



EPAC

The Explorers and Producers
Association of Canada™
*L'Association des Explorateurs
et Producteurs du Canada^{MC}*

November 19, 2025

Chris Loewen
Executive Vice President, Regulatory
Canada Energy Regulator
210-517 10 Ave SW
Calgary, AB T2R 0A8

(via email: chris.loewen@cer-rec.gc.ca and rppr@cer-rec.gc.ca)

Re: Improving the CER Rules of Practice and Procedure

Dear Mr. Loewen,

I am writing on behalf of the Explorers and Producers Association of Canada (EPAC) which represents more than 80 upstream oil and natural gas producers that collectively produce more than 65 percent of Canada's natural gas and more than 40 percent of the country's oil. These companies employ tens of thousands of Canadians and attract billions of dollars in capital investment and contribute billions of dollars in taxes and royalties to federal and provincial governments on an annual basis.

EPAC appreciates the opportunity to provide feedback on the review of the Canada Energy Regulator (CER) Rules of Practice and Procedure (the Rules). EPAC particularly welcomes the review's emphasis on enhancing competitiveness and delivering modern, clear, and efficient regulatory processes. In EPAC's view, this is an important opportunity to cut costs, reduce delays and decision timelines, streamline procedures, reduce duplication, and strengthen service standards so that Canada's energy regulatory system operates with greater focus, predictability, and clarity. Unnecessary red tape increases costs for stakeholders, contributes to challenges of low-productivity and stifles economic growth at a time when the government, industry, and Canadians are focused on building Canada, protecting and growing the economy, diversifying trade, advancing major projects, and lowering the cost of doing business.

By modernizing the Rules to focus on proportionate, risk-based oversight and eliminating unnecessary steps, the CER will meaningfully reduce costs, improve regulatory efficiency and predictability, support the federal red-tape reduction initiative, and align with Natural Resources Canada's competitiveness and energy-security priorities. By enabling projects to proceed more efficiently, the CER can contribute directly to Canada's economic growth objectives and reinforce Canada's position as a reliable and competitive energy superpower.

EPAC is of the view that the impact of the Rules review will be limited unless it addresses the key concerns raised by industry stakeholders throughout the CER engagement process. Of particular importance is input provided on the challenges the industry faces in achieving regulatory certainty, which impacts the ability to attract and deploy investment. This includes the need to:

1. **Establish clear, mandatory timelines and pre-hearing steps** by setting firm deadlines for completeness checks, information requests, motions, evidence exchanges, decisions, and all pre-hearing requirements. Unclear timelines and vague process steps create uncertainty, hinder planning, and increase regulatory risk, leading to increased costs and ineffective participation in the

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hearing processes.

2. **Introduce tiered or risk-based procedural tracks with parallel processing options** so routine or uncontested applications can move quickly through streamlined, clear processes. One-size-fits-all and strictly sequential procedures create unnecessary burdens and slow regulatory decision-making, increasing the costs to operate in Canada. Although the CER indicates improved results and outcomes, it is not evident to external parties, highlighting the need for clearer, more effective timelines and service standards that reduce regulatory burden and costs.
3. **Apply consistent, risk-appropriate obligations and deadlines to all participants** by ensuring that applicants, intervenors, and the Commission follow aligned and proportionate timelines based on the complexity of the matter. Inconsistent deadlines and uneven expectations slow proceedings and drive up costs.
4. **Strengthen rules to reduce procedural delays** by limiting late evidence, last-minute motions, repeated extension requests, and overly broad or duplicative information requests, as these approaches prolong proceedings and create uncertainty, which increases costs through extended timelines, schedule risk, and additional regulatory work. The CER should remain focused on its core regulatory role, as stepping into broader policy matters adds further uncertainty and compounds cost impacts.
5. **Modernize digital filing, service, and records systems to support coordinated applications** by upgrading RegDocs, e-filing tools, and establishing service standards. Outdated digital systems increase cost, delay coordinated applications and impede administrative processes.

In addition, EPAC recommends the CER take concrete steps to:

1. **Improve internal prioritization and delegation to reduce matters escalated to the Commission** by ensuring routine, technical, or low-risk matters are resolved at the staff level rather than elevated prematurely. Over-escalation strains resources, delays decision-making, and reinforces a culture in which matters are brought before the Commission despite not requiring Commissioner-level adjudication.
2. **Uphold consistency in decisions and proceedings** by recognizing that, although not bound by *stare decisis*, the CER's legitimacy depends on consistent decisions. Additionally, the Commission should be clear and consistent in applying expectations for supporting information and procedural standards and tighten standing and relevance criteria to help prevent costly delays and uncertainty.
3. **Recognize the evolving nature of the regulatory and economic environment** by modernizing processes and timelines to reflect current competitiveness pressures. Evaluating, aligning and coordinating approaches with other federal, provincial, and cross-border regulators such as the Federal Energy Regulatory Commission would provide stakeholders greater predictability and certainty and help ensure Canada remains an attractive destination for investment.

4. **Ensure the CER remains firmly within its legislative mandate**, including in the application of Indigenous engagement and consultation requirements, by grounding all processes in clear statutory authority. The CER should distinguish its regulatory duties from broader policy objectives while appropriately and adequately considering Indigenous rights. This is imperative to maintain predictable processes and provide investment certainty to proponents, which leads to stronger economic outcomes.

EPAC would welcome the opportunity to further discuss these matters with you and your team and looks forward to continuing to advance these matters.

Thank you again for the opportunity to provide comment.

Sincerely,



Chris Montgomery
Senior Vice President and Chief Policy Officer
The Explorers and Producers Association of Canada



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CC:

Mr. Michael Vandergrift
Ms. Erin O'Brien
Mr. Eamonn McGuinty
Mr. Samir Kassam