

**VIA COURIER**

February 22, 2005

Mr. Ernie Smith  
Alberta Energy and Utilities Board  
640 – 5 Avenue SW  
Calgary, AB T2P 3G4

Dear Sir:

**RE: GENERAL BULLETIN 2003-28 (GB 2003-28)  
BITUMEN CONSERVATION REQUIREMENTS  
ATHABASCA WABISKAW – MCMURRAY  
PHASE 3 FINAL PROCEEDING  
SUGGESTIONS FOR TIMING OF REPLY AND FINAL HEARING**

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After reviewing the evidence that has been submitted by other parties, and in accordance with the EUB's request in a letter dated February 1, 2005, Paramount Energy Operating Corp. (PEOC) has the following suggestions:

1. PEOC will be prepared to file its response submission with respect to the submissions filed with the EUB on February 14, 2005 no later than Friday, May 27, 2005; and
2. PEOC suggests that the final hearing should begin no sooner than October, 2005.

On February 17, 2005, Board Counsel, Mr. Perkins, requested parties wishing to comment on the EUB Staff Submission Group (SSG) leave to file an addendum and errata to its February 14, 2005 submission include those comments in their letter submission that is due to be filed on February 22, 2005.

With respect to the SSG's request for leave to file the addendum and errata, there remains in our view a serious concern as to whether any filing requirements should be relaxed. The rules for filing material were well established in Decision 2004-088 which required that each party wishing to have the production status of a particular interval or intervals considered in the final hearing must file its declaration listing those intervals and its supporting evidence by February 14, 2005. If the Board permits this late filing by the SSG, this may well serve to prejudice PEOC in its response submission.

Further, the SSG had indicated in its February 17, 2005 letter to the EUB seeking leave for its late filing, that it inadvertently omitted 31 wells from its February 14 submission. While one may be receptive to accepting late material inadvertently omitted, a preliminary review of the SSG's initial February 14, 2005 filing indicates that the majority of the additional wells sought to be included were not referenced in the SSG submission. Thus a question could be raised as to whether this omission was truly inadvertent.

Therefore, before giving consent to this late filing request by the SSG, PEOC requires a more complete explanation from the SSG with an opportunity to question the SSG on this matter. Or in the alternative, Board consideration of the additional wells listed in the Addendum and Errata should be put aside until the Final Hearing has been concluded, the decision rendered, and then be considered as part of the ongoing disputed wells process.

Yours truly,

**PARAMOUNT ENERGY OPERATING CORP.**  
**as trustee of PARAMOUNT OPERATING TRUST**

*"Signed"*

Susan L. Riddell Rose  
President & COO