

In the Court of Appeal of Alberta

Citation: Reference Re *Clean Electricity Regulations* (Canada), 2026 ABCA 288

Date: 20260904

Docket: 2503-0079AC

Registry: Edmonton

In the Matter of the *Clean Electricity Regulations*, SOR/2024-263, under subsection 93(1), sections 286.1 and 326, and subsection 330 (3.2) of the *Canadian Environmental Protection Act*, 1999, SC 1999, c 33

- and -

**In the Matter of a Reference by the Lieutenant Governor in Council
to the Court of Appeal of Alberta under the *Judicature Act*, RSA 2000, c J-2, s 26**

**Reasons for Decision of
The Honourable Justice Kevin Feehan**

Application for Advice and Directions #6

**Reasons for Decision of
The Honourable Justice Kevin Feehan**

[1] In lieu of a case management meeting scheduled for September 3, 2026, Alberta and Canada have invited me to issue written directions and notes on largely procedural matters in advance of the hearing of this reference, November 16 to 19, 2026. These are the requested directions and notes.

[2] A redacted version of Dr Lesage's affidavit has been filed by Canada. Registry has replaced the original version of Canada's record with the redacted version, while retaining the original filing date. There are no outstanding issues to be addressed with respect to Dr Lesage's evidence prior to the hearing.

[3] At the request of the panel, all participants interested in attending the Reference virtually must submit their applications to change the hearing method to allow them to attend virtually. Applications must be filed by September 15, 2026. The required application form is available here: https://www.albertacourts.ca/docs/default-source/ca/application-to-change-hearing-method.pdf?sfvrsn=f5d7fd82_1

[4] The Court has received a request from the Attorney General of Quebec to present its submissions in French for simultaneous interpretation. Registry is determining whether simultaneous interpretation is possible. Any other participants intending to deliver any portion of their oral submissions in French should advise Registry of that request by October 16, 2026.

[5] All participants shall advise Registry by October 16, 2026 of the names of all counsel attending the hearing in person, so that Registry may address necessary technical and seating arrangements.

[6] On May 15, 2026, Canada and Alberta agreed to the *Implementation Agreement for the Memorandum of Understanding of November 27, 2025 between the Government of Canada and the Government of Alberta*. This agreement is not currently part of the Record. Canada and Alberta shall file the agreement as a supplemental volume of the Record by October 16, 2026, so it is properly before the panel.

[7] All parties intending to file condensed books, shall do so by November 6, 2026.

Reasons filed at Edmonton, Alberta
this 4th day of September, 2026

Feehan J.A.

No Appearances:

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