

Proceeding ID 394

June 4, 2020

By email only

Bennett Jones LLP
Attention: Daron K. NaffinBishop Law
Attention: Debbie BishopAlberta Energy Regulator
Attention: Kiril Dumanovski**Re: Regulatory Appeal 1926438 - Request for Regulatory Appeals 1919768 and 1924228
Regulatory Appeal of Approval of Applications 1914551, 1920992 and 338430
Hearing issues, timing and submission schedule**

Dear Counsel:

I am writing to you on behalf of the Alberta Energy Regulator (AER) panel of hearing commissioners assigned to this proceeding (the panel).

The panel has determined a proposed list of issues for the hearing, a hearing schedule incorporating a formal information request process, and potential hearing timing and format.

Hearing Issues

The panel notes that Regulatory Applications' approval of Ovintiv's applications 1914551, 1920992 and 338430 is the subject of this regulatory appeal, and all activities associated with these applications are referred to below as the 'approved activities':

- Application 1920992: a multiwell pad of 10 sour gas wells located at LSD 15-27-072-09W6M
- Application 1914551: two multiwell pads with eight horizontal sour gas wells located at LSD 15-26-072-09W6M
- Application 338430: a sour gas pipeline running from LSD 14-28-072-09W6M to LSD 15-30-072-09W6M

After considering the written submissions and the reply submissions from the parties on the proposed issues for the hearing, the panel has decided that the hearing issues in this proceeding are as follows:

1. Whether the approved activities provide for the economic, efficient, safe, orderly, and environmentally responsible development in the public interest of the oil and gas resources and pipeline facilities of Alberta;
2. The social and economic effects of the approved activities;
3. Effects of the approved activities on the environment, including possible impacts to air and water
4. The impacts on the requesters as a result of the use of the land on which the approved activities are located;
5. Whether the approved activities comply with applicable AER requirements, including, but not limited to proliferation of sour gas and oil wells and pipelines;
6. Cumulative risks to the requesters from living in multiple emergency planning zones;
7. Adequacy of the emergency response plans for the approved activities and associated egress; and
8. Impacts of the approved activities on the health of the requesters.

If any new, relevant issues are raised by the parties during the course of the hearing process, the panel may also consider those issues.

Timing and location of the hearing

It is the panel's intention to hold the hearing the week of September 21, 2020. More details around the schedule will be provided once parties are in a position to provide time estimates for direct evidence and cross examination.

As communicated in its letter of April 29, 2020, the panel is still of the view that given its proximity to the project, Grande Prairie is the most suitable location for the hearing.

Notwithstanding the decisions above, parties should be aware that the COVID-19 situation is ever evolving and the panel could be required to revise its decisions with respect to the nature, timing and location of the hearing if restrictions around social distancing are still in place in the fall. The panel is prepared to conduct this hearing electronically if an in-person hearing is not possible due to COVID-19.

Submission schedule

In consideration of a hearing the week of September 21, 2020, the panel sets the following submission schedule:

Process Step	Date
Submissions from Ambroses	June 30, 2020
Submissions from Ovintiv	July 21, 2020
Submission from AER Regulatory Applications	July 28, 2020
Reply submissions from Ambroses	August 11, 2020

Information request to all parties	August 25, 2020
Responses to information requests from all parties	September 8, 2020
Hearing commences	September 22, 2020

Submissions should be PDF documents with bookmarks, page numbers, and optical character recognition. Please provide your submissions no later than 4:00 pm by email to [hearing.services@aer.ca](mailto:hearing.services@ aer.ca) (and copied to the other parties in the hearing).

A notice of scheduling of hearing will be issued in due course. If you have any questions contact me at 403-297-8288 or at [hearing.services@aer.ca](mailto:hearing.services@ aer.ca).

Sincerely,

Tara Wheaton

Hearing Coordinator

cc: A. Hall, AER
T. Myers, Bennet Jones LLP