

Jessica Ernst
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December 6, 2005

Mr. Jim Reid
Manager Operations Group, Compliance and Operations Branch
Alberta and Energy Utilities Board
640 – 6 Avenue SW Calgary AB T2P 3G4

Dear Mr. Reid,

I am in receipt of your letter dated November 24, 2005. You have raised a number of matters that require clarification.

First, are you alleging that by quoting what someone said to me in my email dated November 1, 2005, I have somehow made a criminal threat?

Second, as a result of that allegation are you now stating that the EUB “will avoid any further contact with” me regardless of the issue?

Third, by what authority have you made this decision? And under whose instruction was this statement and decision made?

It seems very clear that your statements are merely an excuse for the EUB to ignore me, and thus not deal with my valid concerns regarding ongoing questions of oil and gas industry compliance and my personal health and safety. Although I have been patient and waited for the EUB to address my concerns, the EUB has declined to rectify the situation. Case in point, I wrote Mr. Hal Knox on August 24, 2005 requesting: “Please contact me as soon as possible to further discuss my requests in detail.” To date, I have yet to receive a response, let alone an acknowledgement from Mr. Knox regarding my simple request.

Please answer, in writing, the following questions:

1. Is a proponent compliant conducting a noise study in response to a noise complaint with the noisiest facility turned off?
2. Is a proponent compliant measuring noise 600 metres away from a complainant’s residence when the directive states the location of measurement must be 15 metres away?
3. Is a proponent compliant reporting comprehensive sound levels that are louder than EUB permissible sound levels?
4. Are EUB staff allowed to edit third party reports?
5. Have you scrutinized the wording of the current revisions to the noise control directive and compared it to the operative directive?

6. Yes Jim, the EUB offered me a third noise study; Mr. David Degagne (Sr. Public Safety Advisor for the EUB Compliance and Operations Branch) proclaimed in front of witnesses that the EUB would not inform EnCana and assured me in writing “This will ensure that the survey is blind as EnCana will not be party to our plans”. I have however evidence to the contrary. In reply to my written concern about the EUB wanting to do their study during non “representative” environmental conditions (*e.g.* when temperatures are well above zero degrees Celsius and convection currents cause sound to rise with them), Mr. Degagne wrote twice: “It is recommended that the survey take place prior to the end of August”. Please explain how I am supposed to trust the EUB after that.

Please take responsible action and advise EnCana, in writing and copy me, to turn off its impacting machines until they are adjusted to operate without violating my legal right to quiet enjoyment of my property.

Sincerely,

Jessica Ernst, B.Sc, M.Sc.
Environmental Specialist