

BY E-MAIL ONLY

October 7, 2015

Marnie Suitor,  
**K&R 2014 Inc.**

**APPLICATION No. PLA150882 from Penn West Petroleum Ltd.  
STATEMENTS OF CONCERN NO. 29894**

Dear Marnie Suitor:

You are receiving this letter because you filed a statement of concern on behalf of Paul First Nation (PFN) about Application No. 150882. 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 and has decided that a hearing is not required under an enactment or otherwise necessary to consider the concerns outlined in your statement of concern.

In its review of PFN's concerns, the AER considered the following:

- PFN's reserve lands are located about 68 km from the proposed project boundary.
- The Aboriginal Consultation Office (ACO) advised on March 26, 2015 that Penn West's First Nation consultation was adequate.
- Although the proposed project is on lands PFN identifies as its traditional lands, PFN's concerns are general in nature, and no site specific detailed information regarding PFN's activities is provided. Therefore, the information provided by PFN does not establish sufficient connection between the application and impacts on its rights. This information does not demonstrate that PFN may be directly and adversely affected by the application.
- While PFN says it cannot determine possible impacts to it from the application because of a lack of information and funding, Penn West has offered to PFN capacity funding commensurate with what it has provided to other First Nations for similar

projects and has provided PFN with a significant amount of project related information and responded to all PFN requests for information.

- Based on the above, you have not demonstrated that you may be directly and adversely impacted by the application.

The AER has issued the applied-for approval, and this is your notice of that decision. A copy of the approval is 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 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 [www.aer.ca](http://www.aer.ca) under Applications & Notices: Appeals. If you have any questions, contact Jamie Riley

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

Sincerely,



Elizabeth Grilo  
Director, Land Use Authorizations

Enclosure (1): **(PLA approval)**

cc: Theresa Frankel, Penn West Petroleum Ltd.  
Authorizations Branch Support  
AER Drayton Valley Field Centre  
AER Aboriginal Relations,  
Aboriginal Consultation Office

bcc: CI Internal Performance  
Krista Waters, AER Mediator