

2016 Alternative Dispute Resolution Summary

Alternative dispute resolution (ADR) is an important part of the regulatory process at the Alberta Energy Regulator (AER). Through collaboration and empathic engagement, ADR encourages energy companies, Albertans, and indigenous peoples to work together to find mutually agreed-upon solutions regarding proposed or existing energy development while building long-term relationships. ADR is available through the life cycle of an energy development, from before an application is filed through to reclamation of the development.

The AER ADR team has members working in communities across Alberta to help resolve disputes related to energy development. In 2016, the team welcomed new members and also bid farewell to one of its first ADR specialists, Anna Rose, who was integral to helping the AER begin work on a wise-practice guide for carrying out ADR with indigenous peoples.

Our desire to learn from indigenous peoples led to an exciting collaboration with Blackfoot elder Dr. Reg Crow Shoe in 2016. He, along with elders from Treaties 6, 7, and 8, guided our work on the wise-practice guide, *Voices of Understanding: Looking Through the Window*, which we released on September 21, 2017. *Voices of Understanding* considers decision-making models and the concept of “ethical space,” where the AER and indigenous communities work together with an understanding of each other’s worldviews. This

approach will not only affect how we carry out ADR with indigenous peoples but also how we interact with indigenous peoples and communities in all of our work. The AER is deeply grateful to Dr. Crow Shoe and the elders of Treaties 6, 7, and 8 for their guidance.

In 2016, the ADR program continued to maintain a high success rate, with parties opting to engage in mediation fully or partially resolving disputes. Finding local solutions to local issues saves Albertans, industry, and the AER time and money by reducing the need for public hearings and building long-term positive relationships in affected communities.

The ADR team stayed active in the community this year by engaging in professional development opportunities with local and national organizations, such as the Dispute Resolution Network, the Alternative Dispute Resolution Institute of Alberta, and the Alternative Dispute Resolution Institute of Canada. In addition, we worked with our colleagues at the AER to provide training on communication skills and conflict resolution as the organization embraces empathic engagement as a core principle to achieve regulatory excellence.

If you are interested in learning more about ADR, please read our EnerFAQs on ADR at www.aer.ca/about-aer/enerfaqs/enerfaqs-adr.

2016 ADR Participant Feedback

“These two ladies (mediators) kept the meeting on task and yet it seemed like the meeting was relaxed—no resistance or pressure to speak or to make decisions. Great people you have working for you.”

“Good process. Very respectful working environment.”

“Yay for ADR!”

Applications



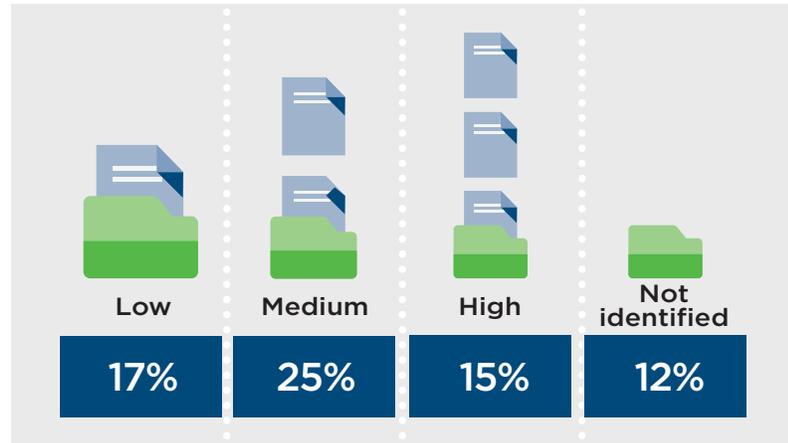
applications closed in 2016



statements of concern received

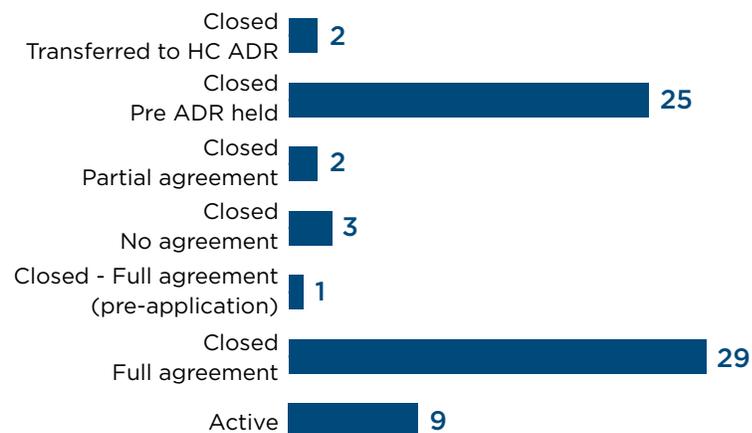


ADR Complexity (Level of Effort) Ratings



Low: a few parties and issues; Medium: several parties and issues; High: numerous parties, and complex issues

ADR Cases in 2016



A preliminary ADR (pre-ADR) meeting is an initial discussion between parties about the issues in dispute. The meeting is also used to inform the parties about the mediation process and to determine which ADR option works best for them, such as direct or mediated negotiation.