

BY MAIL AND E-MAIL

October 6, 2015

Andrew Scott

**Applications No. 1835955 and 1835959 from Penn West Petroleum Ltd.
Statement of Concern No. 29935**

Dear Mr. Scott:

You are receiving this letter because you filed a statement of concern on behalf of O'Chiese First Nation (OCFN) about Applications No. 1835955 and 1835959. The Alberta Energy Regulator (AER) has reviewed your statement of concern, along with the applications, the applicable requirements, and other submissions or information about the applications and has decided that a hearing is not required under an enactment or otherwise necessary to consider the concerns outlined in your statement of concern.

In its review of OCFN's concerns, the AER considered the following:

- OCFN did not provide specific information, such as locations within or in proximity to the project lands where OCFN members use these lands that demonstrates how the proposed activities may interfere with the ability of OCFN's members to exercise Aboriginal and Treaty rights or how those activities may otherwise directly and adversely affect OCFN.
- The OCFN's reserve boundaries are located approximately 13 km west from the proposed activity.
- The concerns related to the Energy Ministerial Order 105/2014 are not applicable to this application which is made pursuant to an energy resources enactment, the Oil and Gas Conservation Act and Rules, because the Ministerial Order only applies to specified enactment applications and not those made under energy resource enactments.
- No Statements of Concern were filed against the two associated applications.
- OCFN has not demonstrated that it may be directly and adversely affected.

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

The AER has issued the applied-for licences and this is your notice of that decision. Copies of the licences are attached. 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, please contact Julia MacPhee at _____ or e-mail _____

Sincerely,

<original signed by>

Shelley Youens
Director, Infrastructure Authorizations Group (Oil and Gas)

SY/jm

Attachments (2): Copies of the licences

cc: Leona Ballman, Penn West Petroleum Ltd.,
AER Drayton Valley Field Centre,
Authorizations Review & Coordination,
AER Aboriginal Relations,
Aboriginal Consultation Office.