Alberta Energy Regulator

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

www.aer.ca

January 15, 2024

By Email Only

Keith Stewart and Ivy Stewart-Wilson

Statement of Concern No. 32201
Cenovus Energy Inc. (Cenovus)
Applications No. 1941839 and 039-48522

Dear Keith Stewart and Ivy Stewart-Wilson:

You are receiving this letter because you filed a statement of concern (SOC) about Applications No. 1941839 and 039-48522. The Alberta Energy Regulator (AER) has reviewed your SOC, along with the applications, and all applicable requirements and other submissions or information about the applications. 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:

- You reside in Toronto, Ontario which is approximately 2 659 km from the Kirby West Project. Additionally, you do not own the lands on which the project is proposed.
- The AER acknowledges your concerns regarding greenhouse gas emissions, pollution, climate change, and net zero initiatives; however, these concerns are general in nature and do not establish how you would be directly and adversely affected. Furthermore, Cenovus must adhere to all requirements within the *Oil Sands Conservation Act* (OSCA) and *Environmental Protection Enhancement Act* (EPEA) for the duration of the project.
- The concerns regarding the ongoing Bever Lake Cree court case, Government of Alberta (GOA) policies and legislation are outside the AER jurisdiction and should be addressed by the GOA.

Based on the above, the AER has concluded that it is not necessary to hold a hearing before making a decision on the applications. The AER has issued the applied-for approvals, and this is your notice of those decisions. Copies of the approvals are 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 approvals 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.

Sincerely,

<*Original signed by*>

Andrew MacPherson
Director, In Situ
Regulatory Applications
/gf

Attachments (2): Approvals

cc: Brent Mitchell, Cenovus
Heather Slavinski, AER
James Chen, AER
SOC Inbox, AER
Environmental Protection & Enhancement and Water, AER
ADR Inbox, AER