

Grassy Mountain Coal Project Joint Review Panel

August 10, 2020

By e-mail only

Gavin S. Fitch and Cesar Agudelo
McLennan Ross LLP

Subject: RE: Confirmation of participation at the public hearing for the Grassy Mountain Coal Project

Dear Mr. Fitch and Mr. Agudelo:

Thank you for your letter of July 20, 2020 where you confirm the Livingstone Landowners Group's (LLG) participation at the public hearing for the Grassy Mountain Coal Project (the Project) and where you provided LLG's views on preferred dates, locations, and format of the hearing. In light of current public health restrictions associated with COVID-19, details regarding hearing dates, format, locations, and logistics will be posted to the Registry and communicated to all hearing participants at a later date.

The Panel understands from LLG's submission that they intend to participate fully in the hearing for the Project. As stated in its June 29 letter to you, the Panel has granted LLG full participation rights in the hearing. Full participation includes the opportunity for LLG to provide written and oral submissions, to cross-examine parties that are adverse in interest to LLG at the hearing, to submit final argument, and to participate in prehearing or technical meetings if convened by the Panel.

A written submission containing the evidence that LLG intends to present at the hearing must be provided by September 14, 2020 as per the schedule set out in the notice of hearing. In your written submission, please include an estimate of the amount of time that LLG would like to present their evidence at the hearing so that the Panel can establish time limits for all participants (note that not all timing requests may be fully accommodated).

Please note that LLG will have to adopt and speak to their written submissions at the hearing and all witnesses are expected to either swear or affirm that their evidence is truthful. LLG's witnesses should also be available to respond to questions from the Panel and parties that are adverse in interest at the hearing.

Parties who participate in the hearing may be eligible to submit a cost claim to recover some of the costs of their participation under the *Alberta Energy Regulator's Directive 031: REDA Energy Cost Claims*¹. Section 58.1 of the *Alberta Energy Regulator Rules of Practice*² sets out the

¹ Available online: <https://www.aer.ca/documents/directives/Directive031.pdf>

² Available online: https://www.qp.alberta.ca/1266.cfm?page=2013_099.cfm&leg_type=Regs&isbncln=9780779803491

factors that are taken into consideration when making a decision in respect of an application for costs. Applications for advance and interim funding should be provided to Elaine Arruda at <email address removed> by September 7, 2020.

On August 19, 2020, the Panel secretariat will be hosting an information session (via Zoom) regarding hearing submissions. If you would like to attend the information session, please send an email to Elaine Arruda at <email address removed> .

If you have any questions regarding this letter, you are encouraged to contact Samantha Sabo, Acting Panel Manager at IAAC.GrassyMountain.AEIC@canada.ca.

Yours truly,

<Original signed by>

Alex Bolton
Chair, Joint Review Panel

cc. John Lawson, Livingstone Landowners Group
Bill Trafford, Livingstone Landowners Group
Bobbi Lambright, Livingstone Landowners Group
Martin Ignasiak, Osler, Hoskin & Harcourt LLP
Mike Bartlett, Senior Project Manager, Millennium EMS Solutions Ltd.
Sarah Nossiter, Benga Mining Ltd.