

November 26, 2020

Cindy Chiasson, LL.B.
Hearing Commissioner
cindy.chiasson@aer.ca

tel 780-642-9336
cell 780-399-0488

www.aer.ca

Mancal Coal Inc.

Attention: Dennis Langen, Stikeman Elliott LLP

By Email: dlangen@stikeman.com

Alberta Energy Regulator, Regulatory Applications

Attention: Alana Hall, Legal Counsel, AER Regulatory Applications

By Email: alana.hall@er.ca

**RE: Request for Regulatory Appeal 1924547 by Mancal Coal Inc., regarding
Application No. 1922956, Coal Mine Permit No. C2011-04B**

Dear Counsel:

On behalf of the Alberta Energy Regulator (AER), I acknowledge receipt of:

- Correspondence from AER Regulatory Applications (Regulatory Applications), dated November 16, 2020, with attachments, which advises that Regulatory Applications have reached a resolution agreement with Mancal Coal Inc. (Mancal) regarding Request for Regulatory Appeal 1924547 that requires the appealable decision, Coal Mine Permit No. C 2011-4B, to be varied; and
- Correspondence from Mancal, dated November 17, 2020, with attachments, which confirms Mancal's agreement with the November 16, 2020 letter and attaches the McLeod River South 2020-2026 Regulatory Roadmap for placement on the public record.

I note that the parties' resolution agreement results from the hearing commissioner facilitated Alternative Dispute Resolution meetings that I conducted with Darlene Abbott and subsequent confidential discussions between the parties.

Pursuant to section 36(a)(iv) of the *Responsible Energy Development Act (REDA)*, the issuance of Coal Mine Permit No. C 2011-4B meets the definition of an appealable decision. Under section 36(b)(ii) of *REDA*, Mancal's request for regulatory appeal has not been dismissed. Mancal's concerns have been resolved through the resolution agreement and the decision-maker who issued Coal Mine Permit No. C 2011-4B is a party to that agreement.

To implement the resolution agreement, I grant Request for Regulatory Appeal 1924547 and, pursuant to section 41(2) of *REDA*, I vary the appealable decision, Coal Mine Permit No. C 2011-4B, and issue an amended permit, Coal Mine Permit No. C 2011-4D, which is attached to this decision.

Sincerely,

<original signed by>

C.L.F. Chiasson,
Hearing Commissioner

Enclosure

cc: Aimee Hockenhull, AER Regulatory Appeals Coordinator