

2009 State Capital Group Northeast Regional Meeting – Speaker Biographies
Halifax, Nova Scotia, Canada
August 6-8, 2009

PRE-CONFERENCE PROGRAM – Infrastructure and other public projects: Issues

Chair:

Michael Kennedy is a Senior Partner of the Nova Scotia member law firm of *Wickwire Holm*. His work focuses on commercial real estate, financing and leases. He acted for the developer of one of the first P3 schools in Nova Scotia and, most recently, as external counsel for federal and municipal government agencies in respect of infrastructure projects. He has been listed in LEXPERT® and Best Lawyers in Canada in the areas of property development (Real Estate) and land use planning.

Panellists:

James (Jay) LeMoine is a Partner in the British Columbia member law firm of *Bull Housser Tupper LLP*. His work focuses on the commercial aspects of infrastructure projects. He has acted as counsel to a number of health agencies including the British Columbia Cancer Agency, the Vancouver Island Health Authority, the Vancouver Coastal Health Authority and the Fraser Health Authority; to the project team of the Canada Rapid Transit Project; to the Vancouver Convention Centre Expansion Project and for a consortium bidding for the Port Mann Highway 1 public-private partnership.

Robert (Rob) Sutherland, CA, CIRP, is a Partner of KPMG LLP and a Managing Director of KPMG's Global Infrastructure and Projects Group in KPMG's Toronto office. He has advised public sector clients on all facets of infrastructure development, financing and project management in a wide range of sectors including roads, airports, ports, marine ferry service, healthcare, schools, natural gas distribution and electricity generation. He has led KPMG teams undertaking due diligence associated with the acquisition of infrastructure assets by pension plans in Canada, the United States and South America in a number of sectors including: toll roads, water utilities, ports and container terminals and electricity transmission and distribution. He has recently been involved in projects with the Virginia Port Authority, the State of Texas, Waterfront Toronto and the Province of New Brunswick.

Brian MacLellan, Q.C., is a Partner at Nova Scotia member law firm of *Wickwire Holm*. His work focuses on banking, commercial transactions and financing. He acted as counsel to a consortium that constructed 13 P3 schools for the Province of Nova Scotia and most recently has acted as lead external counsel for federal and municipal government agencies in respect of infrastructure projects being carried out by them. He has been listed in LEXPERT®, Best Lawyers in Canada and Lawday Real Time legal directories as a leading lawyer in Canada in the areas of banking, corporate commercial law and insolvency and restructuring. He is listed by Lawday Real Time Law among the 90 leading lawyers in Canada in the area of Banking and Finance.

NORTH EAST REGIONAL MEETING

Introduction

Goffrey Saunders is the managing partner of *Wickwire Holm*. His practise concentrates on commercial issues and construction disputes with particular emphasis on energy, natural resources and construction matters. He has been a frequent lecturer on such matters at Dal-Tech, formerly the Technical University of Nova Scotia. Geoff acted as general counsel and corporate secretary to LASMO Nova Scotia, a limited operating partner for Canada's first offshore oil production facility. He has represented for a major Canadian oil and gas company in respect of its Eastern Canadian commercial interests. He represents the only LNG development in Nova Scotia, the owner and operator of a wind farm project in Nova Scotia who has additional wind farms in development in Alberta and Nova Scotia.

SESSION ONE – Energy Production and Projects in Atlantic Canada – An Overview Industry with Perspectives on Regional and Global Energy Supply

Chair:

Karan Ciotti is a Partner in the Houston office of Texas member firm *McGinnis, Lochridge & Kilgore, LLP*. Her practice focuses on complex commercial litigation and ERISA litigation and includes work for several large oil and gas companies and rural electric cooperatives. She is a native West Texan, a 2009 Texas Super Lawyer, and a graduate of Texas A&M University and the University of Texas School of Law.

Panellists:

Elizabeth Beale is President and CEO of the Atlantic Provinces Economic Council. In this capacity, Beale is an advisor to senior levels of government on regional planning and economic strategies for Atlantic Canada. Beale's policy and research interests cover a

wide range of topics relating to the economy of Atlantic Canada including labour market and innovation strategies. She also works closely with the business community and other stakeholders around Atlantic Canada to identify new opportunities for growth in the region's economy. Beale resides in Halifax, Nova Scotia. She holds a B.A. degree from the University of Toronto and an M.A. degree in Economics from Dalhousie University. She has taken an active role in a number of professional and community organizations. Currently, she is a member of the National Statistics Council, Governor of Dalhousie University, Director of the Leslie Harris Centre of Regional Policy and Development at Memorial University and Director of Three Oaks Innovation at the University of Prince Edward Island.

Robin McAdam is the Executive Vice President Sustainability, Nova Scotia Power Inc., with overall responsibility for increasing the use of renewable and low carbon fuel for generation. Prior to that, he was President of Emera Brunswick Pipelines – responsible for securing regulatory approvals as well as the construction of the \$465 million natural gas transmission pipeline. McAdam continues as a member of the Brunswick Pipeline Board of Directors. He has worked on various development projects for Emera affiliated companies including both M&A initiatives and greenfield developments. Prior to joining Emera, McAdam was Principal in charge of KPMG's Atlantic Canadian Business Strategy Consulting Practice. He has a B.B.A. degree from Wilfrid Laurier University and an M.B.A. degree from Queen's University.

Denis Marcoux is Vice President Canadian Gas Origination for Repsol Energy Canada with responsibility for gas marketing activities in Maritimes and Eastern Canada for regasified LNG produced from the Canaport™ regasification facility. For the last 25 years, Marcoux has been involved in energy related business with extensive managerial responsibilities for significant natural gas commercial operations conducted by international organizations involved in Eastern and Maritimes Canada energy markets. Prior responsibilities include financial and planning activities for various industrial organizations and accountability for managing gas supply activities for Quebec's largest natural gas local distribution company. Marcoux was born in Quebec City and he holds a designation of Chartered Accountant from the Canadian Institute of Chartered Accountants.

SESSION TWO – *Nova Scotia and Atlantic Canada: Province and Government Open for Business*

Panellist:

Russell G. MacLellan, Q.C., counsel to *Wickwire Holm*, is a former Premier of the Province of Nova Scotia. Prior to entering politics, MacLellan was engaged in the private practice of law, served as executive assistant to the President of the Cape Breton Development Corporation and as legal counsel and assistant secretary for the Sydney Steel Corporation. He served continuously as a member of the Parliament of Canada from 1979 to 1997 when he became leader of the Nova Scotia Liberal Party and Premier of the Province of Nova Scotia. While a member of Parliament, MacLellan served as a Parliamentary Secretary and party critic for the Ministries of Mines, Regional Industrial Expansion, Health and Welfare, Energy, Consumer and Corporate Affairs and Justice, and represented Canada at the World Health Organization and the United Nations. While Premier of the Province he also served as Minister of Intergovernmental Affairs, Minister responsible for Aboriginal Affairs and Minister responsible for the Petroleum Directorate. MacLellan graduated from the University of King's College with a Bachelor of Arts and from Dalhousie University with a Bachelor of Law. He holds a black belt; 5th Dan in Tae Kwon.

SESSION THREE – *US and Canadian Smart Grid Initiatives and the Role of Energy Storage in the Integration of Renewable Power*

Chair:

Kimball L. (Kim) Kenway is Vice President and General Counsel of Thermal Energy Storage of Maine (TESM). Kenway has a thirty-year background in Maine's electric utility industry as a Staff Attorney at the Maine Public Utilities Commission (1979-1984), in-house counsel at Central Maine Power Company (1984-1987) and in private practice representing electric utilities and other energy clients and telecommunications clients at State Capital Group Maine member firm *Curtis Thaxter Stevens Broder & Micoleau LLC* (1987-2009). In June of 2009, Kenway joined TESSM as Vice President and General Counsel. Kenway holds a B.A. degree from Vassar College and a J.D. from Brooklyn Law School.

Panellist:

Dr. Mohamad Musavi is the chair and a professor of Electrical and Computer Engineering Department (ECE) at the University of Maine. He has 25 years of experience in education and research in the area of Intelligent System. His PhD training from the University of Michigan was in power systems resulting in the development of a new methodology for stability analysis of large scale power systems using a topological energy function. He has developed and applied static, dynamic, and self-organizing neural networks, fuzzy logic, wavelets, swarm optimization, and genetic algorithms in many applications with supports from over 20 industrial and governmental organizations. He was the Principal Investigator (PI) for a major DOE/EPSCoR Project entitled "Development of Intelligent Systems Expertise in Maine". His work resulted in the introduction of intelligent systems in many industries. Musavi is a Senior Member of the IEEE and has over 100 scientific publications and a US patent. Currently, in addition to

chairing the ECE department, he continues his vision of using intelligent systems for improving efficiency and reliability of industrial operations and is planning to use his expertise in the application of smart grid technologies in collaboration with electric utilities.

Robert (Bob) Hanf is the President and Chief Operating Officer of Bangor Hydro-Electric Company. He had previously served as general counsel for Emera and its affiliates from 2002-2007. Prior to Emera, Hanf was a partner with the law firm McCarthy Tétrault LLP. Hanf is a member of the Canadian and American Bar Associations, the Nova Scotia Barristers' Society, the Law Society of Alberta, the Canadian Corporate Counsel Association, and the Canadian Petroleum Law Foundation. Placing a high value on community leadership, Hanf currently serves as a board member of the United Way of Eastern Maine as well as an advisor to the Board of Manna Ministries, an agency working in the greater Bangor area to provide basic necessities to those in need. He is a graduate of the Dalhousie University Law School. Hanf recently completed the Directors Education Program through the Institute of Corporate Directors at the University of Toronto.

William K. (Bill) Marshall is the former President and CEO of New Brunswick System Operator, is an energy consultant active in Canada's Maritime Provinces. He holds Bachelor's degrees in Engineering and Education and a Master's degree in Power Systems Engineering from UNB. His career includes 7 years teaching at the secondary and college level and 25 years in industry. Marshall has been in consulting and the electric utility field mainly as a system and corporate planner. He was a member of the New Brunswick Market Design Committee and has also served on numerous other provincial, regional, national and international committees.

Samuel (Sam) Zaitlin, the President of Thermal Energy Storage of Maine (TESM), has enjoyed a successful career in business and public policy that goes back more than 35 years. He served as mayor of Saco in the mid-1970s and was later appointed to serve on Maine's Board of Environmental Protection. He served as chairman of BEP in the mid-1980s before joining the board of the Maine State Chamber where he rose to the position of chairman in 1995. In 1999 he was appointed to a seat on the Maine Turnpike Authority and served in that capacity for more than seven years. From 1970 to 1997, Zaitlin was President of I. Zaitlin & Sons, Inc., a major New England recycling business with plant and brokerage operations in Maine and Massachusetts. Prior to his involvement with Thermal Energy Storage of Maine he was a public policy consultant in the waste and recycling field. He holds a Master's degree from Harvard's JFK School of Government and lives in Biddeford, Maine. Sam founded TESSM in November of 2008 for the purpose of promoting electric thermal storage space and water heating in Maine and elsewhere.

SESSION FOUR – *Financing Renewable Energy Projects: Challenges and incentives including developer and lender perspectives and a legal summary of tax credits, RECs, offsets and other recent state, provincial and federal legislative initiatives.*

Chair:

Sherilyn (Sherry) Burnett Young is a founder and President of State Capital Group New Hampshire member firm *Rath, Young and Pignatelli, P.C.*, and a member of the firm's Executive Committee. She heads the firm's Environmental Practice Group, and assists clients on federal and state environmental matters, real estate transactions, and business and finance transactions. Young focuses her practice on environmental law, including environmental compliance, permits and approvals, and real estate transactions involving contaminated properties. She has extensive experience in negotiating with state and federal regulators, and has achieved numerous successful settlements for industrial, commercial and municipal clients in a variety of environmental enforcement cases. In addition to her environmental practice, Young also has considerable experience in general corporate law, public and private financing, and estates and trusts. Prior to founding the firm, she worked in the environmental and estates and trusts practice areas in a prominent New Hampshire law firm. She served as legislative counsel to then-Governor Judd Gregg in 1988-1989. Young serves on the Board of the New Hampshire Business and Industry Association, the Board of Trustees of Franklin Pierce Law Center, and the New Hampshire Supreme Court Society. She was the first woman to chair the State Capital Group, a network of independent law firms in all 50 U.S. State capitals and in business markets and financial centers worldwide.

Panellists:

Jerome (Jerry) Peters is Senior Vice President and Managing Director for Project Finance at TD Bank N.A. TD Bank is a capital provider and financial arranger for energy and infrastructure projects in North America and part of the TD Bank Financial Group with assets of over \$400 Billion. For the past 15 years, TD Bank Project Finance, has been a leader in arranging and providing equity, senior and subordinated debt financing for clean conventional and renewable energy projects in North America, with a portfolio which includes: combined cycle natural gas, fuel cell, wind, geothermal, hydro, landfill gas, biomass and solar PV, as well as ethanol and biodiesel production projects. Peters has served on the Connecticut Clean Energy Fund Advisory Board and Board of Directors since 2000 and serves as Chairman of the Advisory Board for the University of Connecticut Global Fuel Center.

Prior to TD, Peters established and managed the Project Finance Group at Chrysler Capital Corporation, which specialized in tax advantaged equity investments in energy projects, creating a diverse, high-yielding portfolio of projects with contributed equity in excess of \$1 billion. Chrysler invested in its first renewable energy project in 1985. Peters received a B.S. degree in Business from

the University of Baltimore in 1975 and a Masters of Administrative Science degree from The Johns Hopkins University in 1977.

Charles Demond is a practicing lawyer in Bedford, Nova Scotia. He is Vice President and Secretary of PPWF Management Limited and President of Atlantic Wind Power Corporation (2005) Ltd. (AWPC). Demond was involved in the planning, development and operation of Pubnico Point Wind Farm, Inc. (PPWF), Nova Scotia's largest and first wind power development. PPWF is a 17 turbine (Vestas) 30 MW facility and the first independent wind farm project to complete development and supply power to Nova Scotia Power Inc. (NSPI) through a Power Purchase Agreement. PPWF is now owned by a subsidiary of FPL Energy of Florida. PPWF Management Limited provides on the ground management services to the current owners pursuant to a management contract. Through AWPC Demond has continued to be involved in other wind development projects in Nova Scotia. One such project, Nuttby Mountain Wind Farm, obtained environmental assessment, other approvals and entered into a Power Purchase Agreement with NSPI. AWPC sold the Nuttby Project which is now owned by NSPI which is proceeding with completion of the project. AWPC has entered into a management agreement with NSPI in respect of the Nuttby Project.

Charles G. (Chuck) Willing, Jr. is a Shareholder of New Hampshire member firm *Rath, Young and Pignatelli, P.C.* and a member of the firm's Energy and Environmental Practice Groups; assisting clients on a variety of commercial transactions and regulatory matters. Willing focuses his practice on the development, purchase and sale and financing of renewable energy projects, including landfill gas, wind, biomass and hydroelectric projects. He and the other members of the energy group represent project owners in obtaining necessary federal and state regulatory approvals. Willing also focuses on the availability of financial incentives for renewable projects at the federal level and in states around the country.

Sean Foreman is a partner at Nova Scotia member firm *Wickwire Holm*. His practice is focused on Energy and the Environment and Advocacy and Dispute Resolutions. He teaches Business and Environmental Law at the Dalhousie Law School. In 2007-2008 Foreman served as Chair of the National Environmental, Energy & Resources Law Sections of the Canadian Bar Association and is active in national and provincial committees of the Bar Societies. Foreman sits as a Director on a number of non-profit Boards of Directors, including as Vice-Chair and Past Treasurer of the Clean Nova Scotia Foundation, Director of the Canadian Environmental Auditors Association (NS Branch) and Past-Chair of the Nova Scotia Rainbow Action Project. In 2005, he was one of three persons in Canada to receive the 'Outstanding Young Canadian (Vanier) Award for Leadership and Service to the Community. He with others in the firm acted as Nova Scotia counsel to the purchasers on their acquisition of Pubnico Point Wind Farms, the largest wind farm in Nova Scotia, and on its subsequent refinancing. Foreman graduated from the University of Waterloo with a degree in Environmental Studies and from Dalhousie Law School with a Bachelor of Law and a Certificate of Specialization in Environmental Law from the Marine and Environmental Law Institute.