



Mark S. Powell

Partner

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Calgary

EDUCATION

University of British Columbia, BComm,
1991

University of Alberta, LLB, 1996

BAR ADMISSIONS

Alberta, 1997

Mark Powell is the head of our Trading & Derivatives practice. Mark has a broad range of experience in the trading and derivatives, assisting clients with the many complexities of this growing industry. This experience extends beyond commodity, interest rate and currency trading to include the trading of equities, emissions allowances, renewable energy certificates and other products.

Mark assists funds, producers, governmental entities and other "buy-side" entities with respect to ISDA master agreements and related documentation every day. Not only does he have extensive experience in negotiating ISDA master agreements, the New York form of credit support annex and the United Kingdom form of credit support annex, he also has negotiated numerous ISDA master equity confirmation agreements.

Beyond ISDA documentation, Mark's practice encompasses providing advice and negotiating other financial trading documentation (long form confirmations, GTCs, etc.) and physical wholesale and retail trading documentation (such as power purchase arrangements, virtual power purchase arrangements, contracts for differences, electricity supply and related services agreements, GasEDIs, NAESBs, renewable biogas agreements, condensate supply agreements, etc.).

In addition, Mark has assisted a number of clients in the acquisition and incorporation of Trading & Derivatives businesses and he is regularly retained to spearhead his clients' post-reorganization efforts to update, modify and/or replace the clients' trading agreements. Some examples include the Cenovus combination with Husky, the Orintiv Inc. migration to the United States and Parkland's acquisition of Elbow River Marketing.

Mark also provides regulatory advice to clients in connection with Canada's G20 commitment to regulate derivatives. Mark is the Chair of the Canadian Derivatives Regulatory Group of the International Energy Credit Association (IECA) and, since May of 2019, has served as a member of the Alberta Securities Commissions' Derivatives Advisory Committee.

Mark is particularly qualified to provide derivatives regulatory advice as, prior to focusing his practice on Trading & Derivatives, Mark gained invaluable securities law experience as (amongst other files and clients) issuer's lead counsel with respect to the issuance of billions of dollars of public and private equity and debt securities. These files have included a project that was awarded *Project Finance's* "America's Oil and Gas Deal of the Year" and an initial public offering that, at the time, qualified as the largest Canadian exploration and production IPO for the previous ten years.

Mark has a long history of community involvement and currently serves of the board of directors of Special Olympics Alberta.