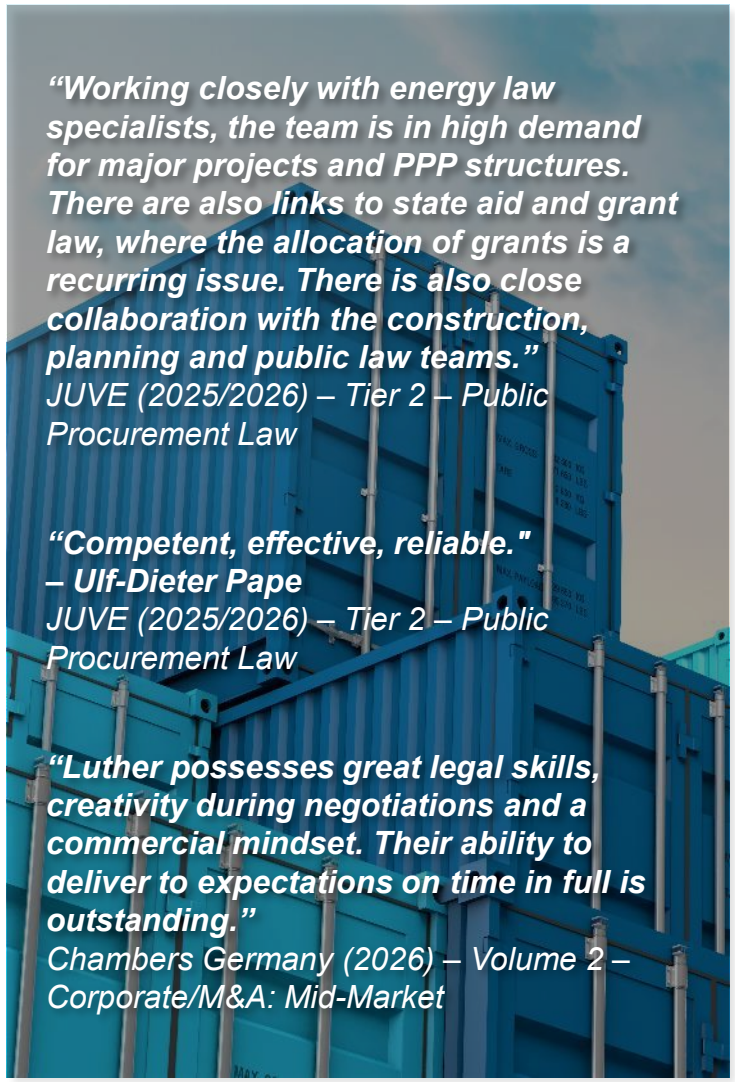


"Holger Stappert just knows what he's doing. He has a great understanding of the energy market."
– Dr Holger Stappert
The Legal 500 Germany (2026) – Tier 1 – Industry Focus Energy: Regulatory Advice

"Luther is renowned for its proven expertise in large-scale projects, whether in planning law or in relation to industrial facilities (particularly emissions trading law). It impresses with its seamless integration of other practice groups."
JUVE (2025/2026) – Tier 1 – Planning and Environmental Law

"Luther is particularly well known for disputes relating to banking and capital markets law, proceedings in the energy sector, and in the plant engineering and infrastructure sectors, often in high-value cases and regularly acting for public-sector entities. It ranks among the most renowned German experts in investment protection."
JUVE (2025/2026) – Tier 2 – Dispute Resolution: Arbitration

Selected references



"Working closely with energy law specialists, the team is in high demand for major projects and PPP structures. There are also links to state aid and grant law, where the allocation of grants is a recurring issue. There is also close collaboration with the construction, planning and public law teams."
JUVE (2025/2026) – Tier 2 – Public Procurement Law

"Competent, effective, reliable." – Ulf-Dieter Pape
JUVE (2025/2026) – Tier 2 – Public Procurement Law

"Luther possesses great legal skills, creativity during negotiations and a commercial mindset. Their ability to deliver to expectations on time in full is outstanding."
Chambers Germany (2026) – Volume 2 – Corporate/M&A: Mid-Market

Refinery operator
Advice on the establishment of a joint venture with a leading energy supplier for the construction and operation of a 300 MW electrolyser for the production of green hydrogen, including the structuring of the contract for the supply of the electrolyser, connection to repurposed gas transmission networks and to a hydrogen network (partly newly constructed), underground hydrogen storage and project management

Container terminal
advising on a high-volume contract for the supply and installation of numerous container gantry cranes

Lower Saxony Regional Transport Authority
Comprehensive advice on a pilot project for the procurement of 14 hydrogen-powered trains; support with the tendering process; coordination with the funding body regarding the requirements for funding the trains; planning approval procedure for the hydrogen refuelling station; negotiation of all contracts with Alstom and Linde as a consortium

Al Seer Marine Supplies & Equipment Company P.J.S.C.
Comprehensive legal advice in connection with the acquisition of Lloyd Werft Bremerhaven GmbH

Container terminal
Advising the operator of a container terminal in a port on EU competition law and English law regarding a most-favoured-nation clause in an agreement on terminal services

Energy supplier
Construction of new office and administrative buildings (critical infrastructure – KRITIS) for the Federal Waterways and Shipping Administration (WSV) in Brunsbüttel and Kachlet; advising the public contracting authority on the structuring and implementation of the tender process

Selected references

Operator of a bulk terminal
Representation in arbitration proceedings concerning the transfer of a coal handling and logistics contract

Construction company
Advice provided throughout the project to a consortium on the implementation of a rail infrastructure project, including a bridge structure

Eastern European energy supplier
Representation in ad hoc arbitration proceedings under English law in London against an Asian energy trading company in a dispute concerning the supply of shale oil

FincoEnergies B.V.
Advising on competition law and merger control in connection with the acquisition of Oliehandel Klaas de Boer B.V., a company active in the distribution of marine fuels and marine lubricants



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If you have any questions, please contact your point of contact at Luther or one of the experts listed here:



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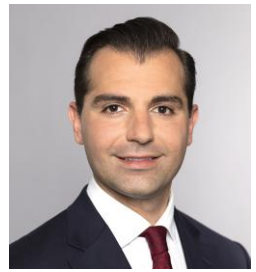

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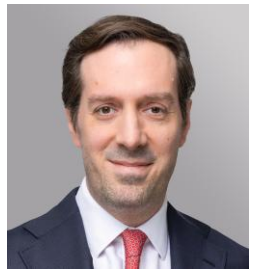

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