

Via Email

October 5, 2016

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

Bennett Jones LLP

Blake, Cassels & Graydon LLP

www.aer.ca

Attention: Blake Williams

Attention: David Tupper

AER Closure and Liability Group

Attention: Karen Lilly and
Danielle Brezina

Dear Counsel:

**RE: Request for Regulatory Appeal by Gibson Energy Inc. (Request for Regulatory Appeal No. 1864185/Appeal No. 1866029) and by Husky Oil Operations Limited (Request for Regulatory Appeal No. 1863309/Appeal No. 1866028)
Environmental Protection Order dated July 7, 2016**

The AER has considered the submissions filed in regard to the above matters and has determined that a hearing into the Regulatory Appeals requested by Gibson Energy Inc. (Gibson) and Husky Oil Operations Limited (Husky) will be held.

All parties are in agreement that by operation of sections 91(1)(h) of the *Environmental Protection and Enhancement Act* and sub-sections 36 (a)(i) and (b)(i) of the *Responsible Energy Development Act*, Gibson and Husky are entitled to an appeal in relation to the environmental protection order dated July 7, 2016 and issued against them.

Section 4 of the *Responsible Energy Development Act General Regulation* requires that the AER conduct a regulatory appeal with a hearing if it appears the concerns of the eligible person requesting the appeal have not be addressed through an alternative dispute resolution process or otherwise resolved. As the concerns of Husky and Gibson have not been addressed or resolved, the Chief Hearing Commissioner has been asked to appoint a panel of hearing commissioners to conduct a hearing of Appeal Nos. 1866028 and 1866029.

Please contact me at your convenience if you have any questions regarding the above.

Sincerely,



Meighan LaCasse
Counsel

cc: AER – Greg McLean