



Kimberly J. Howard

Partner

Calgary

khoward@mccarthy.ca

t. +1 403-260-3575

Bar Admission

Alberta 2008

Law School

University of Calgary

Practices

Projects
Real Estate Financing
Environmental, Regulatory &
Aboriginal (ERA)

Industries

Energy & Infrastructure
Power
Oil & Gas
Clean Technology

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 Group in Calgary and the National Environmental, Regulatory and Aboriginal 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. 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 and the Alberta Environmental Appeals Board.

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.

“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

Kimberly J. Howard

Partner

Calgary

khoward@mccarthy.ca

t. +1 403-260-3575

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 environmental and regulatory, including 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 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 J. Howard

Partner

Calgary

khoward@mccarthy.ca

t. +1 403-260-3575

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.

Recent Experience

- **Potentia Renewables Inc. completes C\$268M financing of Golden South Wind energy facility**
February 07, 2020
- **A consortium agrees to acquire up to a 100 per cent interest in Alberta PowerLine for up to C\$1.7B**
December 18, 2019
- **Pinnacle Renewable Holdings closes C\$172.5M initial public offering**
February 06, 2018
- **Shell divests oil sands interests in Canada in C\$11.1B transaction**
May 31, 2017

Recent Insights

- **Alberta Suspends Routine Environmental Reporting Requirements**
April 03, 2020
- **On the Path to the Supreme Court - Alberta Court of Appeal Rules Federal Carbon Pricing Legislation Unconstitutional**
March 05, 2020
- **On the Path to the Supreme Court - Alberta Court of Appeal Rules Federal Carbon Pricing Legislation Unconstitutional**
March 05, 2020
- **Canadian Power – Key Developments in 2019, Trends to Watch for in 2020: Alberta - Overview**
February 06, 2020