

Proceeding ID 377  
March 20, 2019

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By email only

[www.aer.ca](http://www.aer.ca)

McLennan Ross LLP  
Attention: JoAnn Jamieson

**Re: Encana Application 1911974  
Hearing Participation Decision**

Dear Ms. Jamieson:

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

On February 21, 2019, the AER issued a notice of hearing for Encana Corporation's (Encana) application 1911974 under *Directive 065: Resources Applications for Oil and Gas Reservoirs* for approval for acid gas disposal in the Belloy aquifer about 30 kilometres northwest of Grande Prairie, Alberta. The notice of hearing explained how to file a request to participate in the hearing and set a filing deadline of March 7, 2019.

On March 7, 2019, the AER received the request to participate that you submitted on behalf of Canadian Natural Resources Limited (CNRL). The request noted that "Canadian Natural owns the mineral rights to the Montney Formation in the area of acid gas influence being applied for by Encana," and expressed concern that the proposed disposal of acid gas into the Belloy Formation directly underlying the Montney Formation would result in sterilization of CNRL's Montney resource.

On March 14, 2019, Encana filed a response to CNRL's request to participate. In it, Encana stated that it disputes the assertions contained in the request but takes no position with respect to CNRL's participation in the hearing.

**Hearing Panel Decision**

Section 34(3) of the *Responsible Energy Development Act* states that, "a person who may be directly and adversely affected by the application is entitled to be heard at the hearing."

The panel has considered CNRL's request to participate and Encana's response. The panel finds, based on the information before it, that CNRL may be directly and adversely impacted by the above-noted application because CNRL owns the mineral rights in the Montney Formation directly above the Belloy Formation where Encana proposes to inject and dispose of acid gas.

For the above reason and subject to further directions or rulings issued by the panel, CNRL is permitted full participation in the hearing.

The panel proposes meeting in April with legal counsel for all parties to discuss hearing process steps. This meeting will include the panel members, a hearing coordinator and AER legal counsel only. There will not be a court reporter present. The hearing coordinator will take minutes of the meeting and will forward the minutes to all attendees.

Please provide the dates that you are not available in April for a 2 hour meeting by Monday, March 25, 2019 to [hearing.services@aer.ca](mailto:hearing.services@aer.ca).

Once the panel determines a date for the meeting, an agenda will follow.

If you have any questions contact me at 403-297-3232 or at [hearing.services@aer.ca](mailto:hearing.services@aer.ca).

Yours truly,  
Tammy Turner  
Hearing Coordinator

Enc: Fact Sheet – Hearings and Privacy

cc: D. Naffin, Bennett Jones LLP  
T. Meyers, Bennett Jones LLP  
G. Lewis, Husky Oil Operations Limited