

Submission No. 30004

November 2, 2015

Calgary Head Office
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Canada

www.aer.ca

John Malcolm

Athabasca Oil Corporation

OSCA Application No. 1762708

Water Act File No. 00316166

EPEA Application No. 002-289664

Dear Mr. Malcolm:

The Alberta Energy Regulator (AER) acknowledges receipt of your letter dated September 4, 2015 in which you outlined some concerns about the subject applications. 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 permits you to file the SOC late.

The AER has decided not to permit your late filing. In deciding this matter, the AER considered the following:

- You have filed an SOC with the AER dated March 7, 2014.
- The deadline, May 30, 2014, to file an SOC contained in the Notice of Application is set in order to create efficiencies and to allow the AER to make determinations in a timely manner. In determining whether to permit a late filing, the AER must balance fairness between the parties recognizing the interests that are involved. This is a balance between providing certainty to applicants with respect to the timing of decisions on applications and allowing concerned persons opportunities to participate in the regulatory process.
- 492 days have passed since the deadline for filing
- No request for an extension to file a statement of concern was received prior to the deadline.

If you have any questions, contact Tiffany Poon at 403-355-4316 or by e-mail at Tiffany.Poon@ aer.ca.

Sincerely,

<original signed by>

Andrew MacPherson
Director, In Situ Authorizations

AM/kh

cc: Sheryll Tavener, Athabasca Oil Corporation
Coreen Lawrence, AER ADR
Dean Campbell, AER Authorizations Branch
AER Authorizations Review & Coordination
Bruce Gladue, AER Aboriginal Relations
Aboriginal Consultation Office