

Proceeding 376

July 11, 2019.

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By email only.

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Re: Prehearing Meeting**Imperial CLEP Regulatory Appeal by Elizabeth Metis Settlement**

Dear Counsel/Representative:

By way of correspondence dated May 22, 2019, the panel of hearing commissioners assigned to this proceeding (the panel) indicated that once hearing participation was established, the panel would decide whether a formal prehearing meeting is still required to establish hearing process steps and timelines. In the panel's letter dated June 7, 2019, the panel acknowledged two additional issues raised by Elizabeth Métis Settlement in its letter dated June 5, 2019, and stated that the second issue with respect to the standard of review would be deferred until participation in this proceeding had been decided.

On July 9, 2019, participation decision letters were sent to the City of Cold Lake, the MD of Bonnyville, Fishing Lake Métis Settlement (Fishing Lake Métis), Buffalo Lake Métis Settlement (Buffalo Lake Métis) and Kehewin Cree Nation. In addition, the panel sent a letter on July 9, 2019, titled "AER to Fishing Lake Métis and Buffalo Lake Métis re Process Concerns", acknowledging the issue raised by Fishing Lake Métis and Buffalo Lake Métis regarding the role of AER Authorizations Group (Authorizations) in the hearing. The letter indicated that a process would be established to receive and consider submissions from hearing participants on the scope of Authorizations' participation before making a decision on the issue.

To further assist the hearing panel in dealing with these issues and establishing details regarding the process for this hearing, a prehearing meeting with all the parties will be held at Govier Hall, 3rd floor, 250 – 5th Street SW, Calgary, Alberta. The panel requests parties to submit their availability for a full business day meeting to occur on either August 8, 2019 or August 13, 2019 to hearing.services@aer.ca.

by noon on July 15, 2019. If the parties wish to comment on (1) the standard of review for this hearing, and (2) the role of Authorizations in this hearing, written submissions must be filed with Hearing Services one week prior to the prehearing meeting date. The parties are expected to speak to any filed submissions at the prehearing meeting and respond to any panel questions regarding those submissions. Please copy the other parties with your submissions.

In addition, parties should be prepared to speak to the following matters at the prehearing meeting, but should not include these matters in their written submissions:

- Whether an information request (IR) process is needed;
- Suggested deadlines for filing hearing submissions;
- Anticipated extent of participation in the hearing and the estimated time required for same; and
- Possible hearing dates and locations, and parties' hearing availability.

The prehearing meeting will be a formal meeting that will be audio webcast from the AER's website and transcribed by a court reporter. Transcripts may be ordered by each party directly from the court reporting company. Parties unable to attend the meeting in-person may participate by audio via Skype.

The panel intends to issue a prehearing decision following the meeting.

If you have any questions, please contact me at 403-297-3232 or at hearing.services@aer.ca.

Sincerely,

Tammy Turner

Hearing Coordinator, Hearing Services

cc: K. Dumanovski, AER Authorizations

B. Kapel Holden, AER

F. De Luca, AER

M. Nice, ACO