

**WSGA / Pekisko Group meeting with Energy Minister Ken Hughes**  
**January 10, 2012**  
**Chain Lakes Administration Building**

Ken Hughes gave an overview of the Responsible Energy Development Act (Bill 2):

The bill is an “upgrade” in policy with the creation of a new organization and a more streamlined approach. It is designed to allow a single window for industry when it comes to energy proposals. The new regulator will use six energy statutes and four environmental statutes as their legislative basis.

The new bill also addresses the issue of unclear policy with the creation of a Policy Management Office (PMO). The PMO is designed to address policy issue clarification and rules for development of resources. It ensures a forum for discussion where there may be policy issues – a venue for appropriate policy discussion. Policy makers can use this forum to feed policy changes into regulators. The goal of the PMO is to have a more responsive policy development system with the potential for a more integrated approach because the ministries of Energy and ESRD are both involved.

Traditionally, ERCB has been good at notifying affected landowners. The new bill has now made this law. It also allows for landowners to self-identify instead of waiting until after the fact in the appeal process.

A board of commissioners handles the appeals. It would consist of a group of ‘advisors’ with a wide range of experience.

In addition – landowner contracts with energy companies can be registered with the regulator so the details of the agreement can be supported in cases where the energy company had changed more than once.

The timeline is to have the new regulator up by June functioning under the new legislation.

**Discussion:**

**Request from the group** – to ensure there is an agriculture professional on the board of commissioners.

Consultations for the rules and regulations under the act are planned to start the middle to late February and run for probably 60 days or so. WSGA and Pekisko Group are on the list to be included in the consultation process.

**Question:** How does the new act affect the Surface Rights Act?

**Answer:** The Surface Rights Act is out of the scope of the new act. The review of SRA is coming – being led by the ministry of environment. The Surface Rights Act pits landowners against each other.

**Request from the group** – if we could find some way to link the land title system with the mineral title system, it could prevent a lot of friction between landowners and energy companies. A list of affected landowners can be provided to mineral lease buyers.

**Question:** How does SSRP fit into the picture?

**Answer:** The new regulator must act according to SSRP. The new regulator has the ability to enforce compliance of the regional plan.

Minister Hughes assured us landowner rights will be addressed in the regulations. When questioned why he left landowner rights to the regulations instead of keeping them in law, his response was less assuring: Decision makers consider policy statements as set out in law. Regulatory details are binding for decision makers. Therefore landowner rights are not compromised.