

AER Proceeding 450

**Applications 1909112 (*Oil Sands Conservation Act*), 012-00129968
(*Environmental Protection and Enhancement Act*), 025-00201931 /001-
00413940 (*Water Act*), and MSL 033406 (*Public Lands Act*)**

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By email only

Canadian Natural Resources Limited

Attention: Kirsten Pinney

Applications for Horizon Oil Sands Mine and Processing Plant (Horizon) North Pit Extension (NPE) Project

The Alberta Energy Regulator has determined that the five applications associated with the North Pit Extension Project should be set down for a [hearing](#) and has requested that I assign a hearing panel to conduct a hearing. A hearing will be held unless the issues are resolved in some other manner, such as by alternative dispute resolution (ADR). Hearings are led by hearing commissioners who are independent from the day-to-day operations of the AER. I assign one or more hearing commissioners to sit on hearing panels to decide matters sent to them by the AER. Their decisions may only be reviewed by the Court of Appeal of Alberta and they must adhere to the [Hearing Commissioner Code of Conduct](#).

This is not a notice of hearing. Once a hearing panel is assigned they will decide any procedural matters related to the hearing such as issuing a notice of hearing and determining who may participate in the hearing. Before a notice of hearing can be issued AER staff must compile the application file consisting of all application materials filed with the AER. The hearing coordinator will contact you shortly to verify the contents of the application file. Once the application file is complete it will be placed on the public record. The hearing panel will then decide the timing of a notice of hearing after reviewing the application file and statements of concern.

When a notice of hearing is issued it will give directions to interested parties about how to view the application file and explain how to request to participate. For more information about the AER hearing process please see [Manual 003: Participant Guide to the Hearing Process](#). This manual provides an

overview of the hearing process and tries to answer common questions. The requirements for hearings are set out in the [Responsible Energy Development Act](#) and the [Alberta Energy Regulator Rules of Practice](#).

I may assign, or parties may request, a hearing commissioner who is not on the hearing panel to explore [alternative dispute resolution](#) (ADR) with you. ADR is a confidential process which gives parties an opportunity to engage in meaningful discussions for the purpose of reaching mutually agreeable resolution of the issues. It is conducted separately from the hearing and all discussions in ADR, including offers to settle, proposals, and concessions, are subject to settlement privilege and remain confidential and cannot be used in the hearing unless all parties agree otherwise. The [ADR by Hearing Commissioner brochure](#) and [Manual 004: Alternative Dispute Resolution Programs and Guidelines for Energy Industry Disputes](#) have information on ADR. If you would like to request a hearing commissioner be assigned to conduct ADR for this matter, please send your request to the Hearing Commissioners' Office at HCO@aer.ca.

Tara Wheaton is the Hearing Coordinator for this proceeding and will be your main point of contact during this process. Once the AER assembles the application file, Tara will contact you to verify its contents. If you have any questions, please contact Tara at 403-297-8288 or by e-mail at hearing.services@aer.ca.

Regards,

Alex Bolton

Chief Hearing Commissioner

cc: Carmen Wells, McMurray Metis (MNA Local 1935)
Jackie Waysluk, JFK Law Corporation, Fort McKay Metis Nation
Dianne Scoville, Metis Nation of Alberta Region 1
Anita I. Thompson (Ackroyd LLP), McMurray #468 First Nation
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