

Via Email

August 19, 2019

Mike and Faye Partsch

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 Mike and Faye Partsch
Tidewater Midstream and Infrastructure Ltd. (Tidewater)
Application Nos.: 1918651 & 1918652
Licence No/s.: F22737 & F21177 (“Licence Amendments”)
Location/s: 36-071-07 W6M
Request for Regulatory Appeal No.: 1921329**

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 statement 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 1.0 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. The decision to approve the Licence Amendments does not affect the maximum wellhead injection pressure or the maximum allowable reservoir pressure assigned to the approval of Tidewater's gas storage scheme.

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.

Sincerely,

<Original Signed by>

Michael Teare,
Senior Advisor, Science, Evaluation & Innovation

<Original signed by>

Scott Fallows,
Senior Advisor, Authorizations

Cc: Ryan Connery, Tidewater