

2020 ABAER 012

Proceeding 401

Enerplus Corporation and Robus Resources Inc.

36 Kilometres from Camrose, Alberta

Applications 1925343 and 1925602

Decision

[1] The Alberta Energy Regulator (AER) has authorized the applicants' request to withdraw applications 1925343 and 1925602 and has cancelled the public hearing.

Discussion

[2] Application 1925343 and application 1925602 were filed on November 1, 2019, and December 4, 2019, respectively. The applications, covering 108 wells, 7 facilities, and 30 pipelines, were referred to hearing on June 18, 2020, and a notice of hearing was issued on August 12, 2020.

[3] On September 1, 2020, upon the applicants' request, the AER issued an amended notice of hearing granting extensions on the deadlines to request to participate and to confirm participation set out in the original notice of hearing. The new deadlines became September 15, 2020. The AER also extended the applicants' response deadline to September 29, 2020.

[4] On September 11, 2020, Robus Resources Inc. (Robus) requested a two-month extension of the request to participate and confirmation of participation deadlines. The reason for the extension request was to allow for ongoing discussions between the applicants and the filers of statements of concern regarding Robus's proposal to apply for Site Rehabilitation Program (SRP) funding for 4 of the 108 well sites that were at issue in the proceeding. Mr. Niven, acting on behalf of the statement of concern filers, agreed with the request.

[5] On September 14, 2020, the AER granted the two-month extension request, noting in its decision letter that Enerplus Corporation (Enerplus) agreed with the request. The AER extended the confirmation of participation and request to participate deadlines to November 16, 2020, and the applicants' response deadline to November 30, 2020.

[6] On November 13, 2020, Mr. Niven requested an extension of the request to participate deadline. Before a response from the AER was issued, Mr. Niven filed a request to participate on November 16, 2020, on behalf of the statement of concern filers.

[7] On November 20, 2020, Enerplus filed a request to extend the deadline to respond to the request to participate to January 29, 2021, to “enable the parties to continue to focus on engaging in discussions for the purpose of resolving the outstanding issues” and stated that Mr. Niven and Robus also concurred with the request.

[8] On November 25, 2020, the AER denied Enerplus’s extension request, as this was the third such request.

[9] The AER was not given any new reasons why a further delay in the hearing process was needed or why negotiations between the applicants and statement of concern filers could not continue in parallel with the hearing process.

[10] Enerplus and Robus on November 30, 2020, and December 1, 2020, respectively, filed requests to withdraw their applications, pursuant to section 4(2) of the *Alberta Energy Regulator Rules of Practice*.

[11] The AER has authorized the requests to withdraw the applications.

[12] Accordingly, a public hearing will not be held.

Dated in Calgary, Alberta, on December 9, 2020.

Alberta Energy Regulator

Parand Meysami, P.Eng., M.Sc.

Presiding Hearing Commissioner