

## **DATA CENTER & DIGITAL INFRASTRUCTURE**

In the 21st century digital economy, companies cannot afford to fall behind. Every business has been affected by the rapid evolution of technology, the move to cloud computing and related developments. In order to keep up with the unique needs of the information age, our clients need legal advisers who have the vision and experience to anticipate evolving trends and provide the strategic insights and sophisticated advice they demand and deserve.

Organized as a multi-disciplinary effort, BCLP's global Data Center and Digital Infrastructure Team is tailored to be a complete solution for investors, developers, operators, and users participating in the data center and digital infrastructure realm. Combining our deep well of knowledge and experience in numerous practice areas, BCLP is armed with extensive capabilities in all aspects of the data center ecosystem, including: data center development and tax incentives, construction, acquisition and sales, various financing arrangements, operations, leasing, subleasing and co-location, along with environmental permitting, power purchases, power procurement strategies and agreements, user agreements, service level agreements and maintenance agreements. This approach gives us a unique perspective, unmatched by other law firms, and allows us to provide our clients with comprehensive, holistic advice.

## **OUR OFFERING**

A key strength of BCLP's Data Center and Digital Infrastructure Team is our worldwide geographic coverage, which enables us to provide assistance in the predominant locations where data centers are clustered. Other key elements of our offering are set out below:

- Data Center Asset Purchase and Sale
- Data Center M&A
- Private Equity Finance, Fund Formation and Joint Ventures
- Project/Asset Finance and Construction Finance
- Real Estate Development and Site Selection Support
- Development Tax Incentives and Legislative Affairs
- State and Local Tax Management Solutions
- REIT Taxation and Cross Border Taxation
- Co-location, Data Center Leasing and Licensing
- Renewable Energy and Sustainability
- Power Procurement and Power Solutions
- Telecommunications and Network Connectivity
- Data Center Construction
- Cloud Service Agreements
- Cyber Security and Data Privacy
- Land Use and Entitlements/Planning

- Environmental
- Intellectual Property & Licensing
- Litigation and Dispute Resolution

## **OUR EXPERIENCE**

### **Acquisition and Divestiture of Data Center Properties Across the U.S.**

Location: US, Nationwide

Within the past year, advised and assisted with the acquisition and divestiture of more than 20+ data center properties in the US totaling approximately \$475 million in acquisition value.

### **50MW of Leasing Activity Within the Past Year**

Location: US, Nationwide

Within the past year, advised and assisted in the negotiation of tenant and landlord leases, licenses and service level agreements and have worked on more than 50MW of leasing activity.

### **Advising on European-Wide Co-Location Services**

Location: European-wide

Advised one of the world's largest data center providers on various of its co-location arrangements for the provision of European wide co-location services to its clients.

### **Our Client's First UK Data Center**

Location: UK

Advised on the acquisition of a data center owned and operated by T-Systems, a subsidiary of Deutsche Telekom. The transaction saw our client take over T-System's lease and simultaneously grant to Zayo, one of the biggest fibre and data center operators. This was our client's first data center transaction in the UK.

### **Incentive and Power Procurement Negotiations for 90+ Acre Data Center Campus Development**

Location: US, Texas

Assisted with incentive negotiations and power procurement negotiations related to a 90+ acre data center campus development in Texas.

### **300 Acre 100MW Master Planned Data Center Campus Development**

Location: US, Midwest

Assisted with all aspects of a 300 acre master planned data center campus development in the Midwest targeting large enterprise users. This work involved environmental issues, tax incentive issues, power purchase arrangements, renewable energy, and regulatory agreements, real estate lease and sale agreements, as well a structured power delivery arrangement for 100MW of utility power at a high voltage rate.

### **Acquisition of Europe's Largest Data Center**

Location: UK, Wales

Advised on the acquisition and leasing arrangements of a Newport data center, which is currently Europe's largest data center.

### **\$140 Million "Mission Critical" Data Center Serving Worldwide Operations**

Location: US

Representation of a Fortune 500 publishing company in a national brokerage agreement and a national facilities management agreement providing for outsourcing of space acquisitions and dispositions and property management. Other work for this client included contracting for the design and construction of a \$140 million "mission critical" data center serving its corporate operations throughout the world.

### **Data Center Site Selection Comparative Tax Burden Analysis**

Location: US

Assisted various clients with comparative tax burden analysis for possible data center deployment in particular jurisdictions to support site selection for a particular deployment. This work results in a calculation we call the Tax TCO, which is simply an estimate of the tax components of the TCO for data center construction and operation.

## **Sale and Lease Back of Data Site Center**

Location: UK, London

Advised on the sale and leaseback of a data site center in Greenwich, London. We advised on the sale to an institutional pensions provider and then negotiated our client's lease.

## **Review of Data Center Tax Legislation Proposals Across the U.S.**

Location: US

Reviewed and advised clients with data center tax legislative proposals considered in Georgia, North Carolina, Colorado, Minnesota, Nevada, Oregon, Washington, New Jersey, Ohio, Illinois, Iowa, Nebraska, Florida, and Virginia.

## **\$575 Million Sale of Data Center Business**

Location: US

Advised the provider of advanced network communications and technology solutions on the sale of its data center business to a nationwide (US) provider of cloud, co-location and managed services for \$575 million.

## **Advising the UK's Largest Supermarket**

Location: UK

Advised the UK's largest retailer on a five hall data center leasing deal and on further leasing arrangements with a real estate investment trust for a DR data center hall.

## **Related capabilities**

Data Privacy & Security

Intellectual Property and Technology

Outsourcing

## Discover our latest News & Insights

Insights

Mar 20, 2025

### **The data center power crunch: how businesses and governments are addressing energy demands**

Insights

Nov 12, 2024

### **Powering up data centre development in SE Asia with new direct PPA frameworks**

This insight highlights government initiatives in Southeast Asia that promote data centre development through Direct Power Purchase Agreements schemes. As jurisdictions compete to attract investment in the power intensive data centre and digital infrastructure sectors, they are also looking to do promote development in a way that is consistent with national decarbonisation commitments.

Insights

Jul 25, 2024

### **Hong Kong unveils proposals for first cybersecurity law**

The Hong Kong Government recently submitted its proposed legislative framework to enhance protection of computer systems of critical infrastructure ("Proposal") to the Legislative Council ("LegCo") Panel on Security for discussion on 2 July 2024. The Proposal notes that currently, Hong Kong does not have any statutory requirements on the protection of the computer systems of critical infrastructures ("CIs"). Given that there is an increasing risk of CIs being cyberattacked, the HK Government recognises the need to introduce new law to enhance cybersecurity of CIs. The proposed legislation tentatively is titled the "Protection of Critical Infrastructure (Computer System) Bill".

News

Apr 12, 2023

### **Partners present at Datacloud Global Congress 2023**

Awards

Jun 13, 2022

### **BCLP Named Law Firm of the Year for Excellence in Digital Infrastructure Services at The Tech Capital Awards 2022**

News

Jun 01, 2022

### **BCLP Partner in 'Data Center Dynamics' on Sustainable Financing**

Events

May 31, 2022

### **BCLP Lawyers Present at International Finance Forum 2022**

Insights

Jan 20, 2022

## Partner Contributes to Downing Article Following £145 Million Full-Fiber Funding Deal

News

Sep 21, 2021

**Partner quoted in Partnerships Bulletin on investment in data centers**

## Meet our sector leaders



### **Emma Le Wita**

Partner, London

[emma.lewita@bclplaw.com](mailto:emma.lewita@bclplaw.com)

[+44 \(0\) 20 3400 3117](tel:+442034003117)



### **Tim Cline**

Partner, St. Louis

[tim.cline@bclplaw.com](mailto:tim.cline@bclplaw.com)

[+1 314 259 2238](tel:+13142592238)