



## Seán C. O'Neill

Associé

Toronto

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

t. +1 416-601-7699

### Admission au barreau

Ontario 1997

### Faculté de droit

University of Toronto

### Secteurs d'activité

Électricité

Projets

Technologie propre

Capital-investissement et investissements

Énergie et ressources

Droit bancaire et services financiers

Groupe Caisses de retraite

### Domaines de pratique

Fusions et acquisitions

Prêts garantis et financement de projets

### Marchés américains et internationaux

Chine

Japon

South Korea

**With excellent business instincts from his extensive experience and network in the energy sector, Seán brings insightful solutions and strategic prowess to help clients with their most complex matters.**

Seán O'Neill is the Industry Group Leader of the firm's National Power Group and a partner in our Business Law Group in Toronto.

Seán has significant experience representing acquirers, investors and developers of a variety of energy assets, including renewable, conventional and nuclear power generation facilities, electricity transmission and distribution systems, and behind-the-fence and district energy projects. He has assisted both financial institutions and borrowers with project financings of energy projects across Canada and in the US. He regularly represents sponsors in structuring and settling joint ventures for project development and negotiating commercial agreements, including power purchase arrangements, behind-the-fence energy services and management and operation contracts. He has advised numerous clients in their successful responses to energy procurements in most provinces of Canada.

**Seán is extremely knowledgeable about the market and other transactions and is able to effectively cross the divide, providing technical legal advice that takes into account important commercial considerations. Seán is a very effective and pragmatic business lawyer that raises solutions more often than issues.**

— CHAMBERS CANADA

## Experience

Seán's experience in the energy industry includes acting for:

- an Australian pension fund in the acquisition of a 49% undivided interest in eight Ontario hydroelectric facilities totalling 152 MW
- developers of small modular nuclear reactors, green hydrogen projects, and electricity transmission systems
- a global infrastructure fund's acquisition of a material interest in a diversified, Canadian hydropower portfolio comprising 415 MW
- the host with an energy services agreement for the construction and operation of a 65 MW behind-the-meter steam generation facility at an Ontario industrial facility
- the lenders on the project and acquisition financing of the development, construction, and operation of a 102 MW natural gas and waste gas powered behind-the-fence cogeneration facility
- two Japanese companies in the sale of the owner of a 900 MW combined cycle gas plant in the Greater Toronto Area

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- a Korean power producer in the sale of a one-third interest in a 270 MW wind project and the development, joint venturing, project financing, and subsequent divestitures of interests in two 150 MW wind, two 100 MW solar, and two 50 MW solar projects in Ontario
- an independent power producer in its negotiations with the Ontario Independent Electricity System Operator of a 48-year contract for differences for a 6,300 MW global nuclear generating facility supporting the \$13 billion refurbishment of six CANDU nuclear generation units
- the agent and the bondholders in the bond financing of a 29 MW run-of-river hydroelectric project in Ontario
- the lead underwriters on the \$5 billion bond financing guaranteed by the Government of Canada for the construction of a 824 MW hydroelectric facility in Newfoundland and Labrador
- a Canadian pension fund in its acquisition of a 31.6% equity holdings in an independent nuclear power producer for \$450 million
- a European wind-power developer on the senior secured project financing of a 30 MW wind project in Ontario and the sale of a 49% interest in the project to a private equity investor
- three European banks as senior lenders in connection with the senior secured and mezzanine secured construction and acquisition financings of three 10 MW solar projects in Ontario
- a Canadian pipeline company in the negotiation of a clean energy supply contract with the Ontario Power Authority and shared site arrangements with Ontario Power Generation Inc. in respect of a 900 MW replacement gas-fired power project in eastern Ontario
- an international mining company in the sale of a 51% interest and negotiation of a \$150 million funding commitment for a proposed Chilean 1,000 MW hydro-electric generation facility
- a forest products company in respect of a stapled long-term embedded generation PPA and regulatory consents arising from the company's sale of eight hydro-electric generation facilities in Ontario
- the Ontario Power Authority in the release of the 2011 to 2014 Province-wide conservation and demand management program
- the lenders in the refinancing and construction financing, respectively, of the 40 and 50 MW phases of a wind farm in Ontario
- the lenders in a \$175 million project financing of a 144 MW wind farm, British Columbia's largest
- the lenders in a \$470 million 38-year senior secured project financing of a 198 MW run-of-river facility in British Columbia
- the divestiture by a Canadian income fund of its interests in 29 landfill gas facilities in eight US states
- the acquirer in the first private acquisition of a nuclear generating facility in Canada

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- the controlling shareholder in the commercialization of Canada's largest district energy company.

Seán received his B.Comm. from the University of Alberta in 1987 and his JD from the University of Toronto in 1995.

## Prix et distinctions

### Chambers Global

Leading Lawyer: Energy: Power (Transactional)

### Chambers Canada

Leading Lawyer: Energy: Power (Transactional)

### The Legal 500 – Canada

Leading Lawyer: Energy and Natural Resources – Power

### The Canadian Legal Lexpert Directory

Leading Lawyer: Energy (Electricity); Private Equity; Project Finance

### Lexpert Special Edition: Energy

Leading Lawyer

### Who is Who Legal: Canada

Leading Lawyer: Energy

### Best Lawyers in Canada

Leading Lawyer: Energy Law, Project Finance Law

### Best Lawyers in Canada - 2019

Lawyer of the Year - Energy Law

### IFLR 1000 Guide to the World's Leading Financial Law Firms

Highly Regarded: Project Development, Banking, Project Finance, M&A, Energy

## Mandats récents

- Innagreen Canada Holdings acquiert le projet d'énergie éolienne Bekevar auprès de Renewable Energy Systems Canada inc.  
27 janvier 2023
- Kinetikor et d'autres promoteurs de projets obtiennent un financement de 1,5 G\$ CA pour le projet Cascade Power  
27 août 2020

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## Publications récentes

- **Commentaire relatif au budget fédéral canadien de 2023 - Énergie propre et incitatifs fiscaux**  
17 avril 2023
- **Perspectives 2023 pour le secteur de l'énergie (en anglais seulement)**  
11 janvier 2023
- **Perspectives 2022 pour le secteur de l'énergie**  
22 février 2022
- **Le Canada et les États-Unis renouvellent leur engagement en matière d'énergie propre : une bonne nouvelle pour les petits réacteurs modulaires au Canada**  
12 août 2021