

BY MAIL AND E-MAIL

January 10, 2017

John Malcolm

**The Original Fort McMurray First Nation**

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

[www.aer.ca](http://www.aer.ca)

**SYNCRUDE CANADA LTD.  
LOCATION: ATHABASCA OIL SANDS AREA**

<b>SOC NO.</b>	<b>APPLICATION TYPE</b>	<b>APPLICATION NO.</b>
<b>30500</b>	<b><i>OIL SANDS CONSERVATION ACT (OSCA)</i></b>	<b>1820856</b>
<b>30501</b>	<b><i>ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT (EPEA)</i></b>	<b>034-00000026</b>
<b>30502</b>	<b><i>WATER ACT (WA)</i></b>	<b>005-00263298 001-00363203</b>

Dear John Malcolm:

The Alberta Energy Regulator (AER) acknowledges receipt of your letter dated November 30, 2016, in which you outlined some concerns about the subject Applications. Your letter has been received after the deadline for filing Statements of Concern. 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 to permit your late filing. In deciding this matter, the AER considered the following:

- The Applicant has not objected to your request for an extension.
- Considering all of the above, extending the deadline would not cause an unreasonable delay in processing the Applications.

By way of copy of this letter to Syncrude Canada Ltd., we are requesting they contact you to attempt to address your concerns, as provided under AER requirements.

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

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 Coreen Lawrence 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 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](http://www.aer.ca).

If you have any questions, contact Karen Roberts at [redacted] or e-mail [redacted].

Sincerely,

<original signed by>

Erik Kuleba  
Director, Mining Authorizations

cc: Isabelle Shelbey, Syncrude Canada Ltd.  
Authorizations Branch Support  
AER Bonnyville Field Centre  
AER Aboriginal Relations  
Aboriginal Consultation Office