

FRASER MILNER CASGRAIN LLP

A.L. McLarty, Q.C.
(403) 268-7022
al.mclarty@fmc-law.com

April 20, 2006

By Fax

Alberta Energy and Utilities Board
640 - 5th Avenue, S.W.
Calgary, Alberta T2P 3G4

Attention: Mr. Douglas A. Larder, Associate General Counsel

Dear Sir:

Subject: Fairborne Energy Ltd.
Application No. 1446453 - Well Licence 0353792 (Section 17-39-24 W4M)
Application No. 1446465 - Well Licence 0353789 (Section 27-39-24 W4M)
Application No. 1446462 - Well Licence 0353794 (Section 35-3924 W4M)
Application by Luscar for a Hearing pursuant to s. 40(1) of the ERC Act
Our file no: 507548-3

You have asked us to consider and to respond to the request set out in paragraph 7 of Mr. Edie's letter to you of April 7, 2006. We understand Mr. Edie's request, on behalf of Luscar, is for the Board to direct that the hearing of the applications identified in Mr. Edie's letter be held as part of (or in conjunction with) the hearing the Board has ordered pursuant to what Mr. Edie's correspondence characterizes as the RVA Decision.

We are, in that regard, instructed by Fairborne to and do hereby consent to the conduct by the Board of a review hearing with respect to the captioned applications, to be conducted in conjunction with the proceeding the Board is in the process of structuring, involving other applications made by Fairborne and which are the subject of other review applications made by Luscar

We look forward to receipt of details of the review process the Board intends to follow.

Yours very truly,
FRASER MILNER CASGRAIN LLP


A. L. McLarty

cc: Mr. D. Edie, Q.C. - Carscallen Lockwood LLP - by fax
Mr. D. Pyke - Fairborne Energy Ltd.

1831710_1