

2017 ABAER 004

Inter Pipeline Ltd.

Regulatory Appeal 1887581 of Application 001-00385804

Red Deer River, 35 Kilometres North of Brooks

Proceeding ID 354

Decision

[1] The Alberta Energy Regulator (AER) will not hold a hearing for regulatory appeal 1887581 because the parties have resolved the issues.

Proceeding

[2] On April 3, 2017, the AER received a request for a regulatory appeal, under Division 3 of the *Responsible Energy Development Act* and Part 3 of the *Alberta Energy Regulator Rules of Practice (Rules of Practice)*, of the AER's decision to refuse to issue Inter Pipeline Ltd. an approval under section 38 of the *Water Act*.

[3] Inter Pipeline's application was for an approval to construct an instream rock sill and to armour the bank of the Red Deer River in the east half of Section 7, Township 22, Range 12, West of the 4th Meridian, approximately 35 km north of Brooks, Alberta. The project would increase the depth of cover over three of the applicant's pipelines.

[4] The regulatory appeal request was granted by the AER and a notice of hearing was issued on June 29, 2017. Inter Pipeline and the AER's Pipeline Authorizations Group were parties to this regulatory appeal.

Discussion

[5] The AER was scheduled to hold a public hearing in Calgary, Alberta, on November 1, 2017, before hearing commissioners H. Kennedy (presiding), J. Daniels, and D. O'Gorman.

[6] Concurrent with the issuance of the notice of hearing, the AER initiated a commissioner-led alternate dispute resolution (ADR) process under Part 1.1 of the *Rules of Practice*. Commissioners who were not assigned to the hearing panel led that process. Inter Pipeline and AER Pipeline Authorizations engaged in the ADR process. On September 27, 2017, the AER received a disposition letter advising that a resolution had been reached between the parties. The appealable decision had been revoked and Inter Pipeline's application was reinstated for continued processing and determination by the AER.

[7] Accordingly, a public hearing will not be held.

Dated in Calgary, Alberta, on October 16, 2017.

Alberta Energy Regulator

<original signed by>

Heather Kennedy

Presiding Hearing Commissioner