

BY E-MAIL ONLY

June 15, 2018

Leonard and Cathy Fuss

**ALBERTA PRODUCTS PIPE LINE LTD**

**APPLICATIONS NO. 001-00390867 and 1891278**

**STATEMENT OF CONCERN NO. 30657**

Dear Leonard and Cathy Fuss:

You are receiving this letter because you filed a statement of concern about Applications No. 001-00390867 and 1891278. The Alberta Energy Regulator (AER) has reviewed your statement of concern, along with the application, the applicable requirements, and other submissions or information about the application. The AER has decided that a hearing is not required under an enactment, or necessary, to consider the concerns outlined in your statement of concern.

In its review of your concerns, the AER considered the following:

- The route of the proposed pipeline will not traverse through your lands.
- Your concerns about entry access and pipeline right of way properties pertain to the operations of the existing pipeline and are beyond the scope of the current applications. In addition, Alberta Products and Pipe Line (APPL) indicated that once the new pipeline is operational, the existing line will be discontinued. Further, surface access and compensation matters are outside of AER jurisdiction and should be addressed with the Alberta Surface Rights Board.
- Regarding your concerns about the spread of soil borne disease and clubroot, APPL is required to meet all regulatory guidelines and requirements.

Based on the above, you have not demonstrated that you may be directly and adversely affected by approval of the applications or that the AER should hold a hearing before making its decision on the applications. The AER has issued the applied-for approval and licence and this is your notice of that decision. Copies of the approval and licence are

attached. Under the *Responsible Energy Development Act* an eligible person may file a request for a regulatory appeal on an appealable decision. Eligible persons and appealable decisions are defined in section 36 of the *Responsible Energy Development Act* and section 3.1 of the *Responsible Energy Development Act General Regulation*. If you wish to file a request for regulatory appeal, you must submit your request in the form and manner and within the timeframe required by the AER. You can find filing requirements and forms on the AER website, <http://www.aer.ca/regulating-development/project-application/regulatory-appeal-process>.

inquiries 1-855-297-8311  
24-hour  
emergency 1-800-222-6514

If you have any questions, contact Valeria Silva at 403-592-4157 or e-mail [valeria.silva@aer.ca](mailto:valeria.silva@aer.ca).

Sincerely,

<Original signed by>

Lane Peterson  
Director, Pipeline Authorizations

<Original signed by>

Tania De Silva  
Director, Oil, Gas & Pipeline, Closure & Liability

Enclosure (2): (**Approval and Licence**)

cc: Amanda Allen, Alberta Products Pipe Line Ltd  
David Hill, Alberta Products Pipe Line Ltd  
AER SOC Coordinator  
AER Edmonton Field Centre  
AER Midnapore Field Centre  
AER Red Deer Field Centre