Energy – Power

The Canadian power and utilities sector is facing a major structural shift driven by customer demands, new digital technologies, aging infrastructure and emerging distributed renewable generation. The need for significant investment will lead to new opportunities for Canadian and international power and transmission developers.

To compete effectively, you need a legal partner that will keep you informed of industry trends, protect your interests and manage risks. As the largest and most experienced group of electricity lawyers in Canada, we provide advice on:

- generation, transmission and distribution of solar, wind, waterpower, biomass and other renewables, nuclear, coal and natural gas
- M&A and joint venture agreements
- corporate structuring and partnerships
- electricity regulatory matters
- procurement
- complex contractual arrangements
- project development, construction and operations
- project finance
- tax
- wholesaling and retailing
- conservation and demand management

Our top-ranked power team collaborates with our broad client base on legal opportunities, business issues and the latest developments facing the power sector. We have extensive experience advising:

- developers
- generators
- electricity distributors
- transmitters
- electricity marketers
- borrowers and lenders
- equity providers
- major consumers
- utilities
- government agencies

Experience

- Berkshire Hathaway Energy Company, in its indirect share purchase acquisition of the Montana Alberta Tie-Line from Enbridge Inc., a 215 mile, 230-kV merchant transmission line running from Great Falls, Montana to Lethbridge, Alberta, for an approximate purchase price of $200M.
- Polaris Infrastructure Inc. (TSX: PIF), a company engaged in the operation, acquisition and development of renewable energy projects in Latin America, on its US$27 million loan financing certain global credit-focused fund managed by Brookfield Asset Management Inc. (NYSE: BAM).
- Capital Power Corporation in its $977 million acquisition of Goreway Power Station Holdings Inc., from joint owners JERA Co. Inc. and Toyota Tsusho Corporation
- Alterra Power Corp. in its $1.1 billion sale to Innergex Renewable Energy Inc. by way of an arrangement agreement
- EPCOR Utilities Inc. on multiple matters, including the approval of: a number of new transmission infrastructure projects. electric utility cost of capital for 2018 to 2022. a second generation performance-based regulation plan for its electricity distribution utility for 2018–2022. its transmission facility owner revenue requirement for the test years 2020–2022. a new energy procurement auction method and framework for pricing electricity for its regulated rate provider for 2018–2021. an on-site solar generating plant and battery storage at one of its water treatment plants in the Edmonton River Valley.
- Northland Power Inc. on entering into a $862.5 million secondary offering of Northland Power Inc. shares with a syndicate of underwriters led by CIBC Capital Markets.
- BC Hydro - in respect of various procurement, contract development, negotiation and administration and other commercial matters, real estate and other aspects associated with the $10B Site C clean energy hydroelectric project.
- Fonds de solidarité FTQ with Fonds régionaux de solidarité FTQ, in its $70 million investment in EBI, a Québec-based waste management and renewable energy production company.
- Northwest Territories Power Corp. in the acquisition of part of an electricity distribution business operated by ATCO Power in the Northwest Territories.
- Spirit Pine Energy Corporation in its reorganization and sale to Enel Green Power Canada Inc., facilitating the co-ownership of a 185 MW wind project with First Nation’s, Spirit Pine and Enel.
- The Government of Alberta, Ministry of Infrastructure on its first solar power procurement.
- Polaris Infrastructure Inc. in the restructuring of Generación Andina S.A.C.’s senior debt in connection with the financing of the El Carmen and 8 de Agosto run-of-the-river hydropower projects.
- The City of Orillia in the sale of Orillia Power, the local electricity distribution company, to Hydro One.
- The City of Peterborough in the sale of Peterborough Distribution Inc., the local electricity distributor, to Hydro One.
- Veridian Corporation and certain of its municipal shareholders (Belleville, Clarington and Pickering) in the proposed merger between Veridian Corporation and Whitby Hydro Energy Corporation creating Elexicon Corporation.
- Manitoba Hydro on various procurement and commercial matters in relation to the development of the 695 MW Keeyask hydroelectric project in Northern Manitoba.
- Independent Electricity System Operator (IESO) in connection with the Large Renewable Procurement (LRP I) and the subsequent Large Renewable Procurement (LRP II) II Request for Qualifications process.

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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