



The energy industry in Western Australia faces a number of challenges brought about by legal and regulatory changes. These include increased retail contestability in electricity and gas, the disaggregation of Western Power, a rationalisation of ownership in energy assets, and a shift towards national regulation. In this environment, it is crucial to have access to a legal team with the specialist industry knowledge to provide you with effective and efficient advice to protect your interests.

Jackson McDonald's Energy, Competition & Resources Team provides comprehensive service on all aspects of energy, competition and resources law to government, industry and investors.

We have played a **key role** in drafting and advising on the restructuring of the energy industry since the mid-1990s, with the introduction of open access regimes for gas and electricity, and the gas licensing regime. More recently, we drafted the gas Retail Market Rules and key electricity reform instruments.

As **authors of much of the key legislation** we have **unique expertise** and unmatched understanding of how the regimes operate.

## Services

We provide **comprehensive legal and support services** targeted to meet our clients' needs including advice, negotiation, drafting and education.

Our team can assist you with:

- Third party access to, and economic regulation of, a wide range of essential infrastructure
- All stages of energy chain contracting, including all sizes of gas and electricity transportation agreements, gas sale contracts and power purchase agreements

- Pipeline and power infrastructure construction agreements, infrastructure corridor access agreements, licensing and financing documentation, JV agreements, production sharing agreements and State Agreements
- Renewable energy projects
- Mergers and acquisitions of all sizes, and all other corporate aspects of the mining and energy industry, from ASIC and ASX compliance to takeovers
- If necessary, regulatory appeals and litigation on any of the above matters

We are **flexible** enough to provide everything from one-off advice to complete assistance with project management.

We can also provide assistance with stakeholder representation or management, and government relations and lobbying.

## Our approach

Our experience in the Western Australian energy industry and our familiarity with key industry players, infrastructure, markets and government processes helps us to quickly understand the issues facing your organisation, allowing us to provide you with practical and outcome-based advice – **saving you both time and money.**

Wherever possible, we strive to keep our communications informal. We provide clear advice that you can easily understand and implement, and **offer commercial solutions** by listening to you.

We fully exploit our word processing and document management technology to **deliver faster and better quality results** to you.

Our team will take the time at the outset of a project to work with you to develop an approach tailored to **your needs and budget**, scoping the project with you and identifying the right people for the job. This provides you with an opportunity to have direct input on work processes and budget, and plays a key role in avoiding unplanned, unbudgeted cost overruns or unexpected outcomes.

## Resources

Our team members also have substantial experience in various resource projects, including a large number of mining ventures and upstream petroleum and gas projects located inside and outside Western Australia.

*As a large commercial law firm in Western Australia, Jackson McDonald has built its reputation by providing excellent client service. You can count on us to understand, explore and deliver what you expect of a first class legal service provider.*

*Jackson McDonald was recently named Perth Law Firm of the Year at the 2007 ALB Australasian Awards.*

*For further information please contact **Matthew Bowen, Partner** on 9426 6888.*

## Our Energy, Competition and Resources Team



### **Matthew Bowen, Partner & Team Leader**

Matthew practises in commercial law with a particular emphasis on competition policy and open access (third party access). He has advised clients in relation to open access for gas, electricity, mining, water and telecommunications infrastructure and all types of energy contracting. Matthew also practises in trade practices law.

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### **Neil Gentilli, Partner**

Neil has extensive experience in all types of litigation. Over the last 20 years he has mainly practised in general commercial litigation (contract, tort and trade practices), insolvency, mining litigation, oil and gas litigation and administrative law. He acts as both solicitor and counsel. Neil is currently representing Western Power in access-related disputes before the Gas Referee and the Gas Review Board.

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### **Stephen Doyle, Partner**

Stephen practises in the commercial law field and has extensive experience in the areas of mining, debt and equity finance, corporate law, due diligence, directors' duties, prospectuses, privatisation, securities, stamp duty and insolvency. Stephen also advises on the sale of properties, companies and businesses.

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### **Elizabeth Tylich, Senior Associate**

During 2001 - 2003, Elizabeth had primary drafting responsibility for the gas Retail Market Rules for the introduction of full gas retail contestability. Previous to that Elizabeth was a member of the legal team acting on the privatisation of AlintaGas. Elizabeth also has experience in consumer protection and competition law, mining and energy law, providing corporate advice on a range of issues including due diligence, directors' duties, prospectuses, and general commercial advice in relation to a number of business transactions and acquisitions.

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### **Helen Weatherley, Senior Associate**

Helen previously practised as a solicitor in England where she gained over ten years' experience of a wide variety of commercial law matters including the negotiation of complex outsourcing arrangements and the preparation of bespoke agreements with suppliers of goods and services. Helen now practises in the commercial law field with a focus on Energy & Resources law. Helen has advised clients in these sectors on a variety of contractual relationships including power purchase, gas transportation and electricity and gas access arrangements.

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### **Daniel Sawyer, Solicitor**

Daniel practices in the area of Energy and Competition Law. Daniel has assisted in advising the Office of Energy in relation to the new National Gas Law and the Electricity Networks Access Code. He has also assisted on matters for Verve Energy, BP, Australian Pipeline Trust and the Fremantle Port Authority.

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