

2015 Alternative Dispute Resolution Summary

Alternative dispute resolution (ADR) is an important part of the regulatory process at the Alberta Energy Regulator (AER). Through collaboration and empathic engagement, ADR encourages energy companies, Albertans and indigenous peoples to work together to find mutual agreed-upon solutions regarding proposed or existing energy development while building long-term relationships.

In 2015 the AER ADR team started developing a wise-practice guide for carrying out ADR with indigenous peoples. The objective is to support an increase in ADR participation among indigenous peoples. The guide will build awareness of the unique approaches mediators should take to provide indigenous peoples with a process that is sensitive to indigenous values.

In 2015 the ADR program continued to maintain a high success rate where parties find full or partial resolution to issues. Finding local solutions to local issues saves Albertans, industry, and the AER time and money by reducing the need for public hearings. ADR creates and builds long-term positive relationships in affected communities. The ADR program is available when concerns still remain after discussion between energy companies and landowners and indigenous peoples or between energy companies. ADR is available through the life cycle of an energy development, as well as before an application is filed, during the application review, and for operational concerns, including reclamation.

Should a hearing be scheduled, parties may be offered ADR by a hearing commissioner.

As part of the AER's Alberta Stakeholder Engagement Branch, the ADR team works with Community Engagement and Indigenous Engagement staff to provide service to Albertans who wish to access the many AER processes available to them. Upon request, an ADR specialist will visit your company, indigenous communities, municipality, community, or synergy meetings to discuss ADR.

During 2015 the ADR team continued to adopt new techniques to improve the program. In 2015 the Alberta Stakeholder Engagement Branch developed a new online satisfaction survey process through talk.AER.ca on the AER website to make it easier for stakeholders to provide feedback on the ADR program. Through the survey in 2015, three factors that were most important in deciding to participate in ADR were the potential for an agreement, the opportunity to meet with the right people, and the opportunity to create a positive relationship. In 2015, the ADR team started assessing the possibility of using technology to conduct ADR remotely.

Alternative dispute resolution is another way we're achieving excellence by empathic engagement and by protecting what matters most—Albertans and the environment.

2015 ADR Participant Feedback:

“Very grateful for the mediator’s help, so skilled in keeping the process moving forward”

“Good process. Very respectful working environment”

“Good meeting, moving forward”

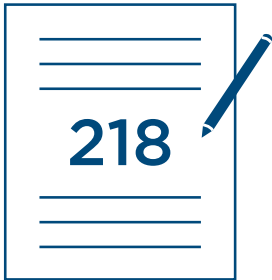
The process allowed me to speak freely – **90% said yes**

ADR was valuable – **82% said yes**

Applications



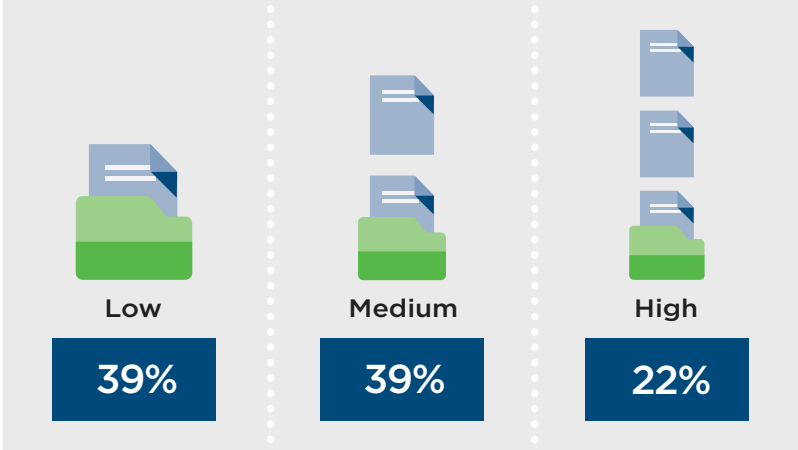
Applications received



Statements of concern received

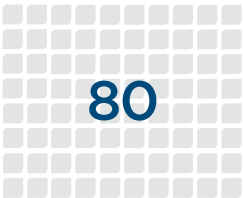


ADR File Complexity



Low: a few parties and issues; Medium: several parties and issues; High: numerous parties, and complex issues

ADR Cases



AER ADR cases initiated in 2015

36 of these were pre-ADR cases, where parties either resolved on their own or did not participate in full mediation



AER ADR cases completed in 2015

