

May 19, 2022

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By Email Only

Rene Boutin
County of Wetaskiwin**Statement of Concern No. 32206
Trident Exploration (Alberta) Corp. (Trident) to Bornite Energy Ltd. (Bornite)
Application No. 1941998**

Dear Mr. Boutin:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 1941998. The Alberta Energy Regulator (AER) has reviewed your SOC, along with the application, and all applicable requirements and other submissions or information about the application. The AER has decided that a hearing is not required to consider the concerns outlined in your SOC.

In our review of your concerns, we considered the following:

- This application seeks to transfer an existing pipeline licence held by an insolvent licensee, Trident, over to Bornite. The AER has reviewed the application and is satisfied that Bornite meets the requirements of *Directive 088: Licensee Life-cycle Management*.
- The AER acknowledges your concern regarding unpaid municipal taxes owed to the County of Wetaskiwin (the County) by Trident, who is now insolvent. However, the pipeline that is the subject of the transfer application is not located within the County, so there are no taxes owed to the County in respect of this pipeline.
- For clarity, the recently issued Government of Alberta Direction to the AER in *Ministerial Order 043/2023* in respect of licences and unpaid municipal taxes (the MO), does not apply to the subject pipeline licence transfer application. The MO only applies to well licence transfers and applications for new well licences. Any further questions regarding the MO should be directed to Municipal Affairs.

- The AER again notes that this pipeline is outside the County boundary and you have not demonstrated that the County may be directly and adversely affected by the proposed transfer of a pipeline and the concern relates to a matter beyond the scope of the application.

Based on the above, the AER has concluded that it is not necessary to hold a hearing before making a decision on the application. The AER has issued the approval, and this is your notice of that decision. A copy of the approval is attached.

All AER-regulated parties must comply not only with the conditions of their authorizations, but with all of the AER's regulatory requirements. To ensure industry compliance the AER has developed its *Integrated Compliance Assurance Framework*, which embodies the three main components of all effective compliance assurance programs, those being education, prevention, and enforcement. You can find out more about how the AER verifies industry compliance and responds to noncompliance here: <https://aer.ca/regulating-development/compliance/compliance-assurance-program>.

You may file a regulatory appeal on the AER's decision to issue the approval if you meet the criteria within section 36 of the *Responsible Energy Development Act*. Filing instructions and forms are located here: <https://www.aer.ca/regulating-development/project-application/regulatory-appeal-process>.

If you have any questions, please contact SOC@aer.ca.

Sincerely,

< *Original Signed By* >

Trevor Gosselin
Director, Transfers, SOC and Support
Regulatory Applications
/ek

Attachment (1): Approval

cc: Joe Boury, Bornite Energy Ltd.
Jaymee Cubeta, AER
SOC Inbox, AER
ADR, AER