

2020 ABAER 013

Proceeding 390

Sitka Exploration Ltd.

Reconsideration of Reclamation Certificate 00340419-00-00

Decision

- [1] The Alberta Energy Regulator (AER) has discontinued the reconsideration of its decision to reissue reclamation certificate 00340419-00-00 and cancelled the public hearing because there are no outstanding issues and all the parties support the discontinuation of the reconsideration.

Discussion

- [2] On October 19, 2017, the AER reissued reclamation certificate 00340419-00-00 for a well site and access road at Legal Subdivision 1, Section 1, Township 37, Range 5, West of the 5th Meridian. The reclamation certificate was reissued in accordance with a resolution agreement that had been reached between Bonavista Energy Corporation (Sitka Exploration Ltd.'s predecessor in interest) and the AER and authorized by the AER's chief hearing commissioner on August 13, 2015.
- [3] On November 6, 2017, D. Murphy and B. Carson (the landowners) filed a request for regulatory appeal of the AER's decision to reissue the reclamation certificate. On October 26, 2018, the AER decided to conduct a written reconsideration under Part 2, Division 4, of the *Responsible Energy Development Act* of its decision to reissue the reclamation certificate.
- [4] On November 14, 2018, the AER advised the landowners, Sitka, and the AER's Reclamation Programs Group (RPG) of its decision to proceed with a reconsideration and temporarily suspended the landowners' request for regulatory appeal pending the outcome of the reconsideration process.
- [5] On October 16, 2019, the AER referred the reconsideration to the chief hearing commissioner and asked him to establish a hearing panel to conduct a hearing. A hearing panel was assigned on October 22, 2019, and a notice of hearing issued on December 19, 2019. The purpose of the hearing was to determine whether the AER should vary, confirm, suspend, or revoke the decision to reissue the reclamation certificate. Sitka, D. Murphy and B. Carson, and RPG confirmed their participation in the hearing.
- [6] A written prehearing process, held to address the onus of proof, hearing scope, and other procedural issues, closed on June 29, 2020. The hearing panel issued its prehearing decision on July 17, 2020.

- [7] On October 8, 2020, the hearing panel advised the parties that a five-day electronic hearing would start on February 1, 2021, and set out a written hearing submission schedule.
- [8] On November 12, 2020, Sitka and the landowners jointly requested that the hearing panel suspend the submission schedule to allow them to work towards finalizing a settlement agreement. The hearing panel granted a suspension until December 1, 2020, and requested an update by that date.
- [9] On November 27, 2020, Sitka and the landowners confirmed that they had reached a resolution and requested that the reconsideration be discontinued. The landowners also informed the hearing panel that they would be withdrawing their request for regulatory appeal.
- [10] On November 30, 2020, RPG informed the hearing panel that it supported the discontinuation of the reconsideration and withdrawal of the regulatory appeal.
- [11] With no outstanding issues before it, the AER has discontinued the reconsideration. Accordingly, the public hearing is cancelled.

Dated in Calgary, Alberta, on December 15, 2020.

Alberta Energy Regulator

C.L.F. Chiasson, LL.B.
Presiding Hearing Commissioner