

April 16, 2018

By e-mail only

Mr. Gerald Radke

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

www.aer.ca

Re: Request to participate in hearing
Proceeding ID 358
Blackspur Oil Corp.

Dear Sir,

I am writing to you on behalf of the AER panel of hearing commissioners (the panel) assigned to this proceeding.

On February 20, 2018, the AER issued a notice of hearing of the above proceeding which explained how to file a request to participate in the hearing and set a filing deadline of March 12, 2018. The applicant response deadline was March 26, 2018. We received your request to participate on March 9, 2018 and Blackspur Oil Corp's response on March 22, 2018, all within the required filing timelines.

The panel considered your request to participate, your statement of concern, and Blackspur's response. The panel has decided not to grant you the right to participate in the hearing for the reasons set out below.

You have not shown how you may be directly or adversely affected by the application. The estate which you are representing no longer owns the adjacent lands so there is no direct effect on lands that the estate owns, and you have not provided other reasons to establish a direct affect. Your request refers to the proximity of the well to the estate's "historic lands", but you do not identify any lands other than the property sold by the estate.

As you would not be directly affected by a decision on the application the panel also considered sections 9(2)(c) and 9(3)(d) of the AER Rules of Practice which lays out four requirements, all of which must be met, for someone who is not directly affected to be able to participate. The panel found that you have not met at least two of those requirements: 1) you have not shown how you have a tangible interest in the subject-matter of the hearing, and in this regard the estate's former interest in lands is not a tangible interest; and 2) you have not shown how you would be able to materially assist the panel to decide on the matter. You have stated you are a professional engineer with business and oil and gas experience. The

AER is an expert tribunal with abundant expertise in these areas and there is nothing novel or unique about the proposed well that requires a different or fresh technical perspective. In short, you have not provided information to show that you will materially assist the panel's decision-making.

Please note that AER hearings are open to the public, and you are welcome to attend and observe the hearing. Members of public who attend the AER hearings are required to comply with the AER's directions that apply to observers. The hearing will also be audio webcast at www.meetview.com/aer.

Please contact Tammy Turner, Hearing Coordinator, at (403) 297-3232 or email hearing.services@aer.ca if you have any further questions about the above.

Sincerely,

<original signed by>

Tammy Turner

Hearing Coordinator, AER

CC: **G. Fitch, McLennan Ross**

G. Perkins, AER

C. Bennett, Blackspur Oil Corp.

J.Peters, Blackspur Oil Corp.