

**NICOLE M. BYRES**

Direct Tel. 604.643.3173
Email nmb@cwilson.com

800-885 West Georgia Street
Vancouver, BC V6C 3H1 Canada
Main Tel. 604.687.5700
Fax 604.687.6314
Website www.cwilson.com

Areas of Practice

Energy & Natural Resources and Labour & Employment.

Profile

Nicole Byres is a partner with Clark Wilson LLP; she joined the firm in February 2005, and Chairs the firm's Labour and Employment Practice Group. Prior to joining the firm, Nicole spent 13 years as in-house counsel with Teck Cominco Metals Ltd.'s Trail BC operations, and 9 years in private practice with a focus on business litigation. Teck Cominco is an integrated mining, refining and energy generation company, and at the time she left that company, she was a member of two self-directed teams managing (1) environment and public affairs, and (2) electrical energy generation, regulation, marketing & sales, and natural gas purchases.

Nicole has appeared before various administrative tribunals, the British Columbia Utilities Commission, and at all levels of courts in BC. Nicole also has extensive experience in the regulation, generation, transmission, sales and export of electrical energy, and is one of the founding directors of British Columbia Transmission Corporation.

Through her years of experience as in-house counsel, and through her service to various Boards and Committees, Nicole understands the importance of delivering cost-effective and practical legal advice and solutions, and regularly provides strategic business and corporate governance advice. Nicole has been recognized in "Women in the Lead" (2004, 2006 and 2008), a Canadian directory of women whose professional expertise and experience recommend them as candidates for corporate board appointments.

Nicole obtained her Bachelor of Laws degree from the University of British Columbia in 1982, and in addition has had in-depth business management training, including completion of the Executive Program at the Richard Ivey School of Business in 1995.

Representative Work

Advised clients on regulatory matters involving electrical energy, and marketing of natural gas.

Advised on natural gas supply contracts for industrial operations.

Part of the four person team that was responsible for negotiating the terms of all contracts and government & regulatory approvals for the sale of the Brilliant hydroelectric dam and related power and transmission assets.

Appeared before the BCUC on various matters relating to the regulation of electrical generation and transmission operations.

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Prepared applications to the National Energy Board (NEB), Federal Energy Regulatory Commission (FERC), BCUC, and the Water Management Branch (Land and Water BC).

One of the founding directors of British Columbia Transmission Corporation, a crown corporation created in May 2003 with a mandate to manage, operate and plan for British Columbia's electrical transmission network.

Acted for clients developing green power projects such as wind, run-of-river, and co-generation projects.

Advised clients on various Statutory Right of Way matters, from drafting and interpretation of SRW agreements, to enforcing those rights with court orders.

Acted for numerous mining companies during negotiations for preparation of joint ventures and related agreements for the exploration, development and mining of natural resources in BC, Canada, United States and South America.

Advised on mineral claims and tenure matters; successfully enforced mineral claims from challenges to staking.

Board and Public Service

Director, **British Columbia Transmission Corporation** (2003-2010); Chair, Corporate Governance Committee (2006-2010)

Director, **UBC Investment Management Trust Inc.** (2005-2009), Member, Governance Committee (2008-2009); Member, Human Resources Committee (2005-2008)

Board of Governors, **University of British Columbia** (2002-2008); External Vice-Chair (2005-2008) and Member, executive committee (2003-2008); Chair, Finance Committee (2005-2008); Chair, Governance Committee (2006-2008); Chair, Property and Planning Committee (2003-2005); Member, Board of Governors-GVRD Joint committee (2003-2005); Member, President Selection Committee (2005-2006), Vice President & Provost Selection Committee (2003); Member, External Advisory Committee, Faculty of Education (2004-2005)

Member, **St. Michael's Catholic School Council** (1997-2002); Chair (1999-2001)

Director, **Catholic Independent Schools**, Nelson Diocese Society (1999-2001)

Legal Memberships & Associations

Member, Law Society of British Columbia (1983-)

Member, Canadian Bar Association (1983-); Corporate Counsel Association (1986-)

Canadian Association of University Solicitors (2008-present)

Canadian Association of Counsel to Employers (2007-present)

Women Lawyers Forum Executive, CBA, BC Branch (2009-present)

Chair, CBA, BC Branch, Work Life Balance Committee (2004-2006)

Co-Chair, CBA, BC Branch, Childcare Special Committee (2002-2004)

Member, Steering Committee 2001 President's Forum CBA, BC Branch

Member, Kootenay Bar Association (1984-2005); Secretary (1985-1986); Treasurer (1986-1987)

Member, VSE/CDNX Chairperson Committee for Discipline hearings (1997-2000)

Publications & Papers

"Legal Considerations in Structuring Renewable Energy Projects: a Multidisciplinary Approach", Western Canada Renewable Energy Forum (December 10-11, 2007)