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PRESS RELEASE

Saskatchewan Environmental Society

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For immediate release

Saskatchewan Environmental Society and co-applicants file notice of appeal in coal power extension case

The Saskatchewan Environmental Society (SES), together with Citizens for Public Justice and three individual applicants, has filed a notice of appeal to the Saskatchewan Court of Appeal in our legal challenge of the Government of Saskatchewan's decision to openly defy federal regulations that require the phase-out of unabated coal-fired power generation by 2030.

Our appeal relates to a January 12, 2026 ruling of the Court of King's Bench, which struck our case on procedural grounds. In that ruling, the Court did not review evidence or decide whether the Government of Saskatchewan's June 18, 2025 decision to extend coal-fired power generation is lawful, justified, or in the public interest. Instead, the Court ruled that the decision is a matter of government policy and therefore not subject to judicial review.

"The Court of King's Bench dismissed the case without allowing the full legal arguments to be heard," says Margret Asmuss, SES President. "We are asking the Court of Appeal to allow the case to proceed to a full hearing."

Why we are appealing

Saskatchewan's decision to extend coal-fired power generation is not an abstract policy decision. It involves concrete administrative actions, including plans to spend almost one billion dollars retrofitting aging coal-fired power stations with the explicit intention of operating them well beyond December 31, 2029 — the date by which federal law requires all conventional coal-fired power plants in Canada to cease operations. The Saskatchewan government has further indicated that these retrofitted plants are intended to operate into the 2040s.

"SES believes this is precisely the kind of administrative decision that should concern the courts, whose role is to uphold the rule of law and intervene when a provincial government signals an intention to defy federal law," says Peter Prebble, SES board member. "Our court case involves one of the most significant climate change decisions in Canada, because coal is the most polluting form of electricity generation, and because Saskatchewan currently accounts for a stunning 24% of the greenhouse gas pollution associated with electricity generation in Canada. Curbing that pollution is urgent."



Saskatchewan is also moving in the opposite direction from every other province. "Saskatchewan is the only province in Canada extending the use of coal to generate electricity," says Bob Halliday, SES Vice President. "Every other province has already phased out coal or committed to doing so by 2030."

Extending the use of coal-fired power locks in pollution, worsens climate and health risks, and exposes Saskatchewan residents to higher long-term costs by investing public money in outdated infrastructure that risks becoming stranded assets. "SES believes taxpayer dollars can be better spent on clean, reliable, and more affordable renewable energy solutions," says Elaine Wheaton, SES board member.

The appeal has now been formally filed and served. Further steps will take place according to the Court of Appeal's schedule.

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Saskatchewan Environmental Society (SES) is a non-profit, registered charity that is committed to supporting sustainable living and sustainable resource use in Saskatchewan. We work with, and on behalf of, communities, organizations, businesses, and policy makers to encourage informed decision-making that moves us towards sustainability. SES's current action areas include sustainable energy and climate solutions, water protection, resource conservation, biodiversity preservation, and reduction of toxic substances. Our work in Saskatchewan is carried out in Treaties 2, 4, 5, 6, 8, 10, and our office is in Saskatoon on Treaty 6, the traditional territory of Cree Peoples and the homeland of the Métis Nation.