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PRESENTS THE

11TH

Energy Law
Fundamentals
Seminar

Wednesday, November 20 - Friday, November 22, 2019
Fairmont Banff Springs Hotel, Banff, Alberta

WELCOME

On behalf of the CELF Board of Directors and the individuals on the organizing committee, it is our pleasure to present the eleventh edition of the Energy Law Fundamentals Seminar.

This year's Seminar will be a multi-day, out-of-town format, at the beautiful Fairmont Banff Springs. The organizing committee is very excited to bring conference attendees out to Banff National Park to encourage networking opportunities for both in-house and private practice practitioners while ensuring CELF members have access to the exceptional learning component that the Seminar has to offer.

As with past Seminars, we are pleased to offer plenary sessions that we believe are of general interest to energy lawyers as well as concurrent sessions, broken out by stream, designed to reflect Seminar participants' varying levels of experience or interests in core areas in the Energy law space. A few of this year's plenary speakers include: Nigel Bankes, Professor and Chair of Natural Resources Law from the Faculty of Law at the University of Calgary, who will speak to the fundamentals of the Alberta electricity market; and David Percy, Professor and Interim Dean of the University of Alberta's Faculty of Law who will provide an overview of the legal framework supporting the ownership and development of hydrocarbon resources in the Western Canada. In addition, an expert panel consisting of representatives from the Alberta Energy Regulator, industry and private practice will engage us on the level of regulatory change occasioned by prevailing economic conditions and the Redwater decision. We are fortunate to be welcoming Jackie Forrest of ARC Energy Research Institutes who will provide valuable insight and market research into the efforts to reduce global greenhouse gas emissions and the future of the oil and gas industry.

Since careers in energy law can take many different paths, Adam Pekarsky will be moderating a panel discussion between in-house, private practice and government lawyers about their career trajectories. Rounding out the plenary sessions will be an introduction to the midstream industry from Ian Balfour of Pembina Pipeline.

The concurrent sessions are intended to compliment the strong set of plenary sessions, whereby attendees can choose the session whose content best meets their respective needs and experience. This year's program is intended to be well-balanced and feature presentations that will be of interest to commercial, regulatory and litigation lawyers. We expect participants will find the topics and presenters to be informative and engaging.



Social activities for the Seminar begin with a welcome reception on Wednesday evening at the Banff Springs. On Thursday, following the formal sessions, we have planned a bowling event onsite at the Fairmont, with dinner to follow at the Sky Bistro, 2,900 feet above the Town of Banff at the top of Sulphur Mountain. These events are designed to promote networking opportunities, so we encourage all participants to attend and enjoy themselves. The organizing committee has put together a program we hope will be of interest to all CELF members. Please consider registering at your earliest opportunity.

Energy Law Fundamentals Seminar Co-Chairs,

KIMBERLY HOWARD, MCCARTHY TÉTRAULT LLP

VIVEK WARRIER, BENNETT JONES LLP



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ABOUT CANADIAN ENERGY LAW FOUNDATION

The Canadian Energy Law Foundation is a non-profit organization which has favoured improvement of knowledge and understanding of petroleum and natural gas law since its inception in 1961 and in recent years has broadened the scope of its mandate in recognition of practitioners increasingly dealing with legal issues relevant to all energy sources.

One of the primary functions of the CELF is its Annual Jasper Research Seminar in Energy Law. The CELF has devised the Energy Law Fundamentals Seminar as a supplement to the Jasper Seminar in order to expand the range of opportunities available to junior and mid-level lawyers to enhance their professional development and to expose them to the very unique community of practitioners that surrounds the CELF.

The members of the 2019 Energy Law Fundamentals Seminar are:

- Kimberly Howard, *McCarthy Tétrault LLP*
- Vivek Warriar, *Bennett Jones LLP*
- Jennifer Asquin, *Inter Pipeline Ltd.*
- Melissa Colborne, *McCarthy Tétrault LLP*
- Helen Cox, *Pembina Pipeline Corporation*
- Jasmine Lothian, *Borden Ladner Gervais LLP*
- Katie Miller, *Encana Corporation*
- Megan Ollivier, *Bennett Jones LLP*
- Natasha Wood, *Burnet, Duckworth & Palmer, LLP*

SCHEDULE AT A GLANCE

WEDNESDAY, NOVEMBER 20

7:00 PM – 10:00 PM Registration & Welcome Reception
(lots of food, host bar & cocktail seating)

THURSDAY, NOVEMBER 21

7:30 AM – 8:15 AM Breakfast

8:15 AM – 8:30 AM OPENING REMARKS

8:30 AM – 9:30 AM
ALBERTA ROOM
PLENARY SESSION:
The Alberta Electricity Market - Fundamentals
Professor Nigel Bankes, *University of Calgary*

9:30 AM – 9:45 AM Coffee Break

9:45 AM – 10:45 AM
IVOR PETRAK ROOM
CONCURRENT SESSIONS:
1: Renewables (PPA 101)
Jessica Kennedy, *Osler, Hoskin & Harcourt LLP*,
Thomas Craig, *BluEarth Renewables Inc.*
NEW BRUNSWICK ROOM
2: Due Diligence 101
Xiaodi Jin, *Borden Ladner Gervais LLP*

10:45 AM – 11:15 AM Coffee Break

11:15 AM – 12:15 PM
IVOR PETRAK ROOM
CONCURRENT SESSIONS:
1: Developments in Energy Litigation
Rachel Howie and Jerry Patterson, *Dentons Canada LLP*, Lesley Lee,
TC Energy, Laurel Lui, *Suncor Energy Inc.*
NEW BRUNSWICK ROOM
2: Anatomy of an Oil and Gas Asset Transaction
Ashley Weldon and Stuart Money, *Burnet, Duckworth & Palmer LLP*

12:15 PM – 1:30 PM
ALBERTA ROOM
LUNCH & PLENARY SESSION: AER Panel Update
Keely Cameron, *Bennett Jones LLP*, Victoria Ballance, *Vice President,*
Operations for The Explorers and Producers Association of Canada (EPAC)

1:30 PM – 1:45 PM Coffee Break

1:45 PM – 2:45 PM
ALBERTA ROOM
PLENARY SESSION: Oil and Gas Lease and Contract Fundamentals
Professor David Percy, *University of Alberta*

2:45 PM – 3:30 PM Break

3:30 PM – 5:30 PM Bowling

5:30 PM – 6:00 PM Break

6:00 PM Buses Depart for Sky Bistro

7:00 PM – 9:00 PM Dinner

9:00 PM Buses Depart for Fairmont Banff Springs or Downtown Banff

FRIDAY, NOVEMBER 22

8:30 AM – 9:30 AM Breakfast

9:30 AM – 10:30 AM
ALBERTA ROOM
PLENARY SESSION:
The Energy Transition and the Future of Oil and Gas
Jackie Forrest, *ARC Energy Research Institute*

10:30 AM – 10:45 AM Coffee Break

10:45 AM – 11:45 AM
ALBERTA ROOM
PLENARY SESSION: Midstream Basics
Ian Balfour, *Pembina Pipeline Corporation*

11:45 AM – 1:00 PM
ALBERTA ROOM
LUNCH & PLENARY SESSION: Legal Career Choices in Alberta
Moderator: Adam Pekarsky, *Pekarsky & Co*
Panelists: Aaron Rogers, *Inter Pipeline Ltd.*, Cori Ghitter, *Law Society*
of Alberta, Stephanie Stimpson, *Torys LLP*

SEMINAR DESCRIPTIONS

THURSDAY, NOVEMBER 21

PLENARY SESSION:

The Alberta Electricity Market - Fundamentals

PRESENTER: Professor Nigel Bankes, *University of Calgary*

Nigel Bankes is the Chair of Natural Resources Law for the University of Calgary and has taught courses in property law, Indigenous law, natural resources, energy law, oil and gas law and international environmental law. Within the context of recent market and regulatory changes in Alberta and drawing on his always timely ABlawg posts, Nigel Bankes' will provide an overview of the fundamentals of Alberta's Electricity Market.

CONCURRENT SESSIONS:

1A. Renewables (PPA 101)

PRESENTERS: Jessica Kennedy, *Osler, Hoskin & Harcourt LLP*, Thomas Craig, *BluEarth Renewables Inc.*

While the recent Renewable Electricity Program and other public procurement of renewable energy "projects/initiatives by the Alberta government are largely being viewed as successful, these processes have been significantly oversubscribed and are extremely competitive with only a limited number of contracts available for renewable energy project proponents in Alberta.

With cancellation of the Renewable Electricity Program, many renewable energy projects will require an off-taker in order to proceed and will need to look to the private sector to secure a power purchase agreement (PPA).

Simon Baines and Thomas Craig will provide practical tips on how to structure a PPA and the common commercial terms included in them.

1B. Due Diligence 101

PRESENTER: Xiaodi Jin, *Borden Ladner Gervais LLP*

Caveat Emptor...translation, let the buyer beware! In the Oil and Gas context, due diligence goes beyond a legal/corporate review and is primarily concerned with the condition of the assets, title review, environmental issues and regulatory matters to determine whether, and on what terms, to execute the transaction. Xiaodi Jin will provide an overview of the key steps, common issues and items to look for in the due diligence process in an oil and gas transaction.

CONCURRENT SESSIONS:

2A. Developments in Energy Litigation

PRESENTERS: Rachel Howie and Jerry Patterson, *Dentons Canada LLP*, Lesley Lee, *TC Energy*, Laurel Lui, *Suncor Energy Inc.*

A panel of leading in-house and external litigation counsel will provide an overview and comment on the past year's notable cases in energy law.

2B. Anatomy of an Oil and Gas Asset Transaction

PRESENTERS: Ashley Weldon and Stuart Money, *Burnet, Duckworth & Palmer LLP*

From confidentiality agreements and data room due diligence to contract negotiation, regulatory approvals, ROFRs and ultimately closing the deal, there are many components to an oil and gas transaction. Stuart Money and Ashley Weldon will provide an overview of the key steps, common issues and frequently negotiated clauses that they encounter in their day to day corporate practices.

SEMINAR DESCRIPTIONS

PLENARY SESSION

AER Panel Update

PRESENTERS: Keely Cameron, *Bennett Jones LLP*, Victoria Ballance, *Operations for The Explorers and Producers Association of Canada (EPAC)*

An expert panel comprised of representatives from the AER, private practice and industry will discuss various measures implemented by the Alberta Energy Regulator in recent years to address financial and abandonment and reclamation risks to the industry, and will examine possible future policy trends.

PLENARY SESSION

Oil and Gas Lease and Contract Fundamentals

PRESENTER: Professor David Percy, *University of Alberta*

David Percy will provide an overview of the legal framework supporting the ownership and development of hydrocarbon resources in the Western Canadian Sedimentary Basin with a focus on emerging legal issues.

FRIDAY, NOVEMBER 22

PLENARY SESSION

The Energy Transition and the Future of Oil and Gas

PRESENTER: Jackie Forrest, *ARC Energy Research Institute*

The voices are growing louder each day about the urgency of drastically reducing global greenhouse gas emissions. It will not be easy to reduce. Since the Paris Agreement was inked four years ago, greenhouse gas emissions and fossil fuel uses keep growing. What will it take to change the trajectory? If reductions can be made, what does it mean for the future of oil and gas?

PLENARY SESSION

Midstream Basics

PRESENTER: Ian Balfour, *Pembina Pipeline Corporation*

An overview of the basics of the midstream business (gas gathering and processing, pipelines, fractionation and marketing) in Western Canada. Ian Balfour will provide a walkthrough of the midstream business, including common commercial structures and applicable agreements.

LUNCH & PLENARY SESSION:

Legal Career Choices in Alberta

MODERATOR: Adam Pekarsky, *Pekarsky & Co*

PANELISTS: Aaron Rogers, *Inter Pipeline Ltd.*, Cori Ghitter, *Law Society of Alberta*, Stephanie Stimpson, *Torys LLP*

During this panel discussion led by Adam Pekarsky, a top recruiter and adviser for lawyers in Western Canada for over 17 years, three leading lawyers in Alberta will share how they have developed dynamic, interesting, and unique legal careers. The panel includes Cori Ghitter, Deputy Executive Director and Director of Professionalism and Policy at the Law Society of Alberta, Aaron Rogers, a senior lawyer who recently moved into a business role as Business Integration Manager for Inter Pipeline's Heartland Petrochemical Complex Project, and Stephanie Stimpson, a Partner at Torys LLP whose practice focuses on oil and gas, capital markets, and mergers and acquisitions



SOCIAL EVENTS

Registration & Welcome Reception

The Fairmont Banff Springs Hotel (Riverview Lounge)

WEDNESDAY, NOVEMBER 20 | 7:00 PM - 10:00 PM

Join us on Wednesday night for a welcome reception that will kick-off the seminar. Before the formal sessions begin, the reception gives you a chance to connect with old friends, meet new colleagues, and have some fun. There will be plenty of food and drink ready for you as you arrive in Banff; this is a networking opportunity you surely do not want to miss!

Bowling

Bowling Centre, The Fairmont Banff Springs Hotel

THURSDAY, NOVEMBER 21 | 3:30 PM - 5:30 PM

Lace up your bowling shoes and join the CELF for an afternoon of friendly competition and networking at the Fairmont Banff Spring's private recreation and bowling centre. This is a chance to unwind from a long day of sessions, and network with the other attendees. No skills or equipment required as everything will be provided.

Dinner & Social Event

Sky Bistro

THURSDAY, NOVEMBER 21 | 7:00 PM

Following bowling and a quick change, join us for dinner at the stunning Sky Bistro. Perched on the summit of Banff's Sulphur Mountain, Sky Bistro is the ultimate dining sanctuary in the sky. We will pair the grandeur of the Rocky Mountains with a distinctly Canadian menu. Attendees will take the Gondola up to Sky Bistro to enjoy a private dinner amongst the beautiful Rocky Mountains.

Transportation will be provided to and from the Fairmont Banff Springs Hotel.

SEMINAR REGISTRATION

Registration Price: \$1,150.00 + GST*

**In order to register, attendee must be a member of the CELF, or partner, associate or employee of a firm, company or organization that is a member.*

Registration Details

The registration fee includes:

- All seminar sessions and meals
- Transportation to & from evening social events
- Admission to evening social events and entertainment

PLEASE NOTE: The registration fee does not include accommodations. Booking and payment of accommodations is the responsibility of the registrant.

**Register
Online**

Please register electronically on our secure site at
www.energylawfoundation.ca

Cancellation & Refunds

The committee will issue full refunds for conference registrations less a \$75.00 administration fee for all written requests received before **NOVEMBER 1, 2019**. The CELF regrets that refunds will not be considered after this date.

Substitutions are allowed when the name of the individual substituting is submitted in writing to seminars@energylawfoundation.ca prior to **NOVEMBER 19, 2019 AT 5:00 PM MDT**.

QUESTIONS?

Anh Nguyen

Seminar Coordinator

1-800-281-0697

seminars@energylawfoundation.ca



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ACCOMMODATIONS

Fairmont Banff Springs Hotel

405 Spray Ave, Banff, AB T1L 1J4

1(800) 441-1414

www.fairmont.com/banff-springs/

A block of rooms have been set aside at a special rate for attendees on a first come, first served basis. You may call the Fairmont Banff Springs Hotel directly at 1(800) 441-1414 to make your reservation, stating that you are a member of the "Canadian Energy Law Foundation."

Alternatively, book online [here](#)

Important Accommodation Information:

- All hotel bookings and cancellations are the responsibility of the registrant
- Cancellations or early departures require at least 72 hours prior notice
- The group rate is available until **FRIDAY, NOVEMBER 1, 2019**
- Fairmont Room - \$189.00

PLEASE NOTE: The above price does not include the 2% Tourism Improvement Fee, 5% GST, and 4% Tourism Levy. Guestrooms are also subject to an additional \$14.00 service charge to cover portage & housekeeping.

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