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ALBERTA  
ENVIRONMENTAL APPEAL BOARD  
DECISION

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Date of Decision - December 15, 1997

**IN THE MATTER OF** Sections 84 and 87 of the *Environmental Protection and Enhancement Act*, (S.A. 1992, ch. E-13.3 as amended);

**-and-**

**IN THE MATTER OF** an appeal filed by Mr. Bill Lucey, Confederation of Regions Political Party (Federal) with respect to Application Numbers 970459 and 1010982 issued by the Alberta Energy and Utilities Board to Cabre Exploration Ltd.

Cite as: Lucey v. Alberta Energy and Utilities Board #8, re: Cabre Exploration Ltd.

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## BACKGROUND

[1] On November 26, 1997, Mr. Bill Lucey, Leader of the Confederation of Regions Political Party (Federal) [CORE], filed a Notice of Appeal with the Environmental Appeal Board [Board]. Mr. Lucey objected to Application Nos. 970459 and 1010982 made by Cabre Exploration Limited, for well licences and a spacing order, to the Alberta Energy and Utilities Board [AEUB]. Mr. Lucey's Notice of Appeal contained the following information:

“Please accept this as our, “Cores”, Notice of Appeal to the decision of Stuart Wilson of E.U.B. (CALGARY) to have “Core” to appear at his Dec.9/97 hearing here in Calgary.

We would like an opinion of your department and Alberta Justice in regards as to where staff specialist, Stuart Wilson gets his authority to summon “Core”, to his hearing so that our submission can be heard. (Like in a democracy) Exhibit A, enclosed.”

[2] The Board acknowledged Mr. Lucey's appeal in a letter dated November 27, 1997. The letter stated:

“Before asking the Director for the Department of Environmental Protection's records, we note from your attachment that this new appeal appears to deal exclusively with the Alberta Energy and Utilities Board's applications No. 970459 and 1010982. If true, and unless there is a corresponding approval or decision pursuant to the *Environmental Protection and Enhancement Act* (Act), your appeal is without jurisdiction to this Board.

Please confirm with this Board in writing that the decision you now submit is capable of appeal pursuant to section 84 of the Act. Your written response to this question must be received by close of business on December 1, 1997.

[3] The Board received no response from Mr. Lucey.

## **DECISION OF THE BOARD**

[4] Based on the foregoing, the Board must conclude that it has no jurisdiction to deal with the appeal. Further, Mr. Lucey failed to provide the Board with further information<sup>1</sup> to establish how Mr. Lucey's complaint might be capable of appeal pursuant to section 84 of the Act.

## **CONCLUSION**

[5] This appeal is dismissed for want of jurisdiction and pursuant to section 87 (5)(a)(ii) of the Act for failure to comply with a written notice.

Dated on December 15, 1997 at Edmonton, Alberta.

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Dr. William A. Tilleman

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<sup>1</sup> In its November 27, 1997, letter to Mr. Lucey, the Board asked Mr. Lucey to submit additional information to the Board.