OSLER

INDUSTRY

Pipelines

Our unique expertise supporting major pipeline projects through regulatory approvals and execution is unparalleled.

Related Expertise

- Commercial Real Estate
- Construction
- Disputes
- Environmental Disputes and Enforcement
- Indigenous
- Infrastructure
- Oil and Gas
- Project Finance
- Regulatory, Indigenous and Environmental

Building and operating pipelines in Canada has become increasingly complex. From navigating evolving regulatory and environmental standards to managing public opposition and Indigenous rights, success hinges on more than just legal advice — it requires a deeply integrated strategy across every aspect of the project.

At Osler, we have developed unique experience across all relevant practice areas for major pipeline projects. Our team has been involved in some of the most significant pipeline work in the country, including the **Trans Mountain Expansion Project**, hundreds of kilometres of expansion projects for **TC Energy** and its affiliates (including the **Coastal GasLink Pipeline**), the recent Taylor to Gordondale Project proposed by a subsidiary of **Pembina Pipeline Corporation** and many others.

Our fully integrated, Band 1 Chambers-ranked Energy: Oil & Gas practice has expertise spanning all relevant areas of law including regulatory, Indigenous, environmental, commercial, project finance, construction, tax, litigation and land.

How Osler can help

We partner with pipeline companies to address the full range of legal and business issues that shape major energy projects. Here are some of the ways we help clients succeed.

- **Secure regulatory certainty:** We leverage our industry-leading insight and experience with key regulators — including the Canada Energy Regulator (CER), Alberta Energy Regulator (AER), and BC Energy Regulator (BCER) — to navigate the complex approval processes, including applications, hearings, and compliance.
- **Build lasting Indigenous partnerships:** We assist our clients in consulting with potentially affected Indigenous groups and creating genuine, lasting partnerships. We have negotiated hundreds of agreements, including Impact Benefit Agreements (IBAs) and equity participation specifically for pipeline projects, as well as other industries, that create mutual value over the lifecycle of the project.
- **Establish commercial underpinnings:** We work with pipeline companies to negotiate transportation service agreements and project backstopping agreements to provide both the pipeline and its customers with the necessary commercial certainty to proceed with

construction of a major pipeline project. Our expertise ensures that risks are appropriately identified and allocated, and the commercial underpinnings withstand regulatory scrutiny. We also have extensive expertise in joint ventures, governance, and complex partnership agreements for major pipelines.

- **Unlock capital for complex projects:** We structure and execute sophisticated financing solutions that attract the necessary investment to get projects built. With deep experience acting for borrowers, sponsors and every major Canadian bank, we are experts in syndicated lending, capital markets, innovative equity structures, government-supported financing, tax credits and incentives.
- **Drive project execution and mitigate risk:** We protect project timelines and budgets with proven procurement and contracting strategies. Our construction expertise covers all models, from multi-prime and integrated project delivery (IPD) to alliance contracting, and we design dispute avoidance and resolution mechanisms to keep the project moving forward in the face of disagreements during project execution.
- **Defend project viability:** When challenges arise, our Disputes team delivers. Our team has a track record of success defending challenges to major project approvals (including dozens of judicial review applications in respect of the Trans Mountain Expansion Project), and obtaining injunctions to allow construction to proceed in the face of blockades and other similar challenges. From judicial reviews and appeals to injunctions and interprovincial challenges, we have the experience to defend your project's interests at every level.
- **Obtain toll and tariff approval:** For rate-regulated pipelines (such as those subject to CER jurisdiction), we have extensive experience representing pipeline clients in toll and tariff proceedings before the regulator. This experience includes the recent multi-billion dollar hearing regarding interim tolls on the Trans Mountain system, as well as all toll and tariff hearings for TC Energy over the last decade.
- **Secure critical land rights:** Our Real Estate team handles the complex, on-the-ground challenges of corridor assembly, rights of way, relocations, crossings, right-of-entry, and municipal approvals. Our team resolves intricate land disputes to clear the path for project development.
- **Navigating the future of energy infrastructure:** We advise on critical emerging legal issues impacting the sector, including regulatory change, cybersecurity, data privacy and evolving environmental, social and governance (ESG) standards.

For strategic advice on Canada's most challenging energy infrastructure projects, contact a member of our Pipelines team.

Key Contacts

Sander Duncanson
Calgary Managing Partner, Calgary

Maureen Killoran, KC
National Co-Chair, Calgary, Vancouver

Craig Spurn
Partner, Corporate, Calgary

Awards and Recognition

- Recognized in Energy: Oil & Gas (Band 1)

  —CHAMBERS CANADA: CANADA'S LEADING LAWYERS FOR BUSINESS
- Recognized in Energy & Natural Resources: Oil and Gas (Tier 1)

  —LEGAL 500
- Recognized in Energy: Oil & Gas (Most Frequently Recommended)

  —THE CANADIAN LEGAL LEXPERT DIRECTORY