

Overview

In today's world, more than one billion people still do not have access to drinking water and 2.5 billion live without sanitation. Also, the UN has called for halving the number of people without access to drinking water and basic sanitation by 2015.

At the same time, the increasing world population is a real challenge requiring new, technical solutions. With a significant proportion of this population living less than 100 kilometers from the sea, desalination of seawater and the use of new techniques like ultrafiltration membranes, can pave the way for our future.

The magnitude of financial need combined with the scarcity of public budgets encourages the development of new financing schemes for water and wastewater infrastructures worldwide. In developed countries, private management of water resources and wastewater treatment systems is also widely recognized as instrumental to technical innovation and economic efficiency.

Partner with Dentons' lawyers and benefit from our experience advising a broad range of players worldwide, including: governments, water companies, project developers, investment funds and lenders. We guide you through projects covering the entire water cycle, from water production (including desalination) to wastewater reuse. Look to our lawyers for an in-depth knowledge of the industry and advice on different types of contractual arrangements, including:

- Ancillary services contracts
- Outsourcing contracts
- PPP, BOTs and similar arrangements
- Concessions and government franchising

Representative Experience

- **Berlinwasser International AG:** Advising on the sale of their share in Berlinwasser China Holding Limited (BCH); BCH operates several wastewater disposal systems in China. The acquirer of the shares is the former majority shareholder Metito Utilities China Holding Limited. Berlinwasser International AG is a 100 percent subsidiary of Berlinwasser Holding AG, a company held by the federal province of Berlin as well as RWE and Veolia. The Dubai-based Metito is a leading provider of intelligent water management solutions in emerging markets.
- **Capital Power:** Advising on the completed sale of 9.2 million common shares of Capital Power to EPCOR at an offering price of C\$24.40 per common share for aggregate gross proceeds to EPCOR of C\$224,480,000. The aggregate offering was comprised of an offering of 8.2 million common shares at C\$24.40 per share together with the underwriters' exercise of an over-allotment option for the sale of an additional one million common shares at C\$24.40 per share. The underwriting syndicate for the offering was co-led by CIBC World Markets Inc. and RBC Capital Markets. EPCOR's wholly owned subsidiaries build, own and operate electrical transmission and distribution networks, water and wastewater treatment facilities, and infrastructure in Canada and the US. EPCOR is headquartered in Edmonton, AB. Capital Power is a growth-oriented North American power producer, also headquartered in Edmonton, AB. The company develops, acquires, operates and optimizes power generation from

a variety of energy sources. Capital Power owns more than 3,300 megawatts of power-generation capacity at 16 facilities across North America. An additional 487 megawatts of owned wind generation capacity is under construction or in advanced development in British Columbia, Alberta and Ontario.

- **Domtar Corporation:** Advising on the sale of its hydro assets in Ottawa, ON and Gatineau, QC for CA\$45 million. The purchaser is Energy Ottawa Inc. (Energy Ottawa), the renewable energy subsidiary of Hydro Ottawa Holding Inc. The agreement with Energy Ottawa signed on April 4, 2012 is subject to customary closing conditions, including certain third party approvals. The transaction includes Domtar's three power stations (21 MW of installed capacity), Domtar's water rights in the area, as well as the company's equity stake in the Chaudière Water Power Inc. (CWPI) ring dam consortium. Domtar currently has 12 workers operating its hydro assets in Ottawa/Gatineau and all employees are to become employees of a subsidiary of Energy Ottawa upon closing of the transaction.
- **Oman Power and Water Procurement Company:** Advising in connection with the development of an independent water project in Al Ghubrah. Our comprehensive suite of services included formulating project risk allocation, advising on all aspects of the competitive tendering process and drafting RFP and all project agreements.