

# Petr Zákoucký

## Czech Republic Managing Partner



Czech Republic Managing Partner

Prague

D +420 236 082 280

M +420 723 344 495

petr.zakoucky@dentons.com

## Overview

Petr Zákoucký is the Czech Republic Managing Partner. He is the Head of the Energy practice and Co-Head of the Corporate/M&A practice in Dentons' Prague office. He has 15 years' experience advising on M&A transactions, regulatory and litigation matters, primarily in the energy, chemicals and infrastructure sectors.

Petr has been involved in several top global M&A and regulatory cases. His experience encompasses advising on regulatory issues and representing before national and EU regulators; drafting and negotiating commercial arrangements, including SPAs and JV agreements, long-term supply agreements or auction documentation; drafting merger filings and submissions in antitrust investigations before Czech, Slovak and EU competition authorities; representing in state aid proceedings and complaints before the EU Commission; advising on environmental matters and public procurement; and representing in litigation before Czech and EU courts; and advising on investment protection (BITs) structuring. Petr's work involves also a number of jurisdictions outside Europe, including Africa, Australia/Asia and the US.

## Experience

- **BPD:** Advising on the joint venture with AnQore, belonging to the CVC Group, on the construction of a large new production unit for sodium cyanide, including merger control filings in five countries.
- **MND/KKCG:** Advising on the potential acquisition of Innogy Ceska republika, the largest incumbent gas retail retailer in the Czech Republic, from RWE Group, including the M&A process, due diligence, merger control and antitrust aspects.
- **EPH:** Advising on the contemplated acquisition of a 100% ownership interest in Alpiq generation (CZ), which operates gas and coal power plants in the Czech Republic, from Alpiq AG.
- **Sev.en Energy:** Advising on the acquisition of the Počerady power plant from the energy group ČEZ. With a capacity of 1,000 MW, Počerady is the largest coal-fired energy generating plant in the Czech Republic.
- **BNP Paribas, Citigroup:** Advising in relation to an update of ČEZ's €8 billion EMTN program, to be listed on the Luxembourg stock exchange.

- **EPH:** Advising on the issuance of its inaugural German law governed €182.5 million Schuldschein loan.
- **KKCG:** Advising the KKCG group and its US subsidiaries, US Methanol LLC, and Liberty One Methanol LLC, in relation to the construction of a methanol plant near Charleston, West Virginia, US.
- **Sev.en Energy:** Advising on its acquisition of US-based metallurgical coal producer Blackhawk Mining, LLC.
- **CPI Property Group:** Advising the leading owner of income-generating real estate in the Czech Republic, Berlin and the CEE region, on a series of financing and capital markets transactions worth approximately €1 billion, including the issue of US\$350 million Reg S bonds, an update of a revolving credit facility, and a €170 million senior unsecured Schuldschein.
- **Barclays, BNP Paribas, Deutsche Bank, Citi and HSBC:** Advising the joint lead managers on the issue of €750 million 0.875% bonds due 2026 by ČEZ, a.s.
- **APS Holding:** Advising on the issue of bonds to fund the acquisition of a non-performing loan (NPL) portfolio from Piraeus bank.
- **ENERGO-PRO:** Advising the Czech-based hydroelectricity group on securing €175 million in financing for the development, construction and operation of the Alpaslan II dam and hydro power plant in Turkey, including advising on the power purchase agreement and construction contract for Alpaslan II.
- **Vermilion Energy:** Advising on the potential acquisition of shares in a CEE oil & gas company.
- **E.ON:** Assisting with certain aspects and regulatory issues in relation to integrations.
- **Sev.en Energy:** Advising on the acquisition of a 50% stake in InterGen N.V., with power plants located in the UK and Australia, from the Canadian Ontario Teachers' Pension Plan.
- **Sev.en Energy:** Advising on the strategic acquisition of a 17.1% share in Corsa Coal Corp., a US-based metallurgical coal producer with mines in Pennsylvania and Maryland which is listed on the Toronto Stock Exchange.
- **Multinational group:** Advising on the contemplated acquisition of a CEE waste treatment group.
- **Multinational group:** Advising on the contemplated acquisition of an infrastructure business in Austria, Germany and the UK.
- **Sev.en Energy:** Advising on the potential acquisition of a majority stake in Murray Energy, a large US commodity producer and supplier that is in a Chapter 11 (insolvency) process.
- **Multinational energy group:** Advising on a bid for the acquisition of hard coal and gas power plants and biomass assets in Germany and Netherlands in a competitive tender.
- **Multinational energy group:** Advising on a tender with respect to the potential acquisition of lignite and coal power plants and renewable assets in France.
- **Sev.en Energy:** Advising on a competitive auction driven by the EC commitments, in relation to the potential acquisition of three lignite power plants along with the exploitation rights of the relevant mines from PPC.
- **Multinational energy group:** Advising on the potential acquisition of a combined cycle gas power plant (CCGT) in Spain, in an open auction.
- **Multinational energy group:** Advising on the potential acquisition of a super-critical coal-fired power plant in West Virginia, USA.
- **Multinational energy group:** Advising on the potential acquisition of a hard coal power plant in Turkey.
- **Seven EC:** Successful representation of the operator of the Czech power plant Chvaletice and a member of the Czech Coal group in the reimbursement of the illegally imposed gift tax onto emission allowances in years 2011 and 2012 before the Supreme Administrative Court as well as before the Czech Constitutional Court.
- **Veolia:** Successful representation in the disputes concerning the reimbursement of illegal gift tax on emission

allowances and related interest.

- **Sev.en EC:** Advising an operator of a large lignite power plant in the Czech Republic on defending the client's building permits / EIA relating to reconstruction of the power plant against Frank Bold Society, an environmental NGO.
- **Seven EC:** Advising an operator of large lignite power plant in the Czech Republic on exchange of emission ceilings, including advice on contract on exchange and on the change of the client's IPPC permit.
- **Sev.en Energy:** Complex legal advice regarding the carve-out of its commodity trading activities from two Czech companies into a newly established Liechtenstein entity by means of a cross-border spin-off. The mandate included, among other things, advice on corporate, merger control, energy, regulated markets, public procurement and tax aspects, as well as registration of the newly established commodity trader with transmission operators (TSOs), power exchanges (EEX and ICE) and a clearance house.

## Recognition

- *Chambers Europe 2021:* Ranked in Band 1 in Project & Energy, and in Band 2 in Competition/Antitrust.
- Clients applaud his "thorough knowledge of the energy sector, high commitment and client-oriented approach." - *Chambers Europe 2021.*
- One interviewee describes him as "very ambitious and excellent in energy and antitrust matters." "His knowledge of the energy regulation is quite deep, he is a fantastic individual of high caliber." - *Chambers Europe 2020.*
- He is noted as a "smart, business-focused practitioner who tries to find acceptable solutions for all parties." - *Chambers Europe 2019.*
- *Legal500 EMEA 2021:* Endorsed as "Leading individual" in both Projects and Energy and EU and Competition.
- *IFLR1000 2021:* Ranked as "Highly regarded" in M&A and Project development, Energy, Mining, and Oil and gas.

## Insights

- Petr has co-authored the first commentary to the Czech Energy Act. He is also a frequent speaker on energy regulatory and competition-related topics at leading energy industry events.

## Activities and Affiliations

### Memberships

- Member of the Czech Bar Association since 2008

### Prior and Present Employment

- Czech Republic Managing Partner, Dentons, Prague (May 2021-Present)
- Partner, Dentons, Prague (2017-Present)
- Counsel, Clifford Chance, Prague (2016-2017)
- Associate, Clifford Chance, Prague (2006-2016)

- Internship, Court of First Instance, Luxembourg (2006)
- Internship, European Commission Directorate-General for Competition, Brussels (2006)
- Intern, White & Case (2000-2001)

## Areas of focus

### Practices

- Corporate
- Mergers and Acquisitions
- Competition and Antitrust
- Litigation and Dispute Resolution
- Public Procurement
- Energy
- Mining
- Life Sciences
- Health Care
- Environment and Natural Resources
- Environmental Regulation
- Capital Markets

## Education

- University of Amsterdam, 2005, LL.M., European Business Law
- Eberhard-Karls-Universität Tübingen, 2004, LL.M., German Law
- Charles University in Prague, 2002, Master of Laws

## Languages

- Czech
- English
- French
- German