

BY E-MAIL ONLY

August 24, 2016

Mr. Fred (Jumbo) Fraser, President
Fort Chipewyan Métis Local 125

**APPLICATION No. 007-73203 from WILLIAMS ENERGY CANADA ULC
(Williams)**

STATEMENT OF CONCERN NO. 30216

Dear Fred (Jumbo) Fraser:

You are receiving this letter because you filed a statement of concern (SOC) about Application No. 007-73203 on behalf of Fort Chipewyan Métis Local 125 (FCM). The Alberta Energy Regulator (AER) has reviewed FCM's SOC, along with Williams' application, the applicable requirements, and other submissions or information about the application and has decided that a hearing is not required under an enactment or otherwise necessary to consider the concerns outlined in FCM's SOC.

In its review of FCM's SOC and related correspondence, the AER considered the following:

- FCM's community is located approximately 193 kilometers north of the existing facility which is the subject of Williams' application.
- The existing facility is located on freehold land owned by Williams and Suncor.
- Williams' application does not contemplate any changes to the footprint of the existing facility or its ongoing operations.
- Whether a decision of the AER may directly and adversely affect a party such as FCM is to be considered by the AER in light of the evidence before it. The concerns raised by FCM in its SOC are of a general nature and do not identify in

sufficient detail how Williams' application may directly and adversely affect FCM members and the lands and natural resources they commonly use.

- FCM raises concerns regarding transportation of liquid hydrocarbons and natural gas through pipelines. However, Williams' application does not include pipelines. Accordingly, these concerns are unrelated to or related to matters beyond the scope of Williams' application.
- With respect to FCM's concerns regarding lack of notification of Williams' application, the AER notes that Williams' application has since been provided to FCM. This addresses FCM's concern regarding the lack of notification to the satisfaction of the AER.
- In regards to FCM's concern regarding consultation, the AER has no jurisdiction to assess the adequacy of Crown consultation associated with the rights of aboriginal peoples,¹ and the Aboriginal Consultation Office has indicated that no consultation is required.

inquiries 1-855-297-8311
24-hour
emergency 1-800-222-6514

The AER has issued the applied-for approval and this is your notice of that decision. A copy of the approval is enclosed. Under the *Responsible Energy Development Act* an eligible person may file a request for a regulatory appeal on an appealable decision. Eligible persons and appealable decisions are defined in section 36 of the *Responsible Energy Development Act* and section 3.1 of the *Responsible Energy Development Act General Regulation*. If you wish to file a request for regulatory appeal, you must submit your request in the form and manner and within the timeframe required by the AER. You can find filing requirements and forms on the AER website www.aer.ca under Applications & Notices: Appeals.

If you have any questions, contact A. Bissonauth at _____ or e-mail _____.

Sincerely,

<original signed by>

E. Kuleba,
Director, Mining Authorizations

Enclosure (1): **(Williams Energy Approval 73203-02-00)**

¹ S. 21. *Responsible Energy Development Act*, S.A. 2012, c. R-17.3.

cc: Mirtyll Alboiu, Williams Energy Canada ULC
AER Bonnyville Field Centre
AER Indigenous Relations
Aboriginal Consultation Office

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