

BY E-MAIL ONLY

July 6, 2020

JFK Law Corporation

Lawson Lundell LLP

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

www.aer.ca

Attention: Mae Price

Attention: John Olynyk

RE: Request for Regulatory Appeal by Athabasca Chipewyan First Nation, Fort McKay First Nation and Mikisew Cree First Nation (collectively, the First Nations) Canadian Natural Resources Limited and Canadian Natural Upgrading Limited (collectively, CNRL) AER Decision 20200429D dated April 29, 2020, subsequently replaced by AER Decision 20200505A dated May 5, 2020 (collectively, the Decisions) Request for Regulatory Appeal No.: 1928866

Dear Sir/Madam:

On June 5, 2020, the Alberta Energy Regulator (AER or Regulator) received a request for regulatory appeal of the Decisions (the Request) from JFK Law Corporation (JFK) on behalf of the First Nations. Per section 30(3)(m) of the *Alberta Energy Regulator Rules of Practice*, the deadline to file the Request was June 4, 2020. While the Request was dated June 4, 2020, the AER did not receive the Request until June 5, 2020, and no explanation was provided for the late filing. Accordingly, the AER advised JFK and CNRL on June 10, 2020, that the Request could not be registered because it had been filed late, and provided JFK with an opportunity to request an extension to the June 4th deadline. The AER also requested that CNRL respond to any extension request received from JFK.

The AER received an extension request from JFK on June 12, 2020 (the Extension Request). CNRL responded on June 30, 2020, stating that it took no position in respect of the Extension Request because AER [Decision 20200623D](#) rendered the Request moot.

The AER has reviewed the Extension Request and CNRL's June 30th response and determined (1) that JFK attempted to submit the Request to the Regulator via email prior to the June 4, 2020 deadline; and (2) that the AER did not receive the Request prior to the deadline because of a clerical or technological error. The AER also acknowledges that JFK followed up with the AER after the Regulatory Appeals Coordinator did not confirm receipt of the Request and that JFK promptly resubmitted the Request and all accompanying materials to the Regulator the following morning. Based on the foregoing, the AER has

determined that JFK made reasonable efforts to submit the Request on time and remedy the subsequent error. The AER therefore grants the Extension Request and confirms that the Request has been registered.

Further correspondence will be directed to the parties regarding the filing and content of written submissions in respect of the Request.

Sincerely,

<Original signed by>

Sean Sexton
Vice President, Law Branch

cc: Franco De Luca, AER Law Branch
Barbara Kapel Holden and Meighan LaCasse, AER Law Branch, Counsel for AER Operations
Division