

September 4, 2019

Via Email

Heather and Dale Sorenson

Calgary Head Office
Suite 1000, 250 – 5 Street SW
Calgary, Alberta T2P 0R4
Canada

www.aer.ca

Dear Sir and Madam:

**RE: Request for Regulatory Appeal by Heather and Dale Sorenson
Tidewater Midstream and Infrastructure Ltd. (Tidewater)
Application Nos.: 1918651 & 1918652
Licence No/s: F22737 & F21177 (“Licence Amendments”)
Location: 36-071-07-W6M
Request for Regulatory Appeal No.: 1921585**

The Alberta Energy Regulator (AER) has considered your request under section 38 of the *Responsible Energy Development Act (REDA)* for a regulatory appeal of the AER’s decision to approve the Licence Amendments. The AER has reviewed your submissions and the submissions made by Tidewater.

For the reasons that follow, your request for a Regulatory Appeal is dismissed.

The applicable provision of REDA in regard to regulatory appeals, section 38, states:

38(1) An eligible person may request a regulatory appeal of an appealable decision by filing a request for regulatory appeal with the Regulator in accordance with the rules. [emphasis added]

The term “eligible person” is defined in section 36(b)(ii) of REDA to include:

a person who is directly and adversely affected by a decision [made under an energy resource enactment]...

Reasons for Decision

The AER notes that the concerns you have raised and the impacts you have alleged are the same or similar to those raised in the statement of concern filed by you in relation to the applications for the Licence Amendments. In its May 2, 2019 response to your statements of concern, the AER found that you had not demonstrated that you may be directly and adversely affected by the applications, which have now been approved.

In your request for regulatory appeal, you have provided no additional information which demonstrates that you may be directly and adversely affected by the decisions to approve the applications.

Your lands and residence are approximately 1.3 km from the lands to which the Licence Amendments relate. You have not established a sufficient connection between the Licence Amendments and the impacts with which you are concerned.

For the above reasons, the AER has decided that you have not demonstrated that you may be directly and adversely affected by a decision made under an energy resource enactment and as such are not eligible to request a regulatory appeal in this matter. Therefore, your request for a regulatory appeal is dismissed.

In respect of your request for a copy of the Noise Impact Assessment (NIA) related to these applications, this document is available to the public. The documents associated with these applications, including the NIA, can be accessed by selecting “Systems and Tools” at the top of the page on www.aer.ca and selecting “Integrated Application Registry Query (IAR).” Within IAR, search application number 1918651, click on “view” and then “view attachments.”

If you have operational concerns regarding the facilities to which the Licence Amendments relate you may contact the Grand Prairie Field Centre at GrandePrairie.FieldCentre@aer.ca.

Sincerely,

<original signed by>

Jason Brunet,
Director, Integration & Strategic Proj, Science, Evaluation & Innovation

<original signed by>

Michael Teare,
Senior Advisor, Reserves, Science, Evaluation & Innovation

<original signed by>

Scott Fallows,
Senior Advisor, Authorizations

cc: Ryan Connery, Tidewater