

Writer's direct line: (403) 297-3505
Writer's fax: (403) 297-7031
Email: Gary.Perkins@gov.ab.ca

FAXED AND EMAILED

February 11, 2004

Thackray Burgess
Barristers & Solicitors
1900, 736 – 6th Avenue SW
Calgary, Alberta T2P 3T7
Fax: (403) 531-4720

Attention: Mr. Patrick J. McGovern

**RE: GENERAL BULLETIN 2003-28 (GB 2003-28)
BITUMEN CONSERVATION REQUIREMENTS
ATHABASCA WABISKAW-MCMURRAY
PHASE 3 PROCEEDINGS**

This letter will reply to your letter of February 9, 2004, in which you seek clarification whether wells previously approved for production in EUB Decision 2003-23 are to be considered in the Phase 3 proceedings. Where the Staff Submission Group has made a recommendation concerning any of those wells the production status of such wells will be reviewed in Phase 3.

As we stated in reply to Mr. Davies, what GB 2003-28 indicates is that licensees of wells that were approved for production by the Board in EUB Decision 2003-23 were not required to file exemptions in order to continue production following September 1, 2003. That would be consistent with a lack of additional information or circumstances warranting the Board reviewing Decision 2003-28. However, upon the issuance of the Regional Geological Study and the Staff Submission Group's recommendations, new information or circumstances arise that warrant reviewing the production status of the wells cited in your letter. Including the wells in the Phase 3 proceeding is also consistent with the Board's stated intention to review the final status of all Wabiskaw-McMurray gas production in the area defined in GB 2003-28

Yours truly,

Gary D. Perkins
Board Counsel