

Via Email

September 27, 2021

Matthew Luoma

Attention: Matthew Luoma

Imperial Oil Resources Limited

Attention: Ali Rahmatullah

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

www.aer.ca

Alberta Energy Regulator – Enterprise
Reclamation Group

Attention: Alison Doebele, Counsel

Dear Sirs and Madam:

**RE: Request for Regulatory Appeal by Matthew Luoma
Imperial Oil Resources Limited (Imperial)
Application No.: 30174301
Reclamation Certificate No.: 31074302
Location: NW 12-28-57-21-W4M
Request for Regulatory Appeal No.: 1932972**

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 legislative tests have been met.

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. *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.

While the AER has determined there is no justification to dismiss the entirety of the Request at this stage, the AER does dismiss the parts of the Request that relate compensation. As compensation is a matter outside of the AER's jurisdiction, and as the AER does not have the authority to offer financial relief, the issue of compensation is dismissed. The hearing shall focus on whether the site meets applicable reclamation criteria.

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

<Original signed by>

Jeff Moore
Associate General Counsel