

Energy Resource Appeal Tribunal

PRACTICE DIRECTIVE NO. 1

This Practice Directive addresses the requirement in section 12(1) of the *Administrative Tribunals Act*, S.B.C. 2004, c. 45, for the Tribunal to issue practice directives respecting the usual time periods: (a) to complete an appeal and the procedural steps within an appeal, and (b) to release the final decision and reasons on an appeal.

Timelines for Completing an Appeal/ Release of Final Decision with Reasons

a) Completion of a Hearing

The Tribunal is committed to providing a fair, timely and effective avenue of appeal. Appeals to the Tribunal will be processed as quickly as practicable, and generally within the following timelines:

- For matters where the hearing is conducted in writing, or the total number of days required to complete the hearing is 2 days or less, the hearing will generally be completed within 5 months from the date that a Notice of Appeal is received by the Tribunal.
- For matters where the total number of hearing days required to complete the matter is 3, 4 or 5 days, the hearing will generally be completed within 6 months from the date that a Notice of Appeal is received by the Tribunal.
- For matters where the total number of hearing days required to complete the matter is 6 days or more, the hearing will generally be completed within 9 months from the date that a Notice of Appeal is received by the Tribunal.

b) Release of Final Decision and Written Reasons

The panel presiding over an appeal will endeavour to provide the parties with its final decision and written reasons as soon as practicable after the completion of the hearing. Final written decisions with reasons will generally be released within the following timelines:

- For matters where the hearing is conducted in writing or the total number of hearing days required to complete the appeal is 2 days or less, the final decision will generally be released within 3 months of the close of the hearing and receipt of all closing submissions.
- For matters where the total number of hearing days required to complete the matter is 3, 4 or 5 days, the final decision will generally be released within 6 months of the close of the hearing and receipt of all closing submissions.
- For matters where the total number of hearing days required to complete the matter is 6 days or more, the final decision will generally be released within 9 months of the close of the hearing and receipt of all closing submissions.