

# Developing Renewable Generation Projects

TORONTO May 31, 2010

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## Developing Renewable Generation Projects

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<b>3.</b>	E-mail: register@lexpert.ca
<b>4.</b>	Mail: Lexpert® One Corporate Plaza 2075 Kennedy Road, 11th Floor Toronto, ON M1T 3V4 Attention: Marketing Events

Dates and Venues:

The Toronto course is being held on May 31, 2010 at St. Andrew's Club & Conference Centre, 150 King Street West, Toronto, ON M5H 1J9 Tel: (416) 366-4228

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# LEXPERT

### REGISTRATION FEE

In Toronto May 31, 2010

**Early Bird Special Price:** (register before April 30, 2010)

\$995 + GST (\$49.75) = \$1,044.75

Regular Course Price: (register after April 30, 2010)

\$1,495 + GST (\$74.75) = \$1,569.75

Public Sector Special Price:

\$1,295 + GST (\$64.75) = \$1,359.75

Webcast Price:

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Registration fee includes the course, materials, breakfast, lunch and coffee breaks. Full payment is required in advance of the course dates. Substitutions are granted with notification to Course Registration Customer Service.

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# LEXPERT

### Specifically Designed for:

- Senior Executives, Corporate Directors and Corporate Counsel of:
  - Electricity, Utilities and Transmission Corporations
  - Renewable Generation Project Developers – Solar, Wind, Biofuels and Hydro
  - First Nations
  - Independent Power Producers
  - Industrial, Commercial and Institutional Power Consumers
  - Construction and Engineering Companies
- Vice Presidents, Directors and Managers of:
  - Energy Procurement, Environment, Compliance, Regulatory Affairs, Corporate Development and Strategic Initiatives
- Federal, Provincial and Municipal Government Officials
- Legal Counsel practising Electricity Law
- Energy Infrastructure and Project Development Directors
- Government Regulators and Policy Analysts
- Program and Risk Managers for Utilities/Power Companies
- Energy, Infrastructure Engineers and Consultants
- Energy, Infrastructure Investment Bankers
- Financial Institutions and Lenders
- Electricity Suppliers and Contractors

### Cancellation and Refund Policy:

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PRESENTS

# Developing Renewable Generation Projects



### Course Leaders:

**Linda Bertoldi**

Partner and Chair of National Electricity Markets Group  
Borden Ladner Gervais LLP  
*Lexpert*® Top Ranked for Corporate Mid-Market and Electricity in the 2009 Canadian Legal *Lexpert*® Directory

**Shane Freitag**

Partner, Borden Ladner Gervais LLP  
*Lexpert*® Top Ranked for Electricity in the 2009 Canadian Legal *Lexpert*® Directory

### Course Highlights:

- Current Canadian energy policies
- Power purchase agreements
- Key issues in project development
- Community and First Nations involvement
- Climate change issues

Interest and involvement from private enterprise in renewable energy alternatives continues to grow at a rapid pace. More and more governments have made green energy part of their platforms, and are developing policies and legislation designed to encourage investment in, and development of, renewable energy alternatives. Ontario's new *Green Energy Act* demonstrates the Ontario government's commitment to the development of this industry. However, while governments are supportive of new power projects, the challenges of bringing renewable power projects to commercial operation are still very significant. Join us to learn from experienced lawyers who have been at the forefront of advising on developing, financing and constructing renewable power projects across Canada. This industry course is a must attend for corporate counsel and developers who need to understand the changing landscape of renewable generation development and want a practical approach to addressing key challenges in developing renewable generation projects.

**REGISTER before April 30 and Save \$500!**

For more information or to register, please contact Lexpert® Events at 1-800-342-6288 ext. 2665 or e-mail: [register@lexpert.ca](mailto:register@lexpert.ca)

**Toronto** St. Andrew's Club, May 31, 2010  
**Webcast also available**

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PRESENTS

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**8:15** Registration and Breakfast

**9:00** Introduction

**9:10** Introduction – Policy Drivers Behind Renewable Generation Projects

- Ontario's *Green Energy and Green Economy Act, 2009*
  - Overview of key policy initiatives
  - New roles of OPA, OEB, Ministry of Energy and Infrastructure
  - New opportunities for LDCs, generators, suppliers
  - Impact of Ontario's "hybrid market"
  - Implications for the financial community
- Overview of current Canadian policy issues

**10:10** Break

**10:30** Power Purchase Agreements

- Ontario's Feed-in Tariff
  - Program rules
  - Standard agreement
  - Key clauses
- In-depth analysis of critical risk and liability issues

- Comparative analysis of other agreement models
  - BC, Ontario and Québec
  - Saskatchewan, Manitoba and the Maritimes

**11:30** Lunch

**1:00** Key Issues in Project Development

- Ontario's *Green Energy and Green Economy Act, 2009*
  - New role of Renewable Energy Facilitator
  - Municipal planning and zoning issues
- Site acquisition issues
- Permitting and environmental approvals
- Equipment supply and warranty arrangements
- Project structure and non-recourse project financing
- Resource adequacy for wind, solar and small hydro projects
- Access to distribution and transmission connections

**2:00** Community and First Nations Involvement in Renewable Generation Projects

- The role of co-operatives, municipalities and First Nations and the *Green Energy and Green Economy Act 2009*



**Linda Bertoldi**, Partner and Chair of National Electricity Markets Group

Linda is a partner in the Toronto office of Borden Ladner Gervais LLP, and she is the chair of the firm's Electricity Markets Group. Since her call to the Ontario Bar in 1976, Linda has specialized in corporate and securities transactions, financings and mergers & acquisitions, with a focus on all aspects of renewable and non-renewable generation project development and public and private financing. She is a member of the board of directors of the Association of Power Producers of Ontario and the Canadian District Energy Association. Linda has been named one of the top 500 lawyers in Canada by *Lexpert®/American Lawyer* annually since 2002, and as one of the top 100 Canadian energy industry specialists and leading US/Canadian cross-border corporate lawyers.



**Shane Freitag**, Partner

Shane is a partner in the Electricity Markets Group in the Toronto office of Borden Ladner Gervais LLP. Shane specializes in commercial and regulatory matters relating to the electricity and natural gas sectors. Since his call to the Alberta Bar in 1983, Shane has held senior legal positions with major utilities in both Ontario and Alberta. He is extensively involved in the development of renewable and non-renewable generation projects throughout Canada including assisting in obtaining the necessary regulatory approvals and the negotiation of key underlying commercial agreements. Shane advises leaders in the energy sector nationally, and he is a member of the Law Societies of Upper Canada, Alberta, the Northwest Territories and Nunavut.



**J. Mark Rodger**, Partner

Mark is a partner at Borden Ladner Gervais LLP. He is also the Toronto regional manager of the Electricity Markets Group. He specializes in the commercial, regulatory and government relations components of electricity and natural gas markets and infrastructure revitalization. Mark has experience in all aspects of electricity sector restructuring. He has served as counsel to a broad range of stakeholders including municipal, provincial, and national governments, large industrial, institutional and commercial energy consumers, local distribution companies, generators, energy retailers, out-of-province electricity importers and energy regulators. Mark also has corporate governance, business planning and utility M&A experience, including the first ever long-term lease involving an Ontario distribution utility. He has been counsel to municipalities and private-sector clients regarding the restructuring and commercialization of water and wastewater assets. He also has broad commercial and regulatory experience in electricity conservation and demand management including program development and smart meter implementation initiatives. Mark has been named one of the top 500 lawyers in Canada by *Lexpert®/American Lawyer* since 2003 because of his expertise in the electricity field.

- Capacity building for communities and First Nations
- Financing First Nations projects
  - Equity participation
  - Debt financing

**3:00** Coffee Break

**3:15** Climate Change Issues and Renewable Energy Projects

- Implications of federal and provincial policies and legislation for developers of renewable generation projects
  - Ownership of environmental attributes
  - Development of market mechanisms
  - Contract provisions

**4:15** Q&A Period

**5:00** Course Conclusion



**Adam Chamberlain**, Partner

Adam is a partner in Borden Ladner Gervais LLP's Toronto office and national leader of the firm's Climate Change Group. Since his call to the Ontario Bar in 1994, Adam has practised energy and environmental law with a focus on the development of infrastructure such as energy, waste, wastewater and water supply facilities. Adam provides advice to clients ranging from private power developers to public and private developers of waste and waste water systems. He is the chair of the Ontario Energy Association's Environment Committee. Adam is certified by the Law Society of Upper Canada as a specialist in Environmental Law.

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Environmental Law 5 hours