

November 20, 2017

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

VIA EMAIL

www.aer.ca

Ron Flathers

Dear Sir,

Re: Request to Participate in Hearing
Proceeding ID 355
Canadian Natural Resources Limited
LSD 15-18-63-03W4M

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

On September 27, 2017 the AER issued a notice of hearing of the above proceeding under section 7.001 of the *Oil and Gas Conservation Rules* for a single well bitumen battery. The notice of hearing explained how to file a request to participate in the hearing and set a filing deadline of October 17, 2017.

The AER received your request to participate on November 12, 2017, twenty six days after the deadline for filing requests to participate. You also did not file a statement of concern on the application. No explanation was provided as to why you did not file a statement of concern or why your request to participate was received after the deadline. Nor did you request the panel to allow the late filing of your request to participate.

You also have not indicated whether or how you will or may be directly and adversely affected by the application, nor have you provided an explanation of the matters specified under section 9(2) of the AER's *Rules of Practice*, including how your participation will materially assist in deciding the application. Accordingly, you have not met the requirements in the AER's *Rules of Practice* for filing a request to participate. Further, your only stated concern is with respect to the preservation of the 'heritage tree' at the site of the proposed battery, and this will repeat or duplicate the evidence other parties intend to raise at the hearing, and will not materially assist the AER panel in deciding matters related to the application.

For these reasons, the panel has decided that you may not participate in the hearing. Please note that AER hearings are open to the public, and you are welcome to attend and observe the hearing.

Please contact Elaine Arruda, Hearing Coordinator, at (403) 297-7365 or email hearing.services@aer.ca if you have any further questions about the above.

Sincerely,

<original signed by>

Sean Sexton

Legal Counsel

Alberta Energy Regulator

cc: Michelle Naubert Clinton Trotter

Steven and Claudia Charlton

Joanne Jamieson, McLennan Ross LLP

Heather Sampson, CNRL