



Baytex Energy Ltd.

Application for a Pipeline Amendment
Excelsior Field

December 1, 2009

ENERGY RESOURCES CONSERVATION BOARD

Decision 2009-071: Baytex Energy Ltd., Application for a Pipeline Amendment, Excelsior Field

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ENERGY RESOURCES CONSERVATION BOARD

Calgary Alberta

BAYTEX ENERGY LTD APPLICATION FOR A PIPELINE AMENDMENT EXCELSIOR FIELD

Decision 2009-071
Application No. 1614716

1 DECISION

The Energy Resources Conservation Board (ERCB/Board) has accepted the applicant's request to withdraw Application No. 1614716 and cancelled the public hearing scheduled to consider it.

2 INTRODUCTION

2.1 Application

Baytex Energy Ltd. (Baytex) applied, in accordance with Part 10, Section 82, of the *Pipeline Regulation*, for approval to abandon an existing pipeline from Legal Subdivision (LSD) 16, Section 21, Township 56, Range 24, West of the 4th Meridian, to a satellite at LSD 10-29-56-24W4M. The pipeline is about 2.68 kilometres (km) in length, with a maximum outside diameter of 88.9 millimetres, and contains no hydrogen sulphide. The pipeline is located about 4 km northwest of Morinville.

2.2 Intervention

Dwain Kostiuk owns the west half of the southwest quarter of 28-56-24W4M along the pipeline right-of-way. Mr. Kostiuk filed an objection to the subject application in a letter dated July 15, 2009. He raised concerns about pipeline abandonment, environmental issues related to residual materials left underground, future development, and the registered caveat on his title land related to this pipeline.

3 DISCUSSION

On November 16, 2009, Baytex notified the ERCB that it was withdrawing Application No. 1614716, pursuant to Section 21 of the *Energy Resources Conservation Board Rules of Practice*. Baytex stated that it had completed a detailed engineering review of the oil and gas potential in the area and concluded that the pipeline had the potential to become a key infrastructure asset should Baytex proceed with future development. The Board accepted the withdrawal of the application for abandonment. Accordingly, the application was withdrawn and no public hearing will be held.

Dated in Calgary, Alberta, on December 1, 2009.

ENERGY RESOURCES CONSERVATION BOARD

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Presiding Member

G. J. Miller
Board Member

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Board Member