

Via Email

September 19, 2023

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Bennett Jones LLP

Alberta Energy Regulator – Regulatory
Applications Branch

Attention: Martin Ignasiak, K.C.

**Attention: Alana Hall, Counsel
Amanda Huxley, Counsel**

Dear Sir and Mesdames:

**RE: Request for Regulatory Appeal by Montem Resources Alberta Operations Ltd.
Alberta Energy Regulator – Regulatory Applications Branch (Regulatory Applications)
Regulator Initiated Amendment to *Environmental Protection and Enhancement Act* (EPEA)
Approval No.: 00047679-02-00, as amended
EPEA Approval Amendment No. 00047679-02-04 issued on June 9, 2023
Tent Mountain Mine (Mine No. 1695)
Location: N 23-07-06-W5
Request for Regulatory Appeal No.: 1943581**

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. In its request for regulatory appeal, Montem Resources Alberta Operations Ltd. (**Montem**) raises concerns with Regulatory Applications' issuance of the Regulator initiated amendment to Montem's EPEA approval on June 9, 2023, resulting in EPEA Approval Amendment No.: 00047679-02-04 (**Decision**).

By operation of sections 91(1)(a)(i) of EPEA and section 36 of the *Responsible Energy Development Act* (**REDA**), the legislative tests for "appealable decision" and "eligible person" 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. Regulatory Applications submitted that it agrees that the applicable legislative tests have been met, and took no position on whether the request for regulatory appeal should be dismissed pursuant to section 39(4) of REDA. Accordingly, a Regulatory Appeal hearing will be held.

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>

Sean Sexton
Executive Vice President, Law and General Counsel

cc: Rushang Joshi, Regulatory Applications