Oil and Gas
Appeal Tribunal

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DECISION NO. 2012-OGA-001(a)

In the matter of an appeal under section 72 of the *Oil and Gas Activities Act*, S.B.C. 2008, c. 36.

BETWEEN:	Ken and Arlene Boon	**APPLICANT**
AND:	Oil and Gas Commission	**RESPONDENT**
AND:	Terra Energy Corp.	**THIRD PARTY**
BEFORE:	A Panel of the Oil & Gas Appeal Tribunal Alan Andison, Chair	
DATE:	Conducted by way of written submissions concluding on February 29, 2012	
APPEARING:	For the Appellant: Ken and Arlene Boon For the Respondent: Sara Gregory, Counsel For the Third Party: Rick Williams, Counsel	

STAY APPLICATION

[1] On February 7, 2012, the Oil and Gas Appeal Tribunal received a Notice of Appeal from Ken and Arlene Boon (the "Applicants") against a well permit issued on January 23, 2012, by the Oil and Gas Commission (the "Commission"). The permit authorizes Terra Energy Corp. ("Terra") to "drill and operate" well number WA 27823 and "construct and operate" a road access on land that is owned by the Applicants. The permit authorizes those activities "for the purpose of exploring for, developing and producing water", subject to several conditions specified in the permit.

[2] Also on February 7, 2012, the Tribunal received an application from the Applicants requesting a stay of the permit, pending the Tribunal's decision on the merits of the appeal.

[3] This decision addresses the application for a stay.

[4] The hearing of the stay application was conducted by way of written submissions.

BACKGROUND

[5] Some of the background facts in this matter are disputed by the parties. The following summary of facts is based mainly on facts that are not in dispute. Where the summary draws on information that is disputed or is based on one party's submissions, it is noted as such.

[6] The Applicants own land outside of Fort St. John in northeastern British Columbia.

[7] In or about 2001, a water source well, flow line and associated works were constructed by Domcan Boundary Corporation ("Domcan") on a portion of the Applicants' land. According to the submissions from Terra and the Commission, the relevant legislation in 2001 did not require Domcan to obtain a permit to drill or operate the water source well. According to Terra's submissions, Domcan applied for and received "leave" from the Commission to construct a flow line and associated works on a portion of the Applicants' land.

[8] The Applicants provided copies of Commission letters dated October 31, 2000 and January 11, 2001, indicating that Domcan had applied for and obtained approvals from the Commission in relation to certain works on their land. The first letter approves both an "Application to install a water injection package and desand tank at the 3-10 Battery and link to water injection well" and an "Application to construct Water Meter Station at 10-10-84-21, tie in water source well 11-10-84-21 to the 10-10 facility and link to the 3-10 Battery." The second letter grants Domcan "Leave to Open" for "Project 9171", and specifies maximum operating pressures in certain sections of pipeline. It also requests that as-built material be forwarded to the Commission by no later than April 11, 2001.

[9] In December 2004, Terra purchased the Red Creek Doig Water Flood Project (the "Project"). Terra submits that the Project included the water source well and flow line on the Applicants' property. Subsequently, the water source well was shut-in and the portion of the flow line on the Applicants' land was deactivated.

[10] The Applicants submit that Domcan failed to acquire a surface lease over their land, and failed to submit the as-built documents that the Commission requested by April 2001. The Applicants submit that Terra acquired the Project without a valid surface lease or permit in place.

[11] Terra submits that the Applicants [or the previous land owner] received initial compensation for the well and flow line from Domcan, and Terra has paid the Applicants annual rent of $4,000 per year for the well and access since acquiring them in 2004.

[12] The Applicants submit that they acquired fee simple ownership of the subject lands in 2007, and that previously, the lands were part of an estate.

[13] The Applicants submit that, between February 2011 and April 2011, Terra conducted certain oil and gas activities on the Applicants' land without obtaining approval from the Commission, and in April 2011, Terra's activities caused a spill of hydrocarbons onto the Applicants' land, which was not cleaned up until the Fall of 2011. The Applicants also submit that Terra "left the access and edge of our field a mess of ruts", that the Applicants leveled and reseeded, and sent the bill to Terra.

[14] On August 5, 2011, Terra applied to the Commission for an amendment to a pipeline permit, to reactivate the portion of the flow line on the Applicants' land.

[15] On August 29, 2011, Terra sent a letter to the Applicants notifying them that it intended to apply to the Commission for a permit to reactivate the water source well, and inviting the Applicants to consult regarding the proposal. Terra indicated in the letter that it intended to use the existing water source well, access road, and related works, and that it was applying for a permit application because no permit was required when the well was drilled in 2001.

[16] Terra intends to transport water from the well via the existing flow line to the Project area, where the water will be injected into a formation to facilitate the production of petroleum.

[17] On September 9, 2011, the Commission issued an amended pipeline permit, authorizing Terra to reactivate the flow line on the Applicants' land. The Applicants appealed the amended pipeline permit, but did not request a stay of that permit. Consequently, the Tribunal's decision on the stay application only pertains to the permit for the water source well and access road.

[18] On September 30, 2011, Terra applied to the Commission for a permit to reactivate the water source well and access road.

[19] Terra submits that, on November 19, 2011, the Applicants changed the lock on the gate to the access road on the Applicants' land.

[20] On November 29, 2011, Terra applied to the Surface Rights Board for a right of entry order to access the Applicants' land, for the purpose of operating and maintaining the flow line. The Surface Rights Board is an administrative tribunal established under the *Petroleum and Natural Gas Act*, and it has the jurisdiction to resolve disputes under that Act, including disputes about access to private land for the purposes of conducting oil and gas activities, and the amount of compensation to be paid by oil and gas operators to the owners of private land.

[21] On January 19, 2012, the Surface Rights Board issued an order allowing Terra to enter the Applicants' land for the purposes of operating and maintaining the flow line. It should be noted that the Board's January 19, 2012 order is limited to the flow line, and does not relate to the water source well.

[22] On January 23, 2012, the Commission issued the appealed well permit to Terra. The permit contains several conditions, as follows:

1 The maximum rate of pumping on the water source well is limited to 210 l/min.

2 If requested by Ken and Arlene Boon, Terra must, before commencing activities authorized by this permit, have the water supply from the well/spring located on the Boon property sampled and analyzed by an accredited laboratory facility using standard and accepted field sampling procedures and have the complete results and analysis of the tests provided directly to the Commission and Ken and Arlene Boon. The analysis will include:
   a. Basic water chemistry, including anions, cations, pH, alkalinity, SO4;

b. Dissolved methane and higher chain hydrocarbons; and
c. Isotope analysis of dissolved methane, if methane is detected.

3 During late August or September 2012, the Permit Holder must have a pumping test conducted on the water source well. The date of this test has been set so that well yields and water level responses are measured during a low groundwater recharge period. The pumping test will be done in a manner similar to the April 14, 2011 test (48-hour hybrid constant rate/step test) that is referenced in the Golder report. The permit holder will notify Ken and Arlene Boon at least 15 days prior to the pumping test.

4 If requested by Ken and Arlene Boon, Terra will monitor water levels in the Boons' well/spring for a period commencing 24-hours before and ending 24-hours after the pumping test referenced in condition (iii).

5 The results of the pumping test and any information on water levels in the Boons' well/spring, along with an evaluation of such data and information by a person qualified in hydrogeology, will be provided to the Commission and Ken and Arlene Boon within 30 days of completion of the pumping test.

6 The permit holder must ensure that the road is designed, constructed and maintained in a manner that does each of the following:
a. Enables industrial and non industrial users of the road to use the road safely,
b. Preserves the integrity of the topography of the area,
c. Maintains the drainage water in the area, and
d. Protects the stability of the terrain in the area.

[23] On February 7, 2012, the Tribunal received the Applicant's Notice of Appeal in relation to the well permit. The grounds for appeal provided in the Notice of Appeal are as follows:

1. The Oil and Gas Commission (OGC) lacks the statutory authority to issue Permit # 9635532 for a water well and related works or alternatively the OGC led the Appellants, through its actions, to believe that a water well authority number could not be issued without [Terra] first having an agreement with the landowner.

2. The OGC failed to comply with its own policy by approving a transfer of a project without having in its possession the As-Built documentation.

3. The OGC failed to take into account that the previous permit holder, Domcan Boundary Corporation/Dominion, failed to acquire any legal interest in the Appellant's land holdings and had abandoned its works in place with the result that the works became the property of the Appellants.

4. The OGC failed to recognize that, in light of the facts, [Terra's] remedy was not to apply for a permit, but to exercise the tenure it asserts by application to the Court, in the event the Appellants denied access.

5. The OGC, by failing to consider the history of this existing well and the related facts, has shown bias in favour of [Terra], thereby depriving the Appellants of a balanced and informed decision. The OGC permit ignores

> the fact that the application covers existing works, both above and below the surface, but rather conducts itself as though this were a new application with no works in place.

[24] Also on February 7, 2012, the Tribunal received the Applicant's request for a stay of the well permit. Their application states, in part, that a stay "is required to avoid irreparable harm due to safety issues, and the real possibility of environmental degradation related to the access permitted by the OGC." The application raises other issues, including questions about the well's classification in the permit as "development", and whether the permit gives Terra the right to drill a new well and construct a new access road.

[25] Terra submits that the application for a stay should be denied.

[26] The Commission takes no position on the stay application. However, it provided brief submissions to clarify some information regarding the well permit. Among other things, the Commission states that "The water source well and access road that are referenced in the Permit and are depicted in the plan that is attached to and forms part of the Permit documents are pre-existing", and were constructed in or around 2001 and used by a previous operator. The Commission also states that "The permit does not authorize the construction of any new works." In addition, the Commission explained that the well is classified in the permit as "development" because water source wells do not fit within any of the other categories for classifying wells, which are designed primarily for oil and gas wells, in the Commission's database/filing systems.

ISSUE

[27] The sole issue arising from this application is whether the Tribunal should grant a stay of the permit.

APPLICABLE LEGISLATION AND TRIBUNAL RULES

[28] Section 72(3) of the *Oil and Gas Activities Act* (the "*Act*") grants the Tribunal the authority to order a stay:

> **72** (3) Subject to subsection (4), the commencement of an appeal does not operate as a stay or suspend the operation of the determination or decision being appealed, unless the appeal tribunal orders otherwise.

[29] The Tribunal has made *Rules of Practice and Procedure* under section 11(1) of the *Administrative Tribunals Act*. Rule 22 states as follows:

Rule 22 – Stay (Suspend) the Determination or Review Decision

1. To apply for a stay pending a decision on the merits of an appeal, a party must deliver a written request to the Tribunal that explains:

a. the reason(s) why a stay of the determination or review decision being appealed is required; and

b. whether other parties agree to the stay (if known).

2. If the other parties do not agree, or this is not known, in addition to (1) above, the party applying for a stay must explain as follows:

a. whether the appeal concerns a serious issue;

b. whether the party applying for the stay will suffer irreparable harm if the stay order is denied; and

c. whether the balance of convenience favours granting the application.

[30] The onus is on the Applicant to demonstrate good and sufficient reasons why a stay should be granted.

[31] The Tribunal will address each aspect of the three-part test in Rule 22(2) as it applies to this application.

DISCUSSION AND ANALYSIS

Serious Issue

[32] The test adopted by the Tribunal in Rule 22(2) is based on the three-part test set out in *RJR-Macdonald Inc*. v. *Canada (Attorney General)* (1994), 111 D.L.R. (4th) 385 (S.C.C.) ("*RJR-Macdonald*").

[33] In *RJR MacDonald*, the Court stated as follows:

> What then are the indicators of "a serious question to be tried"? There are no specific requirements which must be met in order to satisfy this test. The threshold is a low one.

[34] The Court also stated that, as a general rule, unless the case is frivolous or vexatious or is a pure question of law, the inquiry as to whether a stay should be granted should proceed to the next stage of the test.

[35] The Applicants submit that the appeal raises serious issues regarding the safety of the access road, the risk of environmental degradation arising from the access authorized by the permit, whether the permit authorizes Terra to drill a new well and build a new access road, and whether the Applicants own the works that were constructed on their property in 2001. The Applicants also submit that the "development" classification of the well, as stated in the permit, is not intended for water wells, and that the "MCC shack" or control center on the Applicants' property is not included in the permit, but is required for Terra's system to work.

[36] Terra submits that, although it disagrees with the Applicants submissions and summary of the background facts, the "hurdle" for the Applicants at this stage of the three-part test is a low one. Terra concedes that the appeal raises a serious issue, to the extent that the appeal relates to whether the Commission had due

regard to a submission that was made by the Appellants, which Terra submits is unclear.

[37] In response to the Applicants' submissions regarding what the permit authorizes, Terra submits that there should be no confusion as to what is authorized and what Terra intends to do. Terra submits that its intention to reactivate the existing water well and access road was made clear to the Applicants in its invitation to consult and other communications with the Applicants.

[38] The Tribunal has reviewed the Applicants' Notice of Appeal and stay submissions in relation to the well permit. The Applicants raise several issues in relation to the water source well and access road that are referenced in the permit. The Applicants have also raised issues about matters that are not part of the permit, including the "MCC shack", which is not authorized by the permit, and the ownership of the works that were constructed on the Applicants' property in 2001, which the Applicants assert is a matter for the courts.

[39] The Tribunal notes that section 72(2) of the *Act* limits the grounds on which a landowner may appeal a decision of the Commission. It states as follows:

> (2) A land owner of land on which an oil and gas activity is permitted to be carried out under this Act may appeal a determination under this section only on the basis that the determination was made without due regard to
>
> (a) a submission previously made by the land owner under section 22 (5) or 31 (2) of this Act, or
>
> (b) a written report submitted under section 24 (1) (c) or 31 (6).
>
> [underlining added]

[40] It is unclear from the Applicants' Notice of Appeal and stay submissions whether the Applicants are appealing on the basis that the Commission issued the permit without due regard to a submission that the Applicants previously made, as stated in section 72(2) of the *Act*. There is currently no evidence before the Tribunal as to the contents of the Applicants' previous submissions, if any, that were made in relation to Terra's well permit application pursuant to section 22(5) of the *Act*. However, for the limited purpose of deciding this preliminary application, the Tribunal accepts that the appeal raises serious issues that relate to the issuance of the well permit; namely, whether the permitted use of the access road poses a risk to safety and the environment.

[41] In addition, the Tribunal finds that the question of whether the Commission gave due regard to the Applicants' submissions (if any) before it issued the permit is, on its face, a serious issue. It is neither frivolous or vexatious, nor is it a pure question of law.

[42] Consequently, the Tribunal has considered the next part of the test.

Irreparable Harm

[43] The second factor to be considered is whether the Applicants will suffer irreparable harm if the stay is denied. As stated in *RJR-MacDonald*, at page 405:

> At this stage the only issue to be decided is whether a refusal to grant relief could so adversely affect the applicants' own interest that the harm could not be remedied if the eventual decision on the merits does not accord with the result of the interlocutory application.

[44] The Applicants submit that the permitted access road in unsafe, because it is very narrow and steep, and has a hairpin corner and steep bank to roll down if a vehicle slides off of the road. The Applicants submit that the access road was "used as an excuse by Terra" to delay cleanup of a spill that occurred in April 2011. The Applicants also submit that it would be impossible to make the access road safe without "going against" conditions 6(b), (c) and (d) of the permit.

[45] In addition, the Applicants submit that their concern about irreparable harm is not a monetary issue; rather, the main issue is the environmental damage that would occur to make the access road safe.

[46] Terra submits that no irreparable harm to the Applicants will result from Terra exercising its rights under the permit on the Applicants' lands. Terra submits that any possible damage suffered by the Applicants through Terra's use of the water source could be addressed through a monetary award. In that regard, Terra notes that an application is before the Surface Rights Board to determine the compensation due to the Applicants for their loss of rights and any damage to their land.

[47] In addition, regarding Terra's use of the access road, Terra submits that condition 6 in the permit requires Terra to enable users of the road to use it safely. In terms of third party liability, Terra submits that it has committed, as a condition of any right of entry order granted by the Surface Rights Board, to indemnify the Applicants as follows:

> Terra covenants and agrees to indemnify and save harmless the landowners from liabilities, damages, costs, claims, liens, suits or actions arising directly out of Terra's operations on the Lands, other than arising from the willful damage or negligence of the landowner.

[48] In addition, Terra submits that it is committed to keeping the gate on the access road locked when it does not need access.

[49] In assessing the question of irreparable harm, the Tribunal is guided by this statement from *RJR-MacDonald*:

> "Irreparable" refers to the nature of the harm suffered rather than its magnitude. It is harm which either cannot be quantified in monetary terms or which cannot be cured, usually because one party cannot collect damages from the other. Examples of the former include instances where one party will be put out of business by the court's decision (*R.L. Crain Inc. v. Hendry* (1988), 48 D.L.R. (4th) 228 (Sask. Q.B.)); where one party will suffer permanent market loss or irrevocable damage to its business reputation (*American Cyanamid*, *supra*); or where a permanent loss of natural resources will be the result when a challenged activity is not enjoined (*MacMillan Bloedel Ltd. v. Mullin,* [1985] 3 W.W.R. 577 (B.C.C.A.)).

[underlining added]

[50] The Tribunal notes that the Applicants are not required to establish with certainty that their interests will suffer irreparable harm if a stay is denied, but they are required to provide sufficient evidence to establish that there is a likelihood or reasonable possibility of irreparable harm to their interests.

[51] The Applicants submit that the main issue is the environmental damage that would occur to make the access road safe. However, they provided no submissions or evidence to explain what work needs to be done to make the road safe, or how making the road safe would cause harm to the environment. They submit that making the road safe would violate conditions 6(b), (c) and (d) of the permit, which relate to protecting the topography, drainage, and terrain stability in the area, but the Applicants do not specify how any safety-related improvements would violate those conditions of the permit. Consequently, the Applicants' submissions provide insufficient information for the Tribunal to conclude that making safety improvements to the road would cause a likelihood or reasonable possibility of irreparable harm to the environment.

[52] In addition, it appears that if a stay is denied, and if Terra's activities under the permit cause harm to the Applicant's interests as land owners before the merits of the appeal are decided, the harm would not be "irreparable" because it is unlikely to be harm that "cannot be quantified in monetary terms or which cannot be cured, usually because one party cannot collect damages from the other", as described in *RJR-MacDonald*. Rather, it appears that any harm to the Applicants' interests as land owners may be compensable either by agreement with Terra or under the Surface Rights Board's process. There is clear evidence that the Applicants and Terra are in the process of negotiating compensation for Terra's use of the Applicants' land. Also, Terra has advised that, as a condition of any right of entry order, it is willing to agree to indemnify the Applicants for any liabilities, damages, costs, etc. arising directly out of Terra's operations on the Applicants' land, including any liability, damage, costs, etc. arising from Terra's use of the access road, which is the Applicants' primary concern as a potential source of harm.

[53] For these reasons, the Tribunal finds that the Applicants have not established a likelihood of irreparable harm to their interests, if a stay is denied. However, the Tribunal cautions that these findings are limited to this preliminary application, and have no bearing on the merits of the appeal.

Balance of Convenience

[54] The balance of convenience portion of the test requires the Tribunal to determine which of the parties will suffer greater harm from the granting of, or refusal to grant, the stay pending a determination on the merits of the appeals.

[55] The Applicants submit that the balance of convenience favours the Applicants as they are the party that will suffer the greatest harm if the stay is denied. In support of that position the Applicants made the following submission:

> During late winter and spring of 2011, our experience with Terra at this site was very bad due to their poor performance, disregard for our rights and OGC laws. The following is a brief summary:

- February, 2011. Terra reopens access into MCC shack and water well after about 6 years of no activity without receiving approval from OGC. They also did not notify us.
- Premature Flow Test. Terra tested this well for about 2 days and pumped the water into a old back channel with no permission from OGC.
- Pigging prior to approval of pipeline from OGC.
- Pigging resulted in a spill of hydrocarbons that sprayed all over the MCC shack and our adjoining farmland. Terra did not report this spill to OGC.
- The spill happened April 13/11. Terra did not complete the cleanup till the fall of that year. Due to difficulty in removing black hydrocarbons from walls of MCC shack, they just painted over top of it.
- Terra left the access and the edge of our field a mess of ruts. I leveled, reseeded and had to forward a bill to Terra. As usual, we had to make repeated request for payment.

We are concerned that should Terra be permitted to proceed with this project, we are likely to suffer from more of the above.

In light of the foregoing, in our view, it is abundantly clear that the balance of convenience must favour the applicant.

[56] In terms of potential harm to the Applicants' interests, if a stay is denied, Terra submits that the Applicants rely on alleged past events and speculation about what may happen in the future. Terra disputes the Applicants' summary of past events and allegations against Terra. In addition, Terra submits that the mere possibility of harm is insufficient to tip the balance of convenience in favour of the Applicants. Further, Terra submits that any possible harm to the Applicants is compensable.

[57] In terms of potential harm to Terra's interests, if a stay is granted, Terra submits that any further delay in reactivating the well will directly impact Terra's financial interests, and will result in lost royalties that would be payable to British Columbia. Specifically, Terra submits that water from the well is integral to its Project, and will allow Terra to recover 30,000 to 40,000 more barrels of oil per year, on average, assuming a seven to ten year life of the Project. Accounting for start-up time, Terra estimates that there would be an increase in production of 18,000 barrels over the next 12 months. Terra estimates that it would be another four to 12 months before the Tribunal decides the merits of the appeal, and a delay of 12 months will lead to a net loss of revenue in the first year of the Project of approximately $750,000 to $1,000,000, based on current oil prices.

[58] In support of those submissions, Terra submitted an affidavit from its Executive Vice-President.

[59] The Tribunal has already found that the Applicants failed to establish that they will suffer irreparable harm to their interests in the environment, if a stay is denied. The Tribunal has also found that the Applicants will not suffer irreparable harm to their interests as land owners, because the harm that they claim could occur from Terra's permitted operations appears to be compensable.

[60] In deciding this preliminary application, the Tribunal declines to make findings regarding the Applicants' allegations about Terra's past activities on their land. Terra disputes the Applicants' allegations, and therefore, it would be unfair and inappropriate to make any findings in the context of this preliminary proceeding regarding Terra's past activities. Any findings in that regard should be made after a full hearing of all of the relevant evidence and submissions.

[61] The Applicants also raise concerns about whether the permit authorizes Terra to drill a new well and construct a new access road on the Applicants' property. The Tribunal finds that the language in the permit is confusing in that regard, as it states that Terra is permitted to "drill and operate well number WA 27823" and "construct and operate an access road" [underlining added]. However, the Commission and Terra have explained that the intention of the permit is to authorize the operation of the existing well and access road only. In addition, the Tribunal has compared the final survey plan (dated August 26, 2011) attached to the permit, to the survey plans dated September 15 and October 12, 2000, which were provided by the Applicants, and the Tribunal finds that the water well site and access road are in the same locations on all of the survey plans. Based on this evidence, the Tribunal finds that the permit does not authorize Terra to drill a new well or construct a new access road on the Applicants' land. Consequently, there is no risk that such activities would cause harm to the Applicants' interests.

[62] Regarding the other types of harm that the Applicants submit they may suffer if a stay is denied, the Tribunal finds that, the Applicants claims of future harm are speculative. The Tribunal finds that, even if the Applicants' allegations about Terra's past actions were proven by evidence, Terra's past actions are not necessarily relevant to, or indicative of, Terra's future activities that must be conducted in accordance with the permit. While the permitted activities may pose a risk of some harm to the Applicants' interests, the nature or extent of any such harm is unclear based on the submissions before the Tribunal. Moreover, the Tribunal notes that, in addition to the regulatory requirements that apply to Terra's oil and gas activities on the Applicants' land, the permit contains six conditions that specifically relate to the Applicants' concerns about protecting the environment and ensuring the safe use of the access road.

[63] Regarding the potential harm to Terra's interests if a stay is granted, the Tribunal finds that a stay will prevent Terra from beginning the permitted activities until after the merits of the appeal are decided. The Tribunal notes that even an expedited hearing of the appeal could require a few months, allowing for time to set up a hearing (whether heard in writing or orally) and render a decision. While the oil will remain in the ground for Terra to recover even if a stay is granted, the Tribunal finds that a delay of even a few months would cause significant harm to Terra's financial interests, as evinced by Terra's affidavit evidence. Further, the Tribunal finds that the financial harm that Terra would suffer as a result of a delay in commencing the permitted activities is unlikely to be compensable, either as damages from the Applicants or as an award of costs in relation to the appeal, if the appeal is ultimately dismissed on the merits.

[64] In these circumstances, the Tribunal finds that Terra would suffer greater harm if a stay is granted, than the Applicants would suffer if a stay is denied. Accordingly, the balance of convenience weighs in favour of denying a stay.

DECISION

[65] In making this decision, the Tribunal has considered all of the relevant documents and evidence, whether or not specifically reiterated herein.

[66] For the reasons provided above, the application for a stay of the permit is denied.

"Alan Andison"

Alan Andison, Chair
Oil & Gas Appeal Tribunal

March 20, 2012