

## News Release

### *FOR IMMEDIATE RELEASE*

### **ERCB COMPLETES INVESTIGATION; RESUMES PETRO-CANADA PROCEEDING**

**Calgary, Alberta (March 16, 2009)** An Energy Resources Conservation Board (ERCB) hearing Panel has decided to resume the proceeding on Petro-Canada's Sullivan Field applications after determining that a relationship between an ERCB employee and an employee from Petro-Canada did not compromise the integrity of the hearing process.

On February 17, 2009, an ERCB employee disclosed that the employee had recently commenced a personal relationship with a Petro-Canada employee. On February 19, the ERCB put the hearing on hold pending an investigation into the matter.

As the integrity of the hearing needed to be upheld and the potential impact of the matter on the hearing needed to be understood, the ERCB retained Perry R. Mack Q.C., an independent third party, to investigate the actions of the parties involved and provide findings to the hearing Panel. The ERCB also retained David P. Jones, Q.C. to provide advice to the panel based on Mack's report.

In summarizing his findings, Mack wrote, "In the result, I have seen no evidence that the personal relationship of these individuals has had any actual effect upon the Proceeding."

After reviewing Mack's report and considering the advice from Jones, the hearing Panel concluded that this matter has had no impact on the integrity of the process, and that it has not compromised the panel's ability to fulfill its adjudicative function objectively and impartially.

In reaching its conclusion, the Panel noted that:

- i) the ERCB employee is not a decision maker in the Proceeding;
- ii) the Panel has not yet commenced the decision making process in relation to the Proceeding because the Proceeding has not yet been completed;
- iii) any apprehension of bias would be on the basis of the association between the ERCB employee and the Petro-Canada employee;
- iv) as neither party had any opportunity to and did not communicate with the Panel after their relationship started, there is no association or relationship between a party to and any decision maker in the Proceeding;
- v) immediately following disclosure of the personal relationship between the ERCB employee and the Petro-Canada employee, the ERCB employee was removed from the file; and
- vi) since February 18, 2009 the ERCB employee has not and will not have any further involvement on the file and/or communication with ERCB staff or the Panel on the Proceeding.

The ERCB hearing began on November 12, 2008 in High River and pertains to a series of Petro-Canada applications to drill eleven sour gas wells, construct and operate one multi-well battery, and construct and operate sour gas pipelines in Southern Alberta's eastern slopes region.

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**The panel's decision and Mack's report are available on the ERCB website at [www.ercb.ca](http://www.ercb.ca).**

**For more information, please contact:**

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