

December 20, 2016

**Calgary Head Office**  
Suite 1000, 250 – 5 Street SW  
Calgary, Alberta T2P 0R4  
Canada

BY MAIL AND EMAIL

[www.aer.ca](http://www.aer.ca)

To: Interested Parties and Counsel

**RE: PRELIMINARY DECISION ON PARTICIPATION  
PROCEEDING ID 346  
APPLICATIONS 1842705, 1851246, 1851250 (applications)  
BASHAW OIL CORP. (Bashaw)**

Dear Interested Parties and Counsel:

A Notice of Hearing was issued on December 20, 2016 setting out the process and initial schedule for the hearing of Bashaw's applications. This letter sets out the panel's initial direction regarding participation in the hearing.

Section 34(3) of the *Responsible Energy Development Act* states that: "... a person who may be directly and adversely affected by the application is entitled to be heard at the hearing". In addition, the *Alberta Energy Regulator (AER) Rules of Practice (Rules)* give the hearing panel discretion to grant participation status to persons who have a tangible interest and whose participation will materially assist without materially delaying the proceedings or repeating or duplicating evidence.

On the basis of the information included in the Statements of Concern (SOC) and in Bashaw's applications, and to provide Bashaw and statement of concern filers with greater certainty at this stage of the hearing process, the panel has decided the following:

Landowners and/or occupants of land that fall within the 0.88 km Emergency Planning Zone (EPZ) or whose only route of egress in the event of an emergency at one of the three proposed wells is through the EPZ may be directly affected by the application. The information provided in the statements of concern, while not evidence and not sufficient to prove adverse effects, indicates that they may also experience adverse effects or that they may materially assist the panel.

As a result, the panel has decided to exercise its discretion to find that the following are entitled to participate in the hearing of Bashaw's applications if they so choose:

- Eileen Belva
- Brad Belva

- Robert Poissant
- Brian, Barry, Christine, and Melissa Dodd
- Kyle Dusterhoft
- Crystal and Jordan Skinner
- Daryle and Debby Schmidt
- Cecil Andersen
- Terry Dingwall
- Helena and Daniel Dueck
- Ian Jaffray, Ray and Tarrah Skye
- Craig Parel
- Jason, Cheryl, Connor and Caine Huber
- Dennis McGinn and Avalie Peck
- R. J. Kiehlbauch

Parties identified above who want to participate in this hearing are not required to file a request to participate. However, on or before **4:00 pm on January 17, 2017** these parties must confirm to the AER in writing that they intend to participate in the hearing. You must include the following information in your confirmation:

- the outcome you advocate;
- the nature and scope of your intended participation; and
- your contact information.

In due course, and likely after a prehearing meeting to be scheduled in the new year, the panel will establish the nature and scope of each participant's participation in the hearing as required by section 9.1(1) of the Rules.

Finally, the panel reminds those who will participate in the hearing that section 58.1 of the Rules sets out the factors that are taken into consideration by the AER when making a decision in respect of an

application for costs. The panel urges participants to carefully consider those factors before confirming your intent to participate and in describing the nature and scope of your intended participation. For example, individual family members may choose to participate as a single unit and in that way consolidate issues, avoid duplication and overlap and not unduly delay the process.

SOC filers who wish to participate and are not identified above must submit a request to participate to the Regulator and the Applicant in accordance with the procedure and timelines outlined in the Notice of Hearing.

Regards,

<original signed by Dean Campbell for Meighan LaCasse>

Meighan LaCasse,  
AER Counsel

**Alberta Energy Regulator**

Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4

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Enclosures (2): Notice of Hearing, Rules Sections 9(2) and 58.1

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