

Form 6-5
(Subrule 6-5(1))

COURT FILE NUMBER	KB 848 of 2023
COURT OF KING'S BENCH FOR SASKATCHEWAN	
JUDICIAL CENTRE	REGINA
APPLICANT	SASKATCHEWAN ENVIRONMENTAL SOCIETY
	SABRINA DYKSTRA, a minor by her litigation guardian CLAIRE DYKSTRA, JILL FORRESTER, RYAN HEISE, KAYLA HOPKINS, LYNN OLIPHANT, HAROLD PEXA, AMY SNIDER, and CLIMATE JUSTICE SASKATOON ORGANIZATION INC.
RESPONDENTS / Applicants	
RESPONDENTS / Respondents	SASKATCHEWAN POWER CORPORATION, CROWN INVESTMENTS CORPORATION OF SASKATCHEWAN, and THE GOVERNMENT OF SASKATCHEWAN

NOTICE OF APPLICATION

NOTICE TO APPLICANTS & RESPONDENTS

This application is made against you. You are a respondent. You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Where 2425 Victoria Avenue
Regina, SK S4P 4W6
Date A Date to be determined by the Court
Time A Time to be determined by the Court

Remedy claimed or sought:

1. To add, pursuant to Rule 2-12 of the *Rules of King's Bench*, the Saskatchewan Environmental Society ("SES") as an intervenor to these proceedings on the following terms:
 - a. The SES be allowed to participate in the Applications to strike as follows:

- i. The written submissions shall be no longer than 20 pages; and
 - ii. The oral submissions shall be limited to 20 minutes unless otherwise directed by the judge hearing the Application.
- b. The SES be allowed to participate in the Originating Application as follows:
- i. The evidence shall be limited to the following areas:
 1. The impacts of SaskPower's and the Government of Saskatchewan's decisions to continue developing new unabated fossil fuel electricity generation assets on the environment; and,
 2. Achievable options available to SaskPower and the Government of Saskatchewan to reach net-zero and alternatives to constructing new unabated fossil fuel electricity generation assets.
 - ii. The written submissions shall be no longer than 40 pages; and
 - iii. The oral submissions shall be limited to 45 minutes unless otherwise directed by the judge.

Grounds for making this application:

2. The SES is a Saskatchewan non-profit corporation and registered charity operating in Saskatchewan actively working on environmental issues for over 50 years with climate change and energy solutions two areas of primary focus;
3. The SES has extensive experience in dealing with energy related issues in Saskatchewan including energy production;
4. The SES was granted intervenor status in *Reference re Greenhouse Gas Pollution Pricing Act*, 2021 SCC 11;
5. The Amended Originating Application seeks relief with regard to energy production in Saskatchewan which is of great importance to the SES;
6. The SES will provide important evidence on:
 - a. The impacts of SaskPower and the Government of Saskatchewan's decisions to continue developing new unabated fossil fuels electricity generation assets on the environment; and,

- b. Achievable options available to SaskPower and the Government of Saskatchewan to reach net-zero and alternatives to constructing new unabated fossil fuel electricity generation assets.
7. The SES has retained credible qualified experts in Dr. Brett Dolter and Dr. Mark Z. Jacobson;
8. The SES can supplement the submissions anticipated from the parties with regard to:
 - a. The evidence the parties and SES will be filing in this action;
 - b. Energy production and energy solutions;
 - c. The economic and financial issues with regard to energy production;
 - d. The public interest in energy production; and
 - e. Alternatives with regard to energy production in Saskatchewan.
9. The SES has sufficient interest through its primary purpose in accelerating the transition to a sustainable future and helping people live sustainable lives;
10. The SES will not cause delay through its evidence and argument;
11. The SES becoming an intervenor will not cause prejudice to any party;
12. The SES does not seek to widen or introduce new issues;
13. The SES is non-partisan and will not politicize the issues in this action;
14. The SES is a unique organization in Saskatchewan with regard to environmental advocacy, participation in environmental issues with the public and governments, expertise in climate change and energy solutions, the impact of the actions of the Respondents and alternatives both technically and economically with regard to energy production in Saskatchewan;
15. Such further and other grounds as counsel may advise and This Honourable Court may allow.

Material or evidence to be relied on:

16. Affidavit of Robert Halliday, sworn February 14, 2024.

Applicable rules:

17. Rule 2-12 of *The King's Bench Rules*

Applicable Acts and Regulations:

18. *The King's Bench Rules*

DATED at Melfort, Saskatchewan, this 14th day of February, 2024.



William A. Selnes, K.C.

SELNES RINTOUL

Solicitors for the Applicants

NOTICE

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.

CONTACT INFORMATION AND ADDRESS FOR SERVICE

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