

**COURT OF APPEAL OF ALBERTA**

COURT FILE NUMBER	2101-0085 AC
TRIAL COURT FILE NUMBER	25-2332583 25-2332610 25-2335351
REGISTRY OFFICE	CALGARY
APPLICANT	STETTLER COUNTY and WOODLANDS COUNTY
STATUS ON APPEAL STATUS ON APPLICATION	NON-PARTY APPLICANT
RESPONDENT	ALVAREZ & MARSAL CANADA INC. in its capacity as the Court-appointed receiver and manager of MANITOK ENERGY INC.
STATUS ON APPEAL STATUS ON APPLICATION	APPELLANT RESPONDENT
RESPONDENTS	PRENTICE CREEK CONTRACTING LTD., RIVERSIDE FUELS LTD. and ALBERTA ENERGY REGULATOR
STATUS ON APPEAL STATUS ON APPLICATION	RESPONDENTS RESPONDENTS
DOCUMENT	<b>APPLICATION TO INTERVENE BY STETTLER COUNTY AND WOODLANDS COUNTY, NON-PARTIES</b>
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	Gregory G. Plester Brownlee LLP 2200 Commerce Place 10155 102 Street Edmonton, AB T5J 4G8 Telephone: (780) 497-4859 Facsimile: (780) 424-3254 File #: 71552-0086/71576-0358

Form AP-3  
[Rule 14.53]

Registrar's Stamp



CONTACT INFORMATION OF ALL OTHER PARTIES:

**Norton Rose Fulbright Canada LLP**

400 3rd Avenue SW, Suite 3700  
Calgary, Alberta T2P 4H2  
Phone: 403.267.8222  
Fax: 403.264.5973

Attention: Howard A. Gorman Q.C. / D. Aaron Stephenson / Meghan L. Parker

Counsel for the Applicant, the Receiver (File # 1001023920)

**Prentice Creek Contracting Ltd.**

Altalaw LLP  
5233 – 49 Avenue  
Red Deer, AB T4N 6G5

Attention: Glyn Walters  
glwalters@altalaw.ca  
Phone: 403-343-0812  
Fax: 403-340-3545

**Riverside Fuels Ltd.**

Hamilton Baldwin Law  
5039 50th Street  
Rocky Mtn. House, AB T4T 1C1

Attention: Garrett SE Hamilton  
garrett@hamiltonbaldwin.com  
Phone: 403-845-7301  
Fax: 403-845-7301

**Alberta Energy Regulator**

1000, 250 – 5 St SW  
Calgary AB T2P 0R4

Attention: Maria Lavelle  
maria.lavelle@aer.ca  
Phone: 403-297-3736  
Fax: 403-297-7031  
Counsel for the Respondent, Alberta Energy Regulator

**NOTICE TO RESPONDENTS:**

ALVAREZ & MARSAL CANADA INC. in its capacity as the Court-appointed receiver and manager of MANITOK ENERGY INC. – Appellant on Appeal

PRENTICE CREEK CONTRACTING LTD., RIVERSIDE FUELS LTD. and ALBERTA ENERGY REGULATOR – Respondents on Appeal

**WARNING**

If you do not come to Court on the date and time shown below either in person or by your lawyer, the Court may give the applicant what it wants in your absence. You will be bound by any order that the Court makes. If you intend to rely on other evidence or a memorandum in support of your position when the application is heard or considered, you must file and serve those documents in compliance with the Rules. (Rule 14.41 and 14.43)

**NOTICE TO RESPONDENT(S):**

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:

Date:	September 2, 2021
Time:	9:30 a.m.
Where:	Court of Appeal of Alberta, TransCanada Tower
Before:	Single Judge of the Court (Rule 14.37)

**Nature of Application and Relief Sought**

1. Stettler County and Woodlands County (collectively, the “Municipalities”) seek status as intervenors in the within appeal pursuant to rule 14.58 of the *Alberta Rules of Court*.
2. Accordingly, the Municipalities are requesting an Order:

- a. granting the Municipalities intervenor status in Court File No. 2101-0085 AC, subject to such terms and conditions as the Court may impose, and with the rights and privileges that the Court may specify; and
- b. More specifically, permitting the Municipalities as intervenors to file a factum of no more than 10 pages addressing issues relating to the scope of the Supreme Court of Canada's decision in *Orphan Well Association v. Grant Thornton Ltd.*, 2019 SCC 5; and
- c. Granting such other relief as this Honourable Court may permit.

**Grounds for making this application:**

3. The Municipalities are directly and significantly affected by the issues at stake in this Appeal.
4. The Municipalities have special expertise and a unique perspective that they will bring to the proceedings, such that their perspective is necessary for the Court to properly decide this Appeal.
5. The Municipalities' interests are not protected by the current parties to the Appeal.
6. The Municipalities' intervention will not unduly delay the proceedings, result in prejudice to any party, widen the *lis* between the parties, or transform the proceeding into a political arena.
7. Such further and other grounds as counsel for the Municipalities may raise and this Honourable Court may hear.

**Material or evidence to be relied on:**

8. Affidavit of Yvette Cassidy, filed;
9. Affidavit of Gordon Frank, filed;

10. The pleadings and proceedings in the within appeal and in the Court below; and
11. Such further and other materials to which counsel may refer and this Honourable Court may permit.

**Applicable Acts, regulations and rules:**

12. *Alberta Rules of Court*, Alta Reg 124/2010, and particularly rules 14.26, 14.37, 14.40, 14.53, 14,54, and 14.58.
13. *Municipal Government Act*, RSA 2000, c M-26.
14. Such further and other Acts, regulations and rules as counsel may advise and as this Honourable Court may permit.