



# Kimberly J. Howard

## Partner

Calgary

[khoward@mccarthy.ca](mailto:khoward@mccarthy.ca)

t. +1 403-260-3575

## Bar Admission

Alberta 2008

## Law School

University of Calgary

## Industries

Projects  
Energy & Resources  
Power  
Oil & Gas  
Clean Technology

## Practices

Real Estate Financing  
Environmental, Regulatory & Aboriginal  
(ERA)

## Strategic Issues

ESG and Sustainability

## Kimberly's experience in a multitude of regulatory frameworks brings added value to commercial clients.

Kimberly is a partner in the firm's Energy & Infrastructure Groups in Calgary and is the co-lead of the National Environmental Group. Her practice focuses on environmental, energy (including electricity and oil and gas) and regulatory, law. Kimberly's versatility enables her to anticipate issues that may arise for the clients she works with and provide proactive strategic advice, whether it is advising on the environmental risk of a transaction or procuring key regulatory approvals for a new project.

Kimberly's practice involves a broad range of regulatory and commercial work involving pipelines, natural gas and electric utilities and energy projects, including renewables and carbon capture, utilisation and storage. She has experience in all aspects of energy project development and has appeared before several regulatory tribunals, including the Canada Energy Regulator (formerly the National Energy Board), the Alberta Energy Regulator, the Alberta Utilities Commission, the Alberta Environmental Appeals Board and the British Columbia Oil and Gas Tribunal.

With her experience in commercial transactions, project development and financing, Kimberly provides practical advice to clients in real time. When clients approach Kimberly, she already knows their industry and understands how they are regulated, allowing her to get straight to the issue at hand.

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**We originally retained Kim as counsel on an environmental investigation and potential prosecution and have found her representation to be exceptional. She is well versed in environmental law and has an additional technical side that has been beneficial to our corporation. She is intelligent, competent and personable, able to effectively communicate with internal counsel, business representatives and external experts. Since our original retainment we now utilize Kim on all environmental matters and feel comfort in her guidance and expertise.**

— GC OF A CANADIAN ELECTRIC UTILITY COMPANY

The environmental component of Kimberly's practice concentrates on environmental counselling, analysis of new regulations, environmental issues raised in commercial transactions and environmental assessment and permitting. She also has extensive experience in the carbon market, providing strategic advice on matters relating to offset systems, offset protocols, verification procedures and emissions trading.

Prior to specializing in energy and environmental law, Kimberly practised in our Real Property and Planning Group in Calgary. Her practice included acting for companies in the purchase, sale and leasing of commercial properties and acting for financial institutions with respect to lending transactions secured by real property interests.

Some of Kimberly's recent notable work includes:

- acting on behalf of Suncor Energy Inc. in connection with an environmental protection order including with respect to an appeal before the Alberta Environmental Appeals Board (EAB), related to a historical contamination at a former gas station;
- advising International Paper Co. on all regulatory aspects of its acquisition of a pulp mill business from Weyerhaeuser Co. for US\$2.2 billion;
- advising TD Greystone Asset Management and IST3 Investment Foundation, a Swiss investment foundation, in connection with definitive agreements to the purchase of up to 100% interest in Alberta PowerLine

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Limited Partnership (APL) from Canadian Utilities Ltd. and Quanta Services Inc.;

- advising renewable and natural gas electric generators in connection with all aspects of project development, including environmental and regulatory permitting, land tenure and project ownership and financing structures;
- representing renewable electricity generators in connection with competitive procurement processes, including the Alberta Electric System Operator's Renewable Electricity Program and Saskatchewan Power Corp.'s wind and solar procurements;
- representing an intervening shipper in connection with the application by Trans Mountain Pipeline LP for tariff amendments regarding verification procedures, before the National Energy Board;
- representing a power generator in connection with an application to amend its facility approval before the Alberta Utilities Commission;
- advising the Independent Power Producers Society of Alberta in connection with the development and negotiation of the template transactional agreements for the implementation of the Alberta Energy Market Participant Choice for Transmission Policy; and
- advising commercial real estate developers regarding (i) the development and conservation of urban wetlands; (ii) the negotiation and compensation arrangements with Alberta Environment and Sustainable Resource Development (now Alberta Environment and Parks) and municipalities; and (iii) the management and remediation of contaminated sites.

Kimberly is an active volunteer in the Calgary and surrounding community. She is a Director of the ALS Society of Alberta, the Canadian Energy Law Foundation, and Survive and Thrive Cancer Programs.

She received her LLB from the University of Calgary and BA in Sociology from the University of Alberta, as well as a Master of Laws from the University of Calgary in Energy, Natural Resources and Environmental Law.

In addition to her practice, Kimberly has taught Regulatory Theory at the University of Calgary's Faculty of Law.

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## Awards & Rankings

### Chambers Canada

Leading Lawyer: Energy: Power (Regulatory)

### Lexpert Special Edition: Energy

Leading Lawyer

### The Canadian Legal Lexpert Directory

Leading Lawyer: Energy (Electricity); Energy (Oil & Gas)

### The Legal 500 - Canada

Leading Lawyer: Environment

## Recent Experience

- **Waste Connections Inc. acquires energy waste treatment and disposal facilities from Secure Energy Services Inc. for C\$1.075B**  
February 1, 2024
- **ATB finances Subra Limited Partnership and Fox Coulee Solar Project**  
August 4, 2023
- **ATB provides C\$39M financing for Spring Coulee solar power project**  
July 31, 2023
- **Enerflex Ltd. acquires Exterran Corporation for US\$735M**  
October 13, 2022

## Recent Insights

- **Alberta's Legislative Push for Provincial Autonomy with Intergovernmental Agreements**

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April 30, 2024

- **Alberta Government Releases Further Details on Carbon Capture Incentive Program**

April 16, 2024

- **Podcast: Appealing Briefs**

March 28, 2024

- **The Regulations Powering Change: Alberta's Restructured Energy Market**

March 15, 2024

## Events

- **Constitutional Law Update – Supreme Court of Canada Decision on the Impact Assessment Act**

October 31, 2023

- **Building Blocks of a Carbon Market: A Primer on Emission Offsets, Carbon Pricing and Offset Contracts**

February 1, 2022