

BY MAIL AND FAX

February 16, 2017

Louis Sich

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

www.aer.ca

**APPLICATION NO. 118737 FROM HUSKY OIL OPERATIONS LIMITED
(HUSKY)**

STATEMENT OF CONCERN REGISTRATION NO. 30480

Dear Louis Sich:

The Alberta Energy Regulator (AER) acknowledges receipt of your letter dated November 23, 2016 in which you outlined concerns about the subject application. Your letter has been received after the deadline for filing statements of concern (SOC). The *Responsible Energy Development Act* and the *AER Rules of Practice* require you to file a statement of concern within the deadline set out in the notice of application, unless the AER grants an extension to the filing deadline.

The AER has decided to accept your late filed concerns and has assigned SOC registration number 30480. The decision was based on the following:

- You are the owner of the lands, which are the subject of Husky's reclamation certificate application.
- Husky indicated that it sent you the Public Notice of Application on October 19, 2016. However, Husky did not indicate nor confirm the date when you actually received the notice.
- Your statement of concern was filed seven days past the filing deadline. However, there appears to have been a delay in when the notice was sent to you, as the application was submitted to the AER on October 16, 2016, and the 30 day deadline for SOC filing would have run from that date as opposed to the date on which you had been sent or received notice of the application. It is also unclear when you actually received the notice, but it would have been no earlier than October 19th.
- Husky did not provide an explanation of any impacts or prejudice it would suffer if the SOC were accepted late.

- Considering all of the above, extending the deadline would not cause an unreasonable delay in processing the application or result in any unfairness or prejudice to Husky.

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

By way of copy of this letter to Husky, we are encouraging them to contact you to attempt to address your concerns, in addition to any personal consultation that may be required under AER requirements. As per the AER's process, Husky must provide you and the AER with a formal written response to your statement of concern by February 23, 2017.

The AER offers and strongly recommends you make use of our Alternative Dispute Resolution (ADR) program, which features either staff or third party mediation arranged through an AER mediator. Please contact Julia Fulford at [redacted] for more information on this process. Further information about this program is available through *EnerFAQs: All About Alternative Dispute Resolution* and *Manual 004: ADR Alternative Dispute Resolution Program and Guidelines for Energy Industry Disputes* on the AER web site, (<http://www.aer.ca>), under Applications & Notices, Alternative Dispute Resolution (ADR) Process.

Please note that the AER has no jurisdiction over matters of compensation for land usage. The Alberta Surface Rights Board is the regulatory agency that deals with these issues.

Please note that Section 49 of the *Alberta Energy Regulator Rules of Practice* (Rules) requires that all documents filed with the AER be placed on the public record. However, any party may file a request for confidentiality of information under Section 49 prior to filing the information with the AER. Any request under Section 49 must be copied to the other parties to the proceeding. Section 49 of the Rules is available at the AER website at www.aer.ca.

If you have any questions, contact the Rachel Ruddell at or e-mail .

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Sincerely,

<original signed by>

Helene De Beer

Director, Closure and Liability

cc: Jillian Kaufmann, Husky Oil Operations Limited
Brad Dunkle, AER
Authorizations Branch Support
AER Red Deer Field Centre