

Via Email

June 12, 2019

Richard J. Nixon

Dear Sir:

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

www.aer.ca

**RE: Request for Reconsideration of Section 106 Decision 20171130A by Richard Nixon
Reconsideration No.: 1921018**

The Alberta Energy Regulator (AER) has considered the reconsideration request under section 42 of the Responsible Energy Development Act (REDA) for a reconsideration of the AER's decision to approve the Section 106. The AER has reviewed your submissions.

The AER has authority to reconsider its decisions pursuant to section 42 of the *Responsible Energy Development Act (REDA)*. That section states:

The Regulator may, **in its sole discretion**, reconsider a decision made by it and may confirm, vary, suspend or revoke the decision. [emphasis added]

As indicated in section 42, it is at the AER's sole discretion whether to reconsider a decision made by it. That section does not provide an appeal mechanism that is designed to be applied-for and utilized by industry or members of the public; other provisions provide this opportunity. The AER will only exercise its discretion to reconsider a decision outside these time limits under the most extraordinary circumstances, where it is satisfied that there are exceptional and compelling grounds to do so.

The AER has reviewed your request for reconsideration dated May 1, 2019 as well as the further information provided on May 23, 2019 in support of the request. It is the AER's decision that you have not demonstrated extraordinary circumstances that give rise to exceptional and compelling grounds, and accordingly, the AER denies your request for reconsideration.

Sincerely,

<original signed by>

Charles Tamblyn,

Director, Subsurface & Economic Eval, Science, Evaluation & Innovation

<original signed by>

Richard Tomlins,

Senior Advisor, Innovation, Science, Evaluation & Innovation

<original signed by>

Tom Byrnes, P. Eng

Senior Advisor, Strategic Management