

November 26, 2019

By e-mail only

MLT AIKINS  
**Attention: John Gruber**

Torys LLP  
**Attention: David Wood**

**Re: Proceeding 360**  
**Bearspaw Petroleum Ltd. Applications 1877294 and 1878333**

On November 14, 2019, Harvest Operations Corp. (Harvest) filed a motion pursuant to section 44 of the *Alberta Energy Regulator Rules of Practice* for an order dismissing the common carrier and rateable take applications made by Bearspaw Petroleum Ltd. (Bearspaw) that are the subject of this proceeding. In the alternative, Harvest asks for an order to immediately suspend or adjourn this proceeding.

By way of a letter dated November 15, 2019 the panel of hearing commissioners assigned to this proceeding (the panel) gave Bearspaw an opportunity to file a response to Harvest's motion and Harvest the opportunity to file a reply to Harvest's response.

In accordance with the panel's direction Bearspaw filed its response on November 20, 2019 and Harvest filed a reply on November 22, 2019.

The panel has considered Harvest's motion and the parties' subsequent response and reply submissions, including the information contained in the affidavits filed with the Harvest request and reply submissions. The panel has decided to hear oral submissions on Harvest's motion.

The oral hearing of Harvest's motion will be held on Monday, January 6, 2020 at 1:00 pm in Govier Hall. The hearing is limited to the submissions and evidence identified above as well as the update to be provided by Harvest that is described below. For greater certainty the panel will hear submissions from and expects to ask questions of counsel for the parties only. Neither party is to present witnesses at the oral hearing of the motion.

The panel requires Harvest to provide a written update in the form of an affidavit setting out the steps taken as of the date of the update to permanently shut-in and abandon the wells and all of the gathering system, both as defined in its motion. The update is to be provided by 4:00 pm on January 3, 2020.

Yours truly,

Elaine Arruda  
Hearing Coordinator

cc: B. Kapel Holden and C. Ross, AER Counsel