



Written by [James Murphy](#) on December 2, 2023

Another Canadian Province to Challenge Ottawa's Rush to Net Zero Emissions

On Thursday, Saskatchewan's Justice Minister Bronwyn Eyre announced that she was set to use the province's new autonomy legislation, the Saskatchewan First Act, to establish a tribunal to study the effects of the federal government's draconian goal of creating an essentially emissions free power grid by 2035. Saskatchewan will be the second Canadian province to challenge Ottawa's rush to net zero emissions, as [Alberta](#) has already announced that it will challenge the federal government's proposed emissions goal.



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The tribunal will mark the first use of the [Saskatchewan First Act](#), which is meant to assert the province's autonomy and exclusive jurisdiction over its natural resources. Steven Guilbeault, Canada's minister of environment and climate change, has announced that he and the Ottawa government would like to see a "net zero" emissions power grid by 2035, even though many of the technologies needed to achieve such a goal have not yet been invented.

Saskatchewan earlier this month introduced the Saskatchewan First Act, with the intent to assert provincial jurisdiction over its natural resources. That act established a tribunal to determine if a federal measure is harmful or constitutionally offside. <https://t.co/IHgye4p9o7>

— Wally Lee (@WallyLee19) [November 30, 2022](#)

Officials in Saskatchewan are looking for answers about how that unrealistic emissions goal will be achieved and how much it will cost.

"We need to get a nuanced, detailed sense of what these policies mean for the economy of Saskatchewan and the people of Saskatchewan," Eyre said earlier this week.

"[The regulations] are about emission reduction, but what does it mean? How will it impact our companies in anticipation of these policies? Not exploring as much, not doing as much?" [Eyre asked](#).

While some in Saskatchewan are sympathetic toward the goal of an emissions-free power grid, they question the time crunch that federal officials, most notably Guilbeault and Prime Minister Justin Trudeau, are seeking to impose on the nation.



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“It’s not a debate about the goal — it’s a debate about the timelines and how quickly we can get there,” according to Dustin Duncan, the provincial minister in charge of Saskatchewan’s power grid. “The regulations just are impossible for what they’re trying to achieve in Saskatchewan.”

In a November [letter](#) to Guilbeault, Duncan explained that “the targets imposed by the federal government’s Clean Electricity Regulations are unaffordable, unconstitutional, technologically and logistically unattainable, and will jeopardize the reliability of our power grid.”

He went on: “The potential harm the regulations will cause is not confined to the production of electricity or the utility itself; the harm also extends to industrial and commercial users of our grid, and financially vulnerable people who will be faced with rising costs of power and goods that require power.”

Duncan has estimated that the new regulations would cost the province at least \$40 billion. Along with other federal environmental policies — including two carbon taxes, emission caps, and methane initiatives — the regulations will reportedly run Saskatchewan over \$110 billion by 2035.

Guilbeault disputes those figures, claiming that Ottawa will account for at least half the funding with tax credits, low-cost financing, and other funds.

But according to Eyre, Guilbeault’s assurances are not enough.

“There are a lot of trickle-down impacts from these federal policies that have not been economically canvassed or plumbed or completely analyzed or quantified,” Eyre said.

Regina lawyer Michael Milani has been chosen to chair the tribunal. Milani hopes that Ottawa will be able to clarify their intentions to the provincial authorities.

“If the goal is to obtain the best and most complete information possible, I would think, as chair, we’d want that from all places and all quarters,” Milani told *The Globe and Mail*. “It may well be that the federal government will provide us with additional information and details so that the report will be the most complete and accurate that we’re able to create.”

Other tribunal members will include former Saskatchewan Finance Minister Janice MacKinnon, former SaskEnergy president and CEO Kenneth From, agriculture researcher Stuart Smyth, and oilsands worker Estella Peterson.

Ottawa has not yet said if they are sending a representative to the tribunal.

Alberta and Saskatchewan are providing a useful object lesson to the states south of their border. Unreasonable and unconstitutional edicts from a federal government can and should be challenged by the jurisdictions who must live by them. In the United States, this is referred to as [nullification](#), and states should be willing to wield this power more, instead of simply yielding to federal authority on important issues.



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