



About Brad Newby

Brad Newby practises business law in the areas of mergers and acquisitions, general corporate commercial law and corporate finance. He has led a variety of commercial transactions including asset and share acquisitions, private equity investments, licensing, distribution and franchising agreements, leveraged buyouts, joint ventures and strategic alliances. He has also worked extensively on several income trust public financings.

Brad can be contacted by phone (604) 661-9308 or email: bnewby@farris.com

Vancouver

2500 - 700 W Georgia St
Vancouver, BC
Canada V7Y 1B3

Tel 604 684 9151
Fax 604 661 9349

Kelowna

800 - 1708 Dolphin Ave
Kelowna, BC
Canada V1Y 9S4

Tel 250 861 5332
Fax 250 861 8772

Victoria

1100 - 1175 Douglas St
Victoria, BC
Canada V8W 2E1

Tel 250 382 1100
Fax 250 405 1984

www.farris.com

Tahltan Nation Sign Precedent-setting Impact Benefit Agreement for \$700 million Forrest Kerr Project

Brad Newby and Al Hudec of Farris LLP represented the Tahltan Nation in the negotiation of a landmark impact benefit agreement (IBA) with Coast Mountain Hydro LP, a subsidiary of AltaGas Income Trust (AltaGas). The path breaking IBA for the 195 mega-watt Forrest Kerr run-of-river hydroelectric project includes a combination of environmental protections, cultural resource protections and economic participation for the Tahltan Nation. Brad and Al teamed with Janelle Dwyer of Mandell Pinder in the negotiation and completion of the Agreement. McPhee Economic Consulting acted as financial advisors and played a significant role in the structuring and negotiation of the transaction.

The IBA will provide the Tahltan with significant long term economic benefits, including royalties and shared ownership. In addition, the \$700 million Forrest Kerr run-of-river project will provide business opportunities for members of the Tahltan Nation to participate in the construction, operation and maintenance of the project, and Tahltan university graduates will have opportunities to enroll in training programs with AltaGas. The agreement also includes provisions to allow for Tahltan participation in ongoing environmental review, reporting and recommendation procedures for the project.

The Agreement is precedent-setting and sets the bar for future impact benefit agreements governing British Columbia green energy and resource development projects. It is a commercially sophisticated agreement that achieves significant long term financial benefits while preserving Aboriginal environmental and cultural values in the context of respect for Aboriginal rights and title.

The Forest Kerr Project received an unprecedented 60-year electricity purchase agreement from BC Hydro and is an integral component of the \$400 million Northwest Transmission line that will serve as a catalyst to the development of various resource development projects in northwest British Columbia. Construction on the Forrest Kerr Project will commence in July 2010 and the project is expected to be completed in mid-2014.

Read more:

<http://www.vancouversun.com/business/Critics+challenge+special+deal+hydro+project/3093184/story.html#ixzz0pcEtj0Uc>

Tahltan Nation Signs Landmark Agreement with AltaGas

May 28th, 2010 Vancouver BC - Today, the Tahltan Nation announced it has signed a landmark impact benefit agreement (IBA) with Coast Mountain Hydro LP, an indirect, wholly owned subsidiary of AltaGas Income Trust (AltaGas) for the Forrest Kerr run-of-river hydroelectric project, sited in Tahltan Traditional Territory in northwest BC. The agreement comprises a combination of environmental protections, cultural resource protections and economic participation for the Tahltan Nation.

“The Tahltan Nation is proud of this Impact Benefit Agreement with Coast Mountain Hydro Corp. and the increased economic security that it will provide for generations to come,” says Annita McPhee, Chair of the Tahltan Central Council. “This agreement establishes ownership,



About Al Hudec

Al Hudec is a senior securities practitioner with 25 years of experience in all legal aspects of securities and corporate finance, including mergers and acquisitions, public and private financings of equity and debt, corporate governance and related party transactions, regulation of listed companies, income trusts, banking and restructurings.

Al's practice focuses on cross-border mergers and acquisitions, public equity financings, board and independent committee representation, and venture capital financings.

Al can be contacted by phone at 604-661-9356 or email at ahudec@farris.com

management of our resources and profit sharing while taking into consideration the protection of our environment as a renewable energy project. This IBA will set the bar for resource development projects and demonstrates the results of a successful relationship with a company in Tahltan Territory that respects our Aboriginal title and rights”.

“Any land and resource decisions affecting Tahltan Traditional Territory must respect the environment, the Tahltan way of life and the Tahltan people,” said Annita McPhee earlier today. “The agreement reflects the significant input we’ve gathered from consultation with community members and, while protecting our territory and our way of life, provides our Nation with long-term economic security.”

The Forrest Kerr Project will provide business opportunities for members of the Tahltan Nation to participate in the construction, operation and maintenance of the project, and Tahltan university graduates will have opportunities to enroll in training programs with AltaGas. The agreement also provides economic benefits to the Tahltan Nation, including shared ownership and royalties.

“The Forrest Kerr Project represents an exciting partnership for AltaGas with the Tahltan Nation and with the Government of British Columbia,” said David Cornhill, Chairman and Chief Executive Officer of AltaGas. “The project is an important evolution in AltaGas’ power business as we continue to build long-term, contracted, generation assets. The Forrest Kerr Project will provide the people of British Columbia with clean and reliable power from a significant water resource. We are very pleased to be building this project with the people of the Tahltan Nation.”

Working with companies that meet high environmental standards is critical to the Tahltan Nation’s protection of its Aboriginal title and rights. The IBA secures commitment from AltaGas to construct, operate and maintain the Forrest Kerr Project in keeping with high environmental standards that meet and, in some cases, beat provincial environmental standards. The agreement also includes provisions to allow for Tahltan participation in ongoing environmental review, reporting and recommendation procedures for the project.

About the Tahltan Central Council

The Tahltan Central Council exists to define and protect Tahltan inherent Aboriginal rights and title, to protect the eco-systems and natural resources of Tahltan traditional territory through pursuing sustainable economic development, and to strengthen the cultural wellness of the Tahltan Community by promoting traditional values based on the concepts of caring, sharing, cooperation, truth, honour, fairness and above all, respect.

Media Contact: Chantelle Krish Ckrish@prassociates.ca 778-990-9544
