



# Energy Resource Appeal Tribunal

Fourth Floor, 747 Fort Street, Victoria BC V8W 3E9

Tel: (250) 387-3464

[bcerat.ca](http://bcerat.ca)

Fax: (250) 356-9923

[info@bcerat.ca](mailto:info@bcerat.ca)

## How to Request More Time in an Ongoing Appeal

### When would I need more time in my appeal?

The Energy Resource Appeal Tribunal (the “Tribunal”) sets deadlines throughout an appeal. There are deadlines to provide Statements of Points, expert reports, written submissions, and responses to correspondence. Sometimes the Tribunal sets these deadlines with input from the parties, but sometimes not. If you need more time than you have, you need to ask the Tribunal to extend the deadline. The Tribunal has the ability to do this to ensure a fair process, whether the deadline was set in correspondence or appears in the Rules.

### What should I do to ask the Tribunal for an extension?

First, contact the other parties, explain your situation, and ask if they will agree to extend the time. Be sure to tell them how much of an extension you need.

Second, contact the Tribunal and ask for the extension. If the other parties agreed to the extension, say so. Be sure you tell the Tribunal how much of an extension you need (or to what date you want the deadline extended).

### How do I ask for an extension of time?

The Tribunal’s [Rule 18](#) describes how to make applications to the Tribunal. The rule has certain requirements. Where applying for more time during the appeal process:

- the application must be in writing,
- the application must come before the deadline if at all possible,
- you must say how much extra time you need (give the new deadline if you can),
- briefly describe why you need the extension,
- explain what will happen if you don’t get it, and
- explain whether the other parties agree to it.

Be sure to send the other parties a copy of your request. The Tribunal may ask them to comment on the application. The Tribunal is more likely to do so if the extension is lengthy or might negatively affect the other parties.

The Tribunal will respond in writing as soon as possible. If the Tribunal allows your request for an extension, it may give other parties additional time for their deadlines as well.

Note that the Tribunal may refuse to give more time.

### **What if I have missed a deadline?**

You should contact the Tribunal as soon as you can. The Tribunal may ask you to follow the application process described above.

**Please note that these extensions relate to deadlines that occur during an appeal. The Tribunal's ability to grant an extension of time to file an appeal is described in the information sheet, "[How to Start an Appeal](#)".**