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PRESENTS THE 13TH

Energy Law Fundamentals Seminar

Wednesday, November 20 - Friday, November 22, 2024
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 thirteenth edition of the Energy Law Fundamentals Seminar. This year's Seminar will be a two-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 concurrent speakers include: Josh Kane (STEP Energy Services Ltd.) who will provide an overview of industry services agreements and negotiating procurements contracts; Peter Danner (Torys LLP) who will provide an overview of the nuances of working and negotiating with Indigenous partnerships in infrastructure projects; and Lindsey Hornland (Borden Ladner Gervais LLP) who will provide an overview of Environmental, Social and Governance (ESG) Fundamentals. In addition, we are fortunate to be welcoming, among others, Kim Howard and Kerri Howard (McCarthy Tétrault LLP) who will be discussing Renewables 101 (including PPAs), Stuart Money and Brittney LaBranche (Burnet, Duckworth & Palmer LLP) who will break down

the Anatomy of an Oil & Gas transaction, and Karen Fellowes K.C. and Natasha Doelman (Stikeman Elliott LLP) will present a review of key case law from several broad areas with an enlivening twist that you won't want to miss. 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 bowling and drinks at the Banff Springs, followed by a dinner at the Bluebird Restaurant & Bar, an attendee favorite. 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,

BRANDON LEITCH,
ATCO LTD.

KURTIS REED,
STIKEMAN ELLIOTT LLP

JENNIFER SIMMS,
INTER PIPELINE LTD.



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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 2024 Energy Law Fundamentals Seminar are:

- Amanda Cerisano, *Norton Rose Fulbright LLP*
- Anna Seefeldt, *Burnet, Duckworth & Palmer LLP*
- Bailey Szoke, *Stikeman Elliott LLP*
- Erik Fleming, *Blake, Cassels & Graydon LLP*
- Gabriella Koritsanszky, *Enbridge Inc.*
- Giantommaso Colaneri, *Petronas Canada*
- Jacob Che, *McCarthy Tétrault LLP*
- Jared Armstrong, *Inuvialuit Regional Corporation*
- Laura Glover, *Bennett Jones LLP*
- Michelle Holmes, *Inter Pipeline Ltd.*

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CELf Energy Law Fundamentals Seminar

Schedule at a Glance

WEDNESDAY, NOVEMBER 20

7:00 PM – 10:00 PM Registration & Welcome Reception CASCADE BALLROOM

THURSDAY, NOVEMBER 21

7:30 AM – 8:30 AM Breakfast CASCADE BALLROOM

8:30 AM - 8:45 AM OPENING REMARKS CASCADE BALLROOM

8:45 AM - 9:45 AM PLENARY SESSION:
Environmental, Social and Governance (ESG) Fundamentals
Lindsey Hornland (Borden Ladner Gervais LLP) CASCADE BALLROOM

9:45 AM - 10:00 AM AM Break

10:00 AM - 11:00 AM CONCURRENT SESSIONS:
1: Renewables (PPA 101)
Kim Howard/Kerri Howard (McCarthy Tétrault LLP) CASCADE BALLROOM
2: Due Diligence 101/Performing Title Review
Megan Ollivier/Allegra Hessels (Bennett Jones LLP) OAK ROOM

11:00 AM - 11:15 AM AM Break

11:15 AM – 12:15 PM PLENARY SESSION:
Recent Judicial Decisions of Interest to Energy Lawyers
Karen Fellows/Natasha Doelman (Stikeman Elliott LLP) CASCADE BALLROOM

12:15 AM - 12:30 AM AM Break

12:30 PM – 1:45 PM LUNCH & PLENARY SESSION: Indigenous Partnerships
in Infrastructure Projects
Peter Danner (Torys LLP) CASCADE BALLROOM

1:45 PM – 2:45 PM CONCURRENT SESSIONS:
1: Anatomy of an Oil & Gas Transaction
Stuart Money/Brittney LaBranche (Burnet, Duckworth
& Palmer LLP) CASCADE BALLROOM
2: A North American Perspective on Oilfield Master Service
Agreements (MSAS) Josh Kane (STEP Energy Services Ltd.) OAK ROOM

2:45 PM – 4:00 PM Break

4:00 PM - 6:00 PM BOWLING: Bow Valley | Five Pins & Pints (Located in the Fairmont Banff Springs Hotel)

6:00 PM - 6:30 PM Buses Depart for Bluebird Restaurant

7:00 PM – 10:00 PM DINNER: Bluebird Restaurant

10:00 PM Buses Depart for Fairmont Banff Springs

FRIDAY, NOVEMBER 22

8:00 AM - 9:00 AM Breakfast CASCADE BALLROOM

9:00 AM - 10:00 AM CONCURRENT SESSIONS:
1: Recent Regulatory and Legislative Developments
of Interest to Energy Lawyers
Nicole Bakker/Elyse Bouey (Blake, Cassels & Graydon LLP)
Jessica Mercier (Imperial Oil Limited) CASCADE BALLROOM
2: Carbon Capture Update / Understanding the
Regulatory Landscape
Dennis Langen/Gordon Masson (Stikeman Elliott LLP) OAK ROOM

10:00 AM - 10:15 AM AM Break

10:15 AM – 11:15 AM PLENARY SESSION:
Midstream Basics
Ryan Keays (Norton Rose Fulbright LLP) CASCADE BALLROOM

11:15 AM - 11:30 AM CLOSING REMARKS CASCADE BALLROOM

11:30 AM AM Snacks

Seminar Descriptions

THURSDAY, NOVEMBER 21

PLENARY SESSION:

Environmental, Social and Governance (ESG) Fundamentals

PRESENTER: Lindsey Hornland (Borden Ladner Gervais LLP)

Explore ESG (Environmental, Social, and Governance) frameworks and their impact on the legal practice. This session will provide an overview of how ESG influences corporate governance and regulatory compliance, and will include a discussion of trending topics.

CONCURRENT SESSIONS:

1A. Renewables 101 (including PPAs)

PRESENTERS: Kim Howard/Kerri Howard (McCarthy Tétrault LLP)

Renewable power purchase agreements (PPAs) remain a popular way for a variety of entities including corporations, institutions and municipalities to achieve their renewable energy goals.

Kim Howard and Kerri Howard will provide the basics of corporate PPAs, practical tips on how to structure a PPA and the common commercial terms included in them.

1B. Due Diligence 101 / Performing Title Review

PRESENTER: Megan Ollivier/Allegra Hessels (Bennett Jones LLP)

You say it's win-win – but what if it's bad-bad? Buyer Beware! Due diligence for transactions involving energy sector entities or assets goes beyond the basic corporate review, to consider key factors impacting the value of the investment, like the condition of the assets, title to the assets, key environmental factors and regulatory matters affecting the assets to help a Buyer assess a transaction and determine the salient terms of definitive agreements. We will provide an overview of steps and common issues/misconceptions in an energy transaction due diligence process.

PLENARY SESSION:

Recent Judicial Decisions of Interest to Energy Lawyers

PRESENTER: Karen Fellows/Natasha Doelman (Stikeman Elliott LLP)

Energy lawyers are frequently met with challenging legal issues within a rapidly changing regulatory and legal environment. It is essential to stay up to date on the latest caselaw from Courts across Canada, and this presentation reviews and summarizes recent judicial decisions across a wide range of subject-matter. The presenters will review a variety of specialties, including cases dealing with arbitration, Indigenous law, environmental law, bankruptcy and insolvency, contracts, corporate law, royalties, taxes, and employment.

PLENARY SESSION AND LUNCH:

Indigenous Partnerships in Infrastructure Projects

PRESENTER: Peter Danner (Torys LLP)

In response to the Truth and Reconciliation Commission's Call to Action 92, many companies are seeking to further economic reconciliation with Indigenous communities impacted by their operations. In recent years, Indigenous equity partnerships have become increasingly common, and increasingly complex. This session will discuss recent trends and key issues dealt with by practitioners in this area.

CONCURRENT SESSIONS:

2A. Anatomy of an Oil & Gas Transaction

PRESENTER: Stuart Money/Brittney LaBranche (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 Brittney LaBranche 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

2B. A North American Perspective on Oilfield Master Service Agreements (MSAS)

PRESENTER: Josh Kane (STEP Energy Services Ltd.)

This presentation is intended to provide practical tools for the negotiation and drafting of service agreements for oil and gas well services, and highlight some of the key differences between jurisdictions. It will also discuss market trends for key provisions like warranties and remedies, liabilities and indemnification, insurance, and intellectual property.

FRIDAY, NOVEMBER 22

CONCURRENT SESSIONS:

1A. Recent Regulatory and Legislative Developments of Interest to Energy Lawyers

PRESENTERS: Nicole Bakker/Elyse Bouey (Blake, Cassels & Graydon LLP), Jessica Mercier (Imperial Oil Limited)

This presentation provides a high-level overview of recent regulatory and legislative developments which may be of interest to Canadian energy lawyers. It includes discussions of recent regulatory decisions, changes to regulatory and legislative regimes impacting energy law, and highlights several ongoing regulatory and legislative developments to watch in the coming year. Topics of note include anticipated legislation and policy changes relating to federal climate change and decarbonization and sector-specific developments related to carbon capture, utilization and storage, electricity generation and transmission, mineral resource development, oil and gas, and pipelines. The presentation will also cover a number of recent developments relevant to Indigenous law and environmental law.

1B. Carbon Capture Update / Understanding the Regulatory Landscape

PRESENTER: Dennis Langen/Gordon Masson (Stikeman Elliott LLP)

A synopsis of the primary regulatory approvals and processes required to implement CCUS projects in Alberta combined with the foundational concepts and features guiding Canada's and Alberta's regulated carbon credit regimes arising in the context of CCUS projects. The discussion will touch on both current and developing regulatory processes and carbon credit regimes.

PLENARY SESSION:

Midstream Basics

PRESENTER: Ryan Keays (Norton Rose Fulbright LLP)

An introduction to the oil and gas midstream sector in Western Canada from a legal perspective. We will overview common service arrangements encountered in the midstream sector and discuss key provisions focused on in the negotiation of midstream service contracts, both from the perspective of a producer/shipper and that of a midstreamer/operator.



Social Events

Registration & Welcome Reception

The Fairmont Banff Springs Hotel (Cascade Ballroom)

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 Centre

The Fairmont Banff Springs Hotel

THURSDAY, NOVEMBER 21 | 4:00 PM – 6:00 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, including refreshments and snacks.

Dinner & Social Event

Bluebird

THURSDAY, NOVEMBER 21 | 7:00 PM

Join us for dinner at Banff's newest happy place, Bluebird, a wood-fired steakhouse with a deep love for cocktails and dinner parties. Inspired by the charming comfort of mid-century ski chalets, dinner is served under the 50-foot ceilings of an iconic Banff building. The restaurant menu, overseen by Justin Leboe, chef and proprietor of Pigeonhole and Model Milk in Calgary, combines a love for rich Alpine culture and the classic comfort foods that were born of a simpler time.

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



Seminar Registration

Registration Price: **\$1,500 + 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.

Please register electronically on our secure site at [Energy Law Fundamentals Seminar - Canadian Energy Law Foundation](#)

Cancellation & Refunds

The committee will issue full refunds for conference registrations less a \$75.00 administration fee for all written requests received before **OCTOBER 20, 2024**. 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 18, 2024 AT 5:00 PM MDT**.

QUESTIONS?

Suzanne Medicott

Event Strategist

587-800-2922 x717

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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 **SUNDAY, OCTOBER 20, 2024**
- Fairmont Room - \$299

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 \$16.00 service charge to cover portage & housekeeping.



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