



FRASER MILNER CASGRAIN LLP

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By E-mail and Courier

Mr. Gary D. Perkins, Board Counsel
Alberta Energy and Utilities Board
14th Floor, Law Branch
640 - 5th Avenue, S.W.
Calgary, Alberta T2P 3G4

Dear Sir:

Subject: Pre-Hearing Meeting – Proceeding No. 1347905
Phase 3 Proceedings under Bitumen Conservation Requirements
Athabasca Wabiskaw-McMurray Area
Our file no: 127210-241

We are solicitors for BP Canada Energy Company (BP Canada) with respect to the above proceeding. Our purpose in writing is to advise that BP Canada intends to participate in the Pre-Hearing Meeting on September 15, 2004.

BP Canada has an interest in a number of zones and gas wells in the area identified by Report 2003-A, which zones are the subject of previous Board decisions. BP Canada continues to evaluate those previous decisions and the evidence on which those decisions are based.

With respect to the purposes of the Pre-Hearing Meeting, BP Canada submits:

1. The scope of the hearing

The expedited hearing process adopted by the Board, to this stage, has been designed to achieve results necessary to satisfy the issue of urgency in the greater public interest. The Board's Shut-In Orders have resolved the need for urgency and in BP Canada's submission, the scope of the final hearing should not now be limited other than by questions of relevance and materiality.

2. The number of participants

BP Canada wishes to reserve the right to participate.

3. The process to be followed

BP Canada believes the process should allow:

- (a) for submissions to be made by parties that disagree with a previous decision, to identify the decision, the basis for the disagreement and to establish the basis and evidence on which those parties suggest a different decision should be made;
- (b) for submissions and evidence to be subsequently filed by parties of a contrary view; and
- (c) an opportunity for reply to those contrary views.

BP Canada believes the hearing should otherwise be conducted in accordance with the usual Board practices and procedures.

4. The Issues to be considered

BP Canada believes the issues will flow, as a matter of course, from the filings, as contemplated in item 3 above.

BP Canada intends to be represented by counsel at the pre-hearing meeting.

Yours very truly,

FRASER MILNER CASGRAIN LLP



A. L. McLarty

ALM/aw

cc: Mr. D. Larder, SSG Counsel
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