

Via Email

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July 27, 2021

www.aer.ca

Jeremy & K. Terry Komives

Imperial Oil Resources Limited

Attention: Jeremy & K. Terry Komives

Attention: Ali Rahmatullah

Alberta Energy Regulator - Enterprise
Reclamation Group (ERG)

Attention: Alison Doebele, Counsel

Dear Sirs and Mesdames:

**RE: Request for Regulatory Appeal by Jeremy and Terry Komives (the Komives)
Imperial Oil Resources Limited (Imperial or IORL)
Application Nos.: 30832383 and 30833717
Reclamation Certificate Nos. 30832384 and 30833718
Locations: NE9-18-47-27-W4M, and NE-10-18-47-27-W4M
Request for Regulatory Appeal No. 1932580**

The Alberta Energy Regulator (AER) has considered the submissions filed in relation to the above captioned matter and has determined that a hearing into the Regulatory Appeal will be held as the requisite legislative tests have been met. In their request for regulatory appeal, the Komives raise concerns with areas of straight clay on the site that are impacting vegetation growth and reducing grazing capacity potentially resulting in a loss of income in the future.

By operation of sections 91(1)(i) of the *Environmental Protection and Enhancement Act (EPEA)* and section 36 of the *Responsible Energy Development Act (REDA)*, the tests for appealable decision and eligible person appeared to have been met in this case. Further, the AER has determined there is no justification to dismiss the regulatory appeal request at this stage under section 39(4) of the *REDA*. In short, *EPEA* grants the owner of lands subject to a reclamation certificate that is in receipt of a copy of the reclamation certificate the right of regulatory appeal barring extraordinary and obvious circumstances militating against that right. The AER found that no such circumstances exist in this case.

Given the above, the AER will be asking that the Chief Hearing Commissioner appoint a panel of hearing commissioners to conduct a hearing of the Regulatory Appeal.

Sincerely,

<*Original signed by*>

Charlene Graham

Executive Vice President, Law and General Counsel