

BY E-MAIL ONLY

December 20, 2016

Mr. Allen Pukanski

**APPLICATIONS NO. 1869020 and 1869138 from NEP CANADA ULC
STATEMENT OF CONCERN NO. 30442**

Dear Allen Pukanski:

You are receiving this letter because you filed a statement of concern about Applications No. 1869020 and 1869138. 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 your concerns, the AER considered the following:

- The proposed facility and pipeline are not located on your lands. Further, there would be no setbacks resulting from these applications on your lands.
- Your lands do not fall within the EPZ of the proposed facility.
- The facility would be located on an existing lease, and no lease extension is required.
- Regarding your concerns about consultation, the AER is satisfied that NEP Canada ULC (NEP) has met the participant involvement requirements of *Directive 056*.
- The facility is a multiwell oil satellite, and does not have any compressors or additional surface equipment that would contribute to noise in the area.
- The pipelines would carry production from the proposed facility to existing pipelines, and once constructed, will not contribute to noise in the area. Additionally, NEP is required to comply with *Directive 038:Noise*.
- There is no hydraulic fracturing associated with these applications, therefore, there will be no additional noise from fracturing operations due to the installation of a satellite facility or the operation of the pipelines.
- Your concerns about the impacts on your health due to flaring are general in nature, and there is no continuous flaring associated with these applications.

- Your concerns regarding property value and caveats on your property are also general in nature, and are not within the AER's jurisdiction.

Based on the above, you have not demonstrated that you may be directly and adversely affected by the applications, and your concerns about noise have been addressed to the satisfaction of the AER. 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.

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

If you have any questions, contact Lonny Olsen at 403-297-3513, or email Lonny.Olsen@aer.ca.

Sincerely,

<original signed by>

Sean Power, P. Eng.
Acting Director, Pipeline Authorizations

Enclosure (2): (licences)

cc: Ashley White, NEP
Authorizations Branch Support
AER Leduc-Woodbend Field Centre