Alberta Power Market

The Alberta power market is constantly shifting driven by policy changes, updates to Alberta's climate strategy, increased renewable electricity generation and new technologies.

As more market players install their own generation and develop more distribution system-connected renewable energy, the number of smaller market participants in Alberta continues to grow.

To compete effectively in Alberta's electricity market, you need a strategic legal partner that will protect your interests, manage risks and strengthen your business.

Members of BLG's Alberta Power Market team are demonstrated leaders in this sector, with deep knowledge of the province's electricity markets. Our team understands the business, regulatory and financial issues that industry stakeholders face.

The team can provide you with the broad coverage and specific expertise needed for the wide range of specialized legal and strategic issues that arise in the electricity sector.

Experience

- Strad Inc. in its $130 million going private acquisition of all shares of Strad Inc. via a plan of arrangement and all aspects of securing debt financing for the arrangement.
- Berkshire Hathaway Energy Company in its acquisition of the Montana Alberta Tie-Line from Enbridge Inc. for approximately $200 million.
- EPCOR Utilities Inc. on multiple matters, including the approval of:
    - 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; and
    - an onsite solar generating plant and battery storage at one of its water treatment plants in the Edmonton River Valley.
- Capital Power Corporation in connection with:
    - its $977 million acquisition of Goreway Power Station Holdings Inc., from joint owners JERA Co. Inc. and Toyota Tsusho Corporation;
    - its $150 million public offering to finance the acquisition of the Goreway Power Station; and

- all aspects of the Alberta Electric System Operator's (AESO) 2018 tariff application;
- Foothills Medical Centre Power Plant Project, lead counsel on all regulatory and transactional matters related to the gas turbine generator.
- The Government of Alberta
  - Ministry of Infrastructure on its first solar power procurement.
  - All regulatory aspects of a major power facility application to the Alberta Utilities Commission (AUC).
- Spirit Pine Energy Corporation in its reorganization and additional sales transaction to Enel Green Power Canada Inc. to facilitate a First Nation co-owning a 185 MW wind project with Spirit Pine and Enel.
- AltaLink Management Ltd., a transmission facility owner, on the approval of a HVDC transmission line designated as Critical Transmission Infrastructure between Edmonton and Calgary, including the environmental impacts of the line.
- ConocoPhillips Canada on all issues relating to the ownership and production of natural gas from coal, including successful proceedings before the Alberta Energy and Utilities Board (now the Alberta Energy Regulator).
- Alberta's Market Surveillance Administrator in its successful prosecution of TransAlta for actions found to be inconsistent with TransAlta's obligation to ensure that Alberta's power market operated in a fair, efficient and openly competitive manner.
- All aspects of dispute resolution and overall strategy related to the determination of transmission constraints on Alberta's electricity transmission system and establishing a system-wide uncongested power market price in 2015 and 2016.
- Advising on new renewable and natural gas electricity generation projects, and the issues arising from them, such as financing arrangements, siting and land use, permitting and approvals (including Alberta Utilities Commission and environmental approvals), grid interconnection, the AESO gate process, Alberta's microgeneration rules, municipal involvement and approvals, project development issues and project operation and decommissioning issues.
- Advising owners and buyers under Alberta's legacy coal power purchase arrangements (PPA), including with respect to the syndication and sale of the PPAs, change in law issues, the completion of increased capacity projects by PPA coal facility owners, and issues related to electricity offering, dispatch and payment settlement under the market rules for these facilities.
- Advising competitive retailers in Alberta, including on preparing their electricity contracts with residential, commercial and industrial customers.

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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