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October 10, 2006

Our File: 43173.1

Your File:

**EUB Alberta Energy and Utilities Board**  
640 – 5<sup>th</sup> Avenue S W.  
CALGARY, Alberta  
T2P 3G4

ATTENTION: Douglas A Larder, Q C

Re: Proceeding No. 1457147, Coalbed Methane (CBM) Review Hearing – Part II

Further to your letter of October 2<sup>nd</sup>, 2006, I am writing this letter on behalf of the Carbon Development Partnership (CDP) in relation to the Devon Canada Corporation Application, as agent for Mr. Edie, in relation to the Fairborne Energy Limited Application, and as agent for Mr. Popowich in relation to the various applications involving EnCana Corporation (EnCana).

It is the intention of EnCana and CDP to present a joint panel consisting of a corporate representative from each of EnCana and CDP, Professor Lucas and Dr. Levine. At present, it is anticipated that the direct evidence of this panel will likely take 1 – 1.5 days with the bulk of that time being spent on Dr. Levine's direct evidence. With the exception of Dr. Levine's evidence, most of the CDP and a significant portion of the EnCana submissions consist of legal argument and neither the CDP nor the EnCana corporate witnesses are being presented to answer questions in respect of such legal argument. As was observed by Mr. Crowther in his letter of October 6<sup>th</sup>, that is the role of counsel and not witnesses, a position with which we concur.

At this stage without knowing which of the applicants or interveners will be calling witnesses, it is difficult if not impossible to provide an accurate estimate of the duration of cross-examination. We would anticipate the bulk of such cross-examination will be of Mr. Mavor and could take between ½ day to 1 day


As I believe was discussed in a telephone conversation between yourself and Mr. Popowich, it would be useful to know the order in which evidence will be heard, which parties will be producing a panel and the names of the witnesses on the panel.

{C0403640 DOC:1}

We trust the above is satisfactory for your purposes at this time.

Yours truly,

FIELD LLP



W. T. Corbett

WTC/cp

cc: Interested Parties (*via e-mail*)