

**ALBERTA
PUBLIC LANDS APPEAL BOARD**

**Decision
Notice of Discontinuance**

August 27, 2014

IN THE MATTER OF section 123(8) of the *Public Lands Act* and sections 15, 98, 211, and 216 of the Public Lands Administration Regulation, A.R. 187/2011

-and-

IN THE MATTER OF an appeal filed by Ainsworth Engineered Canada Ltd.

Cite as: *Re Ainsworth Engineered Canada and Weyerhaeuser Company Ltd. 2014 APLAB 13-0012*

Facts

The Appellant, Ainsworth Engineered Canada, and the Respondent, Weyerhaeuser Company Ltd., operate separate timber mills located near Grand Prairie. Weyerhaeuser has developed and maintains a system of roads and bridges consisting of approximately 835 km of various classes of off-highway roads which are leased from the province of Alberta under various licenses of occupation.

The parties have had various road use agreements which allowed Ainsworth to access the road system since about 1999. The most recent agreement was entered into on August 1, 2010 and expired on July 31, 2013. Ainsworth continued to use a portion of the roads pursuant to an understanding with Weyerhaeuser but the parties were unable to reach an agreement in subsequent negotiations.

On October 17, 2013 Ainsworth filed an application for a decision on road use with the Public Lands Appeal Board. A mediation was held January 15, 2014 but an agreement was not reached. A hearing was scheduled for August 28 and 29 2014. On August 27, 2014 the Appellant advised the Board that the parties had reached an agreement and that the Appellant was withdrawing their appeal.

Rationale for Discontinuance

As the Appellant has withdrawn their notice of appeal, and as the Board is satisfied that all issues relating to the appeals have been resolved in accordance section 123(8) of the Public Lands Act, the Public Lands Appeal Board discontinues its proceedings and closes its file for PLAB 13-0012.