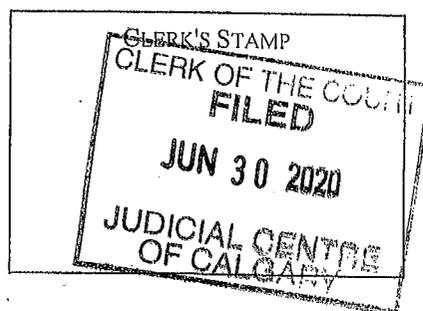


FORM 49
[RULE 13.19]



COURT FILE NUMBER 1801-10960
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF PRICEWATERHOUSECOOPERS INC., LIT in its capacity as the TRUSTEE IN BANKRUPTCY OF SEQUOIA RESOURCES CORP. and not in its personal capacity
DEFENDANTS PERPETUAL ENERGY INC., PERPETUAL OPERATING TRUST, PERPETUAL OPERATING CORP., and SUSAN RIDDELL ROSE
APPLICANT (Not a Party) ORPHAN WELL ASSOCIATION
DOCUMENT AFFIDAVIT IN SUPPORT OF APPLICATION FOR LEAVE TO INTERVENE

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

BENNETT JONES LLP
Barristers and Solicitors
4500 Bankers Hall East, 855-2nd Street SW
Calgary, Alberta T2P 4K7

Attention: Kenneth T. Lenz, Q.C. / Andrea Stempien
Telephone No.: 403-298-3317 / 3148
Fax No.: 403-265-7219
Client File No.: 56977.17

AFFIDAVIT OF LARS DE PAUW

Sworn on June 29, 2020.

I, Lars De Pauw, of Calgary, Alberta, SWEAR/AFFIRM AND SAY THAT:

1. I am the Executive Director of the Applicant, the Orphan Well Association (the "OWA"), as such, I have personal knowledge of the matters hereinafter deposed to,

except where stated to be based on information and belief, in which case, I believe the same to be true.

2. Any terms not hereinafter defined shall have the same meaning as ascribed to them in the Statement of Claim.

BACKGROUND

3. The OWA is a primarily industry-funded association, reflecting a collaboration among the Alberta Government, provincial regulators and oil and gas producers to work toward the common goal of protecting public safety and managing environmental risks of oil and gas properties that do not have a legally or financially (i.e. solvent) responsible party that can comply with regulatory obligations to abandon and reclaim assets at the end of their life cycle. Although the OWA has received government loans in recent years, it is intended and expected that these loans will be repaid by industry over time.
4. The mandate of the OWA is to safely abandon and reclaim orphan oil and gas wells, pipelines, and production facilities, and restore the land as close to its original state as possible.
5. The OWA has a limited budget and is focused on maximizing the benefit of its available funding. This requires risk-assessing and prioritizing the inventory of orphaned and abandoned wells, facilities, and pipelines to ensure public safety and environmental protection.
6. The OWA is primarily funded through the Orphan Fund Levy (the "**Levy**") issued yearly to energy companies across Alberta by the Alberta Energy Regulator (the "**AER**"). The AER then transfers the funds generated by the Levy to the OWA's operating budget.
7. The Levy is used to pay for project closure costs, including suspension, abandonment, remediation, and reclamation, if an energy company cannot meet its obligations to safely and responsibly perform these regulatory obligations. The Levy ensures that Albertans need not bear the cost of closing orphan oil and gas wells, pipelines, and production facilities.

8. The annual Levy in 2019 was \$60,000,000. The Levy for any individual payor is calculated based on the following formula:

$$\text{Individual Producer Levy} = A/B \times [\text{Total Annual Levy}]$$

Where A equals the individual payor's deemed liabilities for all of its facilities, wells, and unclaimed sites and B equals the sum of the entire industry's deemed liabilities for all facilities, wells, and unclaimed sites.

Attached hereto as **Exhibit "1"** is a copy of the AER Bulletins from 2017-2020 setting out the Levy and the formula for calculating the Levy. I note that the 2019 levy was \$60,000,000. The 2020 levy has been postponed due to the pandemic.

CONCERNS WITH THE ASSET TRANSACTION

9. The OWA first learned about the Transactions in early March 2018, well after they occurred, after Sequoia had filed a Notice of Intention to Make a Proposal pursuant to the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3 ("*BIA*"). Following that event, the OWA sought additional information from the Plaintiff, PricewaterhouseCoopers Inc., LIT, in respect of the Transactions.
10. Normally, a disposition of oil and gas assets of this nature would require approval from the AER; however, the Transactions were structured such that they did not require regulatory review by the AER. As a result, it took much longer for the OWA to become aware of the Transactions and the significant associated liabilities in respect of the Goodyear Assets.
11. Upon learning the details of the Transactions, the OWA became concerned, *inter alia*, for the following reasons:
- (a) it appears that the Transactions were concluded for the express purpose of avoiding municipal taxes, and abandonment and reclamation obligations associated with the Goodyear Assets;

- (b) the Transactions appear to have been carefully engineered to avoid the requirement of AER approval;
 - (c) it appears that the Transaction was primarily, if not exclusively, a means to benefit PEOC by avoiding municipal taxes, and abandonment and reclamation obligations associated with the Goodyear Assets;
 - (d) the effect of the Transactions was to move significant regulatory obligations to Sequoia Resources Corp., a company with limited assets that have no ability to perform, therefore, leaving the Goodyear Assets to be abandoned and reclaimed closed by the OWA; and
 - (e) allowing the Transactions to stand will by itself increase the burden on the OWA and its members by approximately 30%; however, this outcome is potentially dwarfed by the precedent this Court would create by sanctioning the selling of assets primarily to avoid municipal taxes, and abandonment and reclamation obligations.
12. It is estimated by the Trustee that the cost to abandon and reclaim the Goodyear Assets is \$200,000,000. If the Transactions are not declared void, the majority of the cost associated with the abandonment and reclamation of the Goodyear Assets will be borne by the OWA.
13. It is expected that the significant abandonment and reclamation liabilities associated with the Goodyear Assets will substantially increase the Levy in future years.
14. If the Transactions are allowed to stand without review and oversight by this Court, it threatens the integrity of the regulatory system by sending a message to producers that they need not be responsible for their own abandonment and reclamation obligations, leaving the OWA, and by extension, other producers, to pay abandonment and reclamation costs. Further, if transactions of this nature become routine, it could threaten the solvency of other producers, potentially leaving the cost of closure to be borne by Albertans.

PROPOSED INTERVENOR STATUS

15. I believe that intervention in this Action by the OWA is necessary because its submissions will assist the Court in understanding the potentially significant impact of the Transactions on the OWA, as the ultimate payor of the abandonment and reclamation obligations of the Goodyear Assets, industry, and the public more broadly. I believe that this perspective is distinct from that provided by the Plaintiff, the Trustee, or the Defendants.

16. The OWA proposes to assist the Court in this Action by providing submissions that relate to:
 - (a) The interaction between section 96 of the *BIA* and the regulatory obligations with regard to Supreme Court of Canada's decision in *Orphan Well Association v Grant Thornton Ltd*, 2019 SCC 5, and specifically that the existence of a regulatory obligation, compliance with which would render a company insolvent, can be considered a liability and render a person insolvent for the purposes of the *BIA*.
 - (b) The determination of whether parties' are non-arm's length, in the context of section 96 of the *BIA*, in circumstances, of multiple, sequential transactions, with a stated purpose to avoid abandonment, reclamation, and other obligations.
 - (c) The impact of transactions made for the purposes of avoiding abandonment and reclamation obligations on the OWA and its ability to continue to close orphan oil and gas wells, pipelines, and production facilities to avoid those costs being borne by Albertans. Specifically that such transactions threaten the integrity of the regulatory system by sending a message to producers that they need not be responsible for their own abandonment and reclamation obligations.
 - (d) Such further and other submissions in respect of matters incidental to the above, as counsel may advise and this Honourable Court may permit.

- 17. As noted above, the OWA is directly and specifically affected by the outcome of this Action because the OWA could face significant harm if the Transactions are not declared void, in the form of approximately \$200,000,000 of abandonment and reclamation liabilities associated with the Goodyear Assets, which the OWA would be required to assume.
- 18. The OWA will act to minimize any risk of delay or disruption in this Action, or any pending applications before the Court in this Action.
- 19. I do not believe that the OWA's intervention in this Action will widen the *lis* between the parties as the OWA's proposed submissions, at paragraph 16, above, related entirely to issues already before the Court.
- 20. I make this Affidavit in support of the OWA's application for leave to intervene in this Action and for no improper purpose.

SWORN(OR AFFIRMED) BEFORE ME)
 at Calgary, Alberta, this 29)
 day of June, 2020.)
 _____)
 A Commissioner for Oaths)
 in and for Alberta)
 Kenneth Lenz)
 Barrister and Solicitor)
 _____)
 Print Name and Expiry/Lawyer/Student-At-)
 Law)

_____)
 _____)
 LARS DE PAUW)

Bulletin 2017-04

February 6, 2017

THIS IS EXHIBIT " 1 "
referred to in the Affidavit of

Lars De Pauw.

Sworn before me this 29

day of June 2020

Kenneth Leary

*Kenneth Leary
Barister and Solicitor*

www.aer.ca

First 2017/18 Orphan Fund Levy

In accordance with Part 11 of the *Oil and Gas Conservation Act*, the Alberta Energy Regulator (AER) is, by regulation, prescribing an orphan fund levy in the amount of \$15 million.

The Orphan Well Association (OWA), Canadian Association of Petroleum Producers (CAPP), and Explorers and Producers Association of Canada (EPAC) have approved a \$30 million orphan fund levy to fund the OWA's budget for fiscal year 2017/18. This total levy is to be collected through two separate levies. The AER will collect the initial levy of \$15 million in March 2017 and the second levy of \$15 million in September 2017.

The AER will allocate the year's first orphan fund levy among licensees and approval holders included within the Licensee Liability Rating (LLR) and Oilfield Waste Liability (OWL) Programs based on the February 2017 monthly assessment. Information on these programs is contained in *Directive 006: Licensee Liability Rating (LLR) Program and Licence Transfer Process*, *Directive 011: Licensee Liability Rating (LLR) Program – Updated Industry Parameters and Liability Costs*, and *Directive 075: Oilfield Waste Liability (OWL) Program*.

Levy Formula

Each licensee or approval holder included within the LLR and OWL Programs will be invoiced for its proportionate share of the orphan fund levy in accordance with the following formula:

$$\text{Levy} = \frac{A}{B} \times \$15\,000\,000$$

where

- *A* is the licensee's or approval holder's deemed liabilities on February 4, 2017, for all facilities, wells, and unreclaimed sites included within the LLR and OWL Programs, as calculated in accordance with *Directive 006*, *Directive 011*, and *Directive 075*; and
- *B* is the sum of the industry's deemed liabilities on February 4, 2017, for all facilities, wells, and unreclaimed sites included within the LLR and OWL Programs, as calculated in accordance with *Directive 006*, *Directive 011*, and *Directive 075*.

Each licensee's or approval holder's required orphan fund levy is based on its licensed and approved properties, according to AER records, as of February 4, 2017. Facilities included under the Large Facility Liability Management Program are excluded.

A licensee or approval holder may review its deemed liabilities in the LLR and OWL Programs at any time through the Digital Data Submission (DDS) system on the AER website at www.aer.ca.

Notification and Payment

An orphan fund levy invoice will be sent to the attention of each licensee's or approval holder's chief financial officer by email to the address on file with the AER at the time of issuance. Licensees and approval holders must notify the AER of any changes to their email address.

Orphan fund levy invoices will be emailed by February 16, 2017. It is the licensee or approval holder's responsibility to ensure that the invoice is directed to the appropriate person. If the licensee or approval holder does not receive their orphan fund levy invoice by February 17, 2017, they must contact the AER to request a copy.

To update an email address or request a copy of an invoice, contact LiabilityManagement@aer.ca.

All orphan fund levy invoices must be paid by the licensee or approval holder and payment must be received by the AER by **March 20, 2017**. Payment must be made payable in Canadian currency using an acceptable negotiable financial instrument, such as a cheque, money order, bank draft, or cash.

All payments must be made payable to "Alberta Energy Regulator"; failure to pay the full invoiced amount by March 20, 2017, will result in a penalty of 20 per cent of the original invoiced amount being assessed to the licensee or approval holder pursuant to section 74(2) of the *Oil and Gas Conservation Act*. Additional compliance measures may apply in accordance with the AER's compliance assurance program.

Appeal

Any appeal of the invoiced amount must be made in writing by March 20, 2017, pursuant to section 76 of the *Oil and Gas Conservation Act* and either mailed to

Jan Rempel
Manager, Insolvency Management
Alberta Energy Regulator
Suite 1000, 250 – 5th Street
Calgary, Alberta T2P 0R4

or emailed to the attention of Jan Rempel at LiabilityManagement@aer.ca.

Even if an appeal is filed, payment in full of the original invoiced amount is required by March 20, 2017, to avoid the assessment of the 20 per cent penalty. The AER will refund any overpayment resulting from a successful appeal to a licensee or approval holder within 30 days of the result of its appeal.

Questions regarding this bulletin should be directed to the Liability Management help line at 403-297-3113 or LiabilityManagement@aer.ca.

<original signed by>

Kirk Bailey
Executive Vice President
Operations Division

Bulletin 2017-14

August 3, 2017

Second 2017/18 Orphan Fund Levy

In accordance with Part 11 of the *Oil and Gas Conservation Act*, the Alberta Energy Regulator (AER) is, by regulation, prescribing an orphan fund levy in the amount of \$15 million.

The Orphan Well Association (OWA), Canadian Association of Petroleum Producers (CAPP), and Explorers and Producers Association of Canada (EPAC) have approved a \$30 million orphan fund levy to fund the OWA's budget for fiscal year 2017/18. This total levy is to be collected through two separate levies. The AER collected the initial levy of \$15 million in March 2017 and will collect the second levy of \$15 million in September 2017.

The AER will allocate the year's first orphan fund levy among licensees and approval holders included within the Licensee Liability Rating (LLR) and Oilfield Waste Liability (OWL) programs based on the August 2017 monthly assessment. Information on these programs is contained in *Directive 006: Licensee Liability Rating (LLR) Program and Licence Transfer Process*, *Directive 011: Licensee Liability Rating (LLR) Program – Updated Industry Parameters and Liability Costs*, and *Directive 075: Oilfield Waste Liability (OWL) Program*.

Levy Formula

Each licensee or approval holder included within the LLR and OWL programs will be invoiced for its proportionate share of the orphan fund levy in accordance with the following formula:

$$\text{Levy} = \frac{A}{B} \times \$15\,000\,000$$

where

- *A* is the licensee's or approval holder's deemed liabilities on August 5, 2017, for all facilities, wells, and unreclaimed sites included within the LLR and OWL programs, as calculated in accordance with *Directive 006*, *Directive 011*, and *Directive 075*; and
- *B* is the sum of the industry's deemed liabilities on August 5, 2017, for all facilities, wells, and unreclaimed sites included within the LLR and OWL programs, as calculated in accordance with *Directive 006*, *Directive 011*, and *Directive 075*.

Each licensee's or approval holder's required orphan fund levy is based on its licensed and approved properties, according to AER records, as of August 5, 2017. Facilities included under the Large Facility Liability Management Program are excluded.

A licensee or approval holder may review its deemed liabilities in the LLR and OWL programs at any time through the Digital Data Submission (DDS) system on the AER website at www.aer.ca.

Notification and Payment

An orphan fund levy invoice will be sent to the attention of each licensee's or approval holder's chief financial officer by email to the address on file with the AER at the time of issuance. Licensees and approval holders must notify the AER of any changes to their email address.

Orphan fund levy invoices will be emailed by August 24, 2017. It is the licensee or approval holder's responsibility to ensure that the invoice is directed to the appropriate person. If the licensee or approval holder does not receive their orphan fund levy invoice by August 25, 2017, they must contact the AER to request a copy.

To update an email address or request a copy of an invoice, contact LiabilityManagement@aer.ca.

All orphan fund levy invoices must be paid by the licensee or approval holder and payment must be received by the AER by **September 25, 2017**. Payment must be made payable in Canadian currency using an acceptable negotiable financial instrument, such as a cheque, money order, bank draft, or cash.

All payments must be made payable to "Alberta Energy Regulator"; failure to pay the full invoiced amount by September 25, 2017, will result in a penalty of 20 per cent of the original invoiced amount being assessed to the licensee or approval holder pursuant to section 74(2) of the *Oil and Gas Conservation Act*. Additional compliance measures may apply in accordance with the AER's Compliance Assurance Program.

Appeal

Any appeal of the invoiced amount must be made in writing by September 25, 2017, pursuant to section 76 of the *Oil and Gas Conservation Act*, and either mailed to

Jan Rempel
Manager, Insolvency Management
Alberta Energy Regulator
Suite 1000, 250 – 5 Street
Calgary, Alberta T2P 0R4

or emailed to the attention of Jan Rempel at LiabilityManagement@aer.ca.

Even if an appeal is filed, payment in full of the original invoiced amount is required by September 25, 2017, to avoid the assessment of the 20 per cent penalty. The AER will refund any overpayment resulting from a successful appeal to a licensee or approval holder within 30 days of the result of its appeal.

Questions regarding this bulletin should be directed to the Liability Management help line at 403-297-3113 or LiabilityManagement@aer.ca.

<original signed by>

Mark Taylor
Executive Vice President
Operations Division

Bulletin 2018-07

April 9, 2018

2018/19 Orphan Fund Levy

In accordance with Part 11 of the *Oil and Gas Conservation Act*, the Alberta Energy Regulator (AER) is prescribing an orphan fund levy in the amount of \$45 million.

The Orphan Well Association (OWA), Canadian Association of Petroleum Producers (CAPP), and Explorers and Producers Association of Canada (EPAC) have approved a \$45 million orphan fund levy to fund the OWA's budget for fiscal year 2018/19. This total levy is to be collected through one levy of \$45 million in April 2018. The AER will allocate the year's orphan fund levy among licensees and approval holders included within the Licensee Liability Rating (LLR) and Oilfield Waste Liability (OWL) programs based on the April 2018 monthly assessment. Information on these programs is contained in *Directive 006: Licensee Liability Rating (LLR) Program and Licence Transfer Process*, *Directive 011: Licensee Liability Rating (LLR) Program – Updated Industry Parameters and Liability Costs*, and *Directive 075: Oilfield Waste Liability (OWL) Program*.

Levy Formula

Each licensee or approval holder included within the LLR and OWL programs will be invoiced for its proportionate share of the orphan fund levy in accordance with the following formula:

$$\text{Levy} = \frac{A}{B} \times \$45\,000\,000$$

where

- *A* is the licensee's or approval holder's deemed liabilities on April 7, 2018, for all facilities, wells, and unreclaimed sites included within the LLR and OWL programs, as calculated in accordance with *Directive 006*, *Directive 011*, and *Directive 075*; and
- *B* is the sum of the industry's deemed liabilities on April 7, 2018, for all facilities, wells, and unreclaimed sites included within the LLR and OWL programs, as calculated in accordance with *Directive 006*, *Directive 011*, and *Directive 075*.

Each licensee's or approval holder's required orphan fund levy is based on its licensed and approved properties, according to AER records, as of April 7, 2018. Facilities included under the Large Facility Liability Management Program are excluded.

A licensee or approval holder may review its deemed liabilities in the LLR and OWL programs at any time through the Digital Data Submission (DDS) system on the AER website at www.aer.ca.

Notification and Payment

An orphan fund levy invoice will be sent to the attention of each licensee's or approval holder's chief financial officer by email to the address on file with the AER at the time of issuance. Licensees and approval holders must notify the AER of any changes to their email address.

Orphan fund levy invoices will be emailed by April 20, 2018. It is the licensee's or approval holder's responsibility to ensure that the invoice is directed to the appropriate person. If the licensee or approval holder does not receive their orphan fund levy invoice by April 23, 2018, they must contact the AER to request a copy.

To update an email address or request a copy of an invoice, contact LiabilityManagement@aer.ca.

All orphan fund levy invoices must be paid by the licensee or approval holder, and payment must be received by the AER by **May 18, 2018**. Payment must be made payable in Canadian currency using an acceptable negotiable financial instrument, such as a cheque, money order, bank draft, or cash.

All payments must be made payable to "Alberta Energy Regulator"; failure to pay the full invoiced amount by May 18, 2018, will result in a penalty of 20 per cent of the original invoiced amount being assessed to the licensee or approval holder pursuant to section 74(2) of the *Oil and Gas Conservation Act*. Additional compliance measures may apply in accordance with the AER's compliance assurance program.

Appeal

Any appeal of the invoiced amount must be made in writing by May 18, 2018, pursuant to section 76 of the *Oil and Gas Conservation Act* and either mailed to

Jan Rempel
Manager, Closure & Transition

Alberta Energy Regulator
Suite 1000, 250 – 5th Street
Calgary, Alberta T2P 0R4

or emailed to the attention of Jan Rempel at LiabilityManagement@aer.ca.

Even if an appeal is filed, payment in full of the original invoiced amount is required by May 18, 2018, to avoid the assessment of the 20 per cent penalty. The AER will refund any overpayment resulting from a successful appeal within 30 days of the result of the appeal.

Questions regarding this bulletin should be directed to the Liability Management help line at 403-297-3113 or LiabilityManagement@aer.ca.

<original signed by>

Mark Taylor
Executive Vice President
Operations Division

Bulletin 2019-09

www.aer.ca

May 3, 2019

2019/20 Orphan Fund Levy

In accordance with Part 11 of the *Oil and Gas Conservation Act*, the Alberta Energy Regulator (AER) is prescribing an orphan fund levy in the amount of \$60 million.

The Orphan Well Association (OWA), Canadian Association of Petroleum Producers (CAPP), and Explorers and Producers Association of Canada (EPAC) have approved a \$60 million orphan fund levy to fund the OWA's budget for fiscal year 2019/20. This total levy is to be collected through one levy of \$60 million in May 2019. The AER will allocate the year's orphan fund levy among licensees and approval holders included within the Licensee Liability Rating (LLR) and Oilfield Waste Liability (OWL) programs based on the April 2019 monthly assessment. Information on these programs is contained in *Directive 006: Licensee Liability Rating (LLR) Program and Licence Transfer Process*, *Directive 011: Licensee Liability Rating (LLR) Program – Updated Industry Parameters and Liability Costs*, and *Directive 075: Oilfield Waste Liability (OWL) Program*.

Levy Formula

Each licensee or approval holder included within the LLR and OWL programs will be invoiced for its proportionate share of the orphan fund levy in accordance with the following formula:

$$\text{Levy} = \frac{A}{B} \times \$60\,000\,000$$

where

- *A* is the licensee's or approval holder's deemed liabilities on April 6, 2019, for all facilities, wells, and unreclaimed sites included within the LLR and OWL programs, as calculated in accordance with *Directive 006*, *Directive 011*, and *Directive 075*; and
- *B* is the sum of the industry's deemed liabilities on April 6, 2019, for all facilities, wells, and unreclaimed sites included within the LLR and OWL programs, as calculated in accordance with *Directive 006*, *Directive 011*, and *Directive 075*.

Each licensee's or approval holder's required orphan fund levy is based on its licensed and approved properties, according to AER records, as of April 6, 2019. Facilities included under the Large Facility Liability Management Program are excluded.

A licensee or approval holder may review its deemed liabilities in the LLR and OWL programs at any time through the Digital Data Submission (DDS) system on the AER website at www.aer.ca.

Notification and Payment

An orphan fund levy invoice will be sent to the attention of each licensee's or approval holder's chief financial officer by email to the address on file with the AER at the time of issuance. Licensees and approval holders must notify the AER of any changes to their email address.

Orphan fund levy invoices will be emailed by May 3, 2019. It is the licensee's or approval holder's responsibility to ensure that the invoice is directed to the appropriate person. If the licensee or approval holder does not receive their orphan fund levy invoice by May 6, 2019, they must contact the AER to request a copy.

To update an email address or request a copy of an invoice, contact LiabilityManagement@aer.ca.

All orphan fund levy invoices must be paid by the licensee or approval holder, and payment must be received by the AER by **June 3, 2019**. Payment must be made payable in Canadian currency using an acceptable negotiable financial instrument, such as a cheque, money order, bank draft, or cash.

All payments must be made payable to "Alberta Energy Regulator"; failure to pay the full invoiced amount by June 3, 2019, will result in a penalty of 20 per cent of the original invoiced amount being assessed to the licensee or approval holder pursuant to section 74(2) of the *Oil and Gas Conservation Act*. Additional compliance measures may apply in accordance with the AER's compliance assurance program.

Appeal

Any appeal of the invoiced amount must be made in writing by June 3, 2019, pursuant to section 76 of the *Oil and Gas Conservation Act* and either mailed to

Chris Schacher
Manager, Orphaning & Closure
Alberta Energy Regulator
Suite 1000, 250 – 5th Street
Calgary, Alberta T2P 0R4

or emailed to the attention of Chris Schacher at LiabilityManagement@aer.ca.

Even if an appeal is filed, payment in full of the original invoiced amount is required by June 3, 2019, to avoid the assessment of the 20 per cent penalty. The AER will refund any overpayment resulting from a successful appeal within 30 days of the result of the appeal.

Questions regarding this bulletin should be directed to the Liability Management help line at 403-297-3113 or LiabilityManagement@aer.ca.