

Regulatory Affairs - Focus on Energy

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Regulatory Affairs - a quarterly round-up of recent items of interest along with new and timely updates - is brought to you by our Regulatory Group and is edited by Jeremy Barretto and Viviana Berkman.

This edition of **Regulatory Affairs** looks at key regulatory developments for the Canadian energy industry, including liability management, renewable energy, and environmental assessment.

Cassels in the News

Cassels Lawyers Published in the Alberta Law Review on Best Practices for Oil and Gas Liability Management >

Cassels lawyers Jeremy Barretto, Christopher W. McLelland, Tamara Prince, and Alyshea Surani have been published in the *Alberta Law Review*. The article examines Alberta's oil and gas liability management system, with a particular focus on the new regime established in 2021 by the Alberta Energy Regulator's Directive 088. The article examines the history of liability management in Alberta and compares Alberta's liability management system to that of its world-class peers. This topic is important given that Alberta is piloting a new Liability Management Incentive Program this year.

Jeremy Barretto on Alberta's Renewable Energy Boom >

Jeremy Barretto was interviewed for the article "Renewable Power Market Booming in Alberta: Experts," published by *Alberta Prime Times*: "There's been billions of dollars of investment in renewable energy put into Alberta from private companies in only the last few years. And I don't see that trend stopping."

Cassels Successfully Obtains Regulatory Approval for Jenner Wind Power Projects Under Construction >

Cassels obtained regulatory approvals for the Jenner 1, 2, and 3 wind power projects in southeastern Alberta for Potentia Renewables Inc. These projects collectively produce over 300 MW of power and are currently under construction.

Cassels Energy Lawyers Recognized Among the Best in the Country by Best Lawyers 2023 >

80+ of Cassels lawyers across 30+ practice areas, including members of our Energy, Regulatory and Aboriginal teams, have been named to the 2023 edition of *Best Lawyers in Canada*.

In Case You Missed It

Alberta Court of Appeal: Climate Change Not a Basis “To Tear Apart the Constitutional Division of Powers” >

Alberta’s top court considered Canada’s federal environmental assessment law unconstitutional, and the federal government disagrees. Until resolved by the Supreme Court of Canada or governments, this reference decision will increase uncertainty for federal environmental assessments of intra-provincial projects.

Update> The Supreme Court of Canada will consider this decision during a two-day hearing scheduled in March.

Cassels Three-Part Energy Transition Series

The Cassels three-part Energy Transition Series examined the changing legal and industry trends behind the energy transition for the Canadian energy industry and banking sector. Energy transition is a global shift towards decarbonization in all industries towards net-zero emissions. Governments, industry, and financial institutions across the globe are committed to – and have set – various carbon reduction targets, paving the way for a transition towards renewable energy and other technologies to achieve net-zero emissions. Find the full series here:

- [What is Energy Transition? >](#)
- [Energy Transition for the Canadian Energy Industry >](#)
- [Going Green: Finance Companies See the Green Light >](#)

Aboriginal & Regulatory Law Update 2022 >

On September 15, 2022, experts from both our Aboriginal and Regulatory teams presented at our 2022 Aboriginal & Regulatory Law Update on a variety of critical topics, including principles for cost recovery before utilities commissions for benefits agreements with Indigenous communities.

Spotlight On: Liv Desaulniers

Cassels welcomed Liv Desaulniers to our Regulatory Law Group in 2022. She offers expertise in electricity rate regulation and renewable energy project development with experience managing more than 30 complex electricity-related regulatory matters. Liv brings invaluable insight into the complex challenges faced by her clients, having served as Commission Counsel at the Alberta Utilities Commission and in-house at a major North American energy infrastructure company. She has dealt with regulatory matters before provincial and federal regulators and utilities commissions across the country. This experience includes advising on applications to build, operate, and discontinue power plants and rate regulation for transmission lines. [Learn more about Liv here.](#)

A Few More Things

- On January 25, 2023, Cassels was proud to sponsor the Business Renewables Centre Buyers Breakfast in Toronto.
 - In May 2023, Cassels will be hosting its annual Aboriginal Case Law Update webinar. Stay tuned for updates!
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The Cassels Regulatory Group is at the forefront of regulatory and industry developments in all aspects of energy, including electricity, renewable energy, and cleantech. Our team provides strategic legal advice to clients across the country on all aspects of energy regulatory matters, including energy transition issues.

For more information, please contact any member of our team. We're here to help.

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.