

By Mail

March 23, 2010

Intellog Inc.
#417, 3553 – 31st Street NW
Calgary, AB. T2L 2K7

Attention: Terence C. Gannon

Dear Sir:

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT **REQUEST FOR ACCESS TO INFORMATION**

This confirms that on March 23, 2010, the Energy Resources Conservation Board (“ERCB”) received your request for access to information under the *Freedom of Information and Protection of Privacy Act* (the “Act”). You are requesting the following information:

“A complete copy of the General Well Data File as described on page 30 of the 2010 Catalogue of Publications, Maps and Services. (The current file, plus the monthly updates as and when they are available.)”

ACCESS DECISION

Section 29(1)(a.1) of the *Act* states as follows:

Information that is or will be available to the public

29(1) The head of a public body may refuse to disclose to an applicant information

- (a) that is readily available to the public,
- (a.1) that is available for purchase by the public, or
- (b) that is to be published or released to the public within 60 days after the applicant’s request is received.

As you indicated in your letter, the information you are requesting is listed in the ERCB Publications Catalogue as being available for purchase from the ERCB. As a result, section 29 of the *Act* applies to your request and the information will not be provided to you under the access provisions of the *Act*. Accordingly, the ERCB will not be processing your request and is returning your cheque in the amount of \$25.00.

REVIEW PROVISIONS

Section 65 of the *Act* allows you to ask the Information and Privacy Commissioner to review the ERCB decision regarding this request. The *Act* allows you 60 days from the date of this notice to request a review by writing to the Information and Privacy Commissioner at 410, 9925 – 109th Street, Edmonton, Alberta T5K 2J8.

Section 67(1) of the *Act* requires the Commissioner to give a copy of your request for review to the head of a public body and to any other person who, in the Commissioner's opinion, is affected by the request. Therefore, your request for review should not contain any information that you do not wish exchanged with other parties.

If you wish to request a review, please provide the Office of the Commissioner with the following information:

1. A copy of this letter.
2. A copy of your original request for information that you sent to the ERCB.

Yours truly,

Original Signed by
R.M. McPhail

Reta McPhail
FOIP Coordinator

enclosure
/rmm