

September 27, 2021

[www.aer.ca](http://www.aer.ca)

By Email Only

Veronique Giry  
**ISH Energy Ltd. (ISH)****Statement of Concern No. 31935**  
**Canadian Natural Resources Limited (CNRL)**  
**Application No. 1932521**

Dear Veronique Giry:

You are receiving this letter because you filed a statement of concern (SOC), on behalf of ISH Resources Ltd. about Application No. 1932521. The Alberta Energy Regulator (AER) has reviewed your SOC, along with the application, and all applicable requirements and other submissions or information about the application. The AER has decided that a hearing is not required to consider the concerns outlined in your SOC.

In our review of your concerns, we considered the following:

- Section 7(e) of the AER Rules of Practice provides that the Regulator may decide not to hold a hearing where “the matter to which the application relates has been adequately dealt with or addressed through a hearing or other proceeding under any other enactment or by a decision on another application.”
- ISH’s concerns regarding temperature and data anomalies and monitoring strategies were directly heard, and adjudicated upon, by a Panel of hearing commissioners in Proceeding 397. ISH and CNRL were both participants in Proceeding 397. The Decision report (Decision 2021 ABAER 001; AER 2021) was published on January 13, 2021, and an updated Scheme Approval No. 11475JJ was approved on January 14, 2021. These concerns are outside the scope of the current application.
- There is insufficient evidence to demonstrate that ISH may be directly and adversely affected by this amendment application.
- None of the concerns identified in ISH’s SOC address any of the proposed amendments to Scheme Approval No. 11475JJ. The concerns relate to the original approval, which was varied by the panel’s decision in 2021 ABAER 001.

Based on the above, the AER has concluded that it is not necessary to hold a hearing before making a decision on the application. The AER has issued the applied-for approval, and this is your notice of that decision. A copy of the approval is attached.

All AER-regulated parties must comply not only with the conditions of their authorizations, but with all of the AER's regulatory requirements. To ensure industry compliance the AER has developed its *Integrated Compliance Assurance Framework*, which embodies the three main components of all effective compliance assurance programs, those being education, prevention, and enforcement. You can find out more about how the AER verifies industry compliance and responds to noncompliance here: <https://aer.ca/regulating-development/compliance/compliance-assurance-program>.

You may file a regulatory appeal on the AER's decision to issue the approval if you meet the criteria within section 36 of the *Responsible Energy Development Act*. Filing instructions and forms are located here: <https://www.aer.ca/regulating-development/project-application/regulatory-appeal-process>.

If you have any questions please contact [SOC@aer.ca](mailto:SOC@aer.ca).

Sincerely,

<Original signed by>

Andrew MacPherson  
Director, In Situ  
Regulator Applications  
/as

Attachment (1): Approval

cc: Marc Scrimshaw; Canadian Natural Resources Limited  
SOC Inbox, AER  
Molly Chmelyk, AER  
Field Operations East, AER  
ADR Inbox, AER