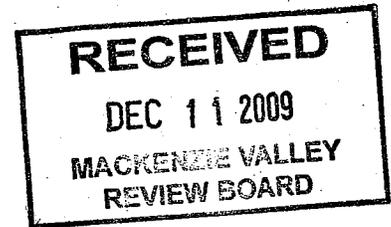




**MACPHERSON LESLIE  
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From: Eleanor Olszewski  
Direct Line: 780.969 - 3509  
Email Address: eolszewski@mlt.com  
File No.: NEW/EAO  
Date: December 11, 2009



### FAX COVER SHEET

To: Tawanis Testart  
Firm/Company: Mackenzie Valley Environmental Impact Review Board  
Fax No.: (867) 766-7074

This is the first page of 4 page(s)  
If all pages are not received, call Tracy at 780. 969 - 3529 for assistance

**Message:**

Please see attached correspondence and enclosures.

This facsimile message is solicitor-client privileged and may contain confidential information intended only for the use of the individual or entity named. If you are not the intended recipient, the employee, or the agent responsible for delivery to the intended recipient, any dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original transmission to us by mail. Thank you.



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E-mail: EOlszewski@mlt.com

December 11, 2009

*Via Fax*

Mackenzie Valley Environmental Impact Review Board  
Box 938  
200 Scotia Centre, 5102 - 50<sup>th</sup> Avenue  
Yellowknife, NT  
X1A 2N7

**Attention: Tawanis Testart  
Environmental Assessment Officer**

Dear Madam:

**Re: Talston Hydroelectric Expansion Project  
Our File: New/EAO**

Further to our previous correspondence and our telephone discussions regarding the Talston Hydroelectric Expansion Project, this letter will confirm certain elements of our discussion.

To begin, we confirm that the Carter family does not currently have status in this matter as a party, but that an application for such party status would be considered at the meeting of the Mackenzie Valley Environmental Review Board December 15-17, 2009. Accordingly, please find attached our clients' application for party status. As well, we confirm that our clients, as individuals "pending party status" may attend, along with their counsel, the December 15, 2009 Pre-Hearing Conference.

Further, we confirm that documents and reports may be submitted, and form part of the record of the hearing, at any time prior to the hearing date, and are not required to be submitted by December 11, 2009.

Finally, we confirm that as a party, our clients will be entitled to present submissions during the hearing on January 15 - 17, 2010 and to cross-examine other parties and witnesses on their evidence. Should their application for party status be denied, the Carters may still present submissions as interested members of the public, but they will be unable to cross-examine.

::ODMA\PCDOCS\EDMONTON\826337\1

Regina • Calgary • Edmonton • Saskatoon

12/11/2009 FRI 12:26 [TX/RX NO 9793]



We trust the above to be satisfactory and look forward to working with you throughout this process.

Yours truly,

**MacPherson Leslie & Tyerman LLP**

Per:

A handwritten signature in black ink, appearing to be 'E. Olszewski', written over a horizontal line.

For Eleanor A. Olszewski, Q.C.

/tb

Enclosure Request for Party Status

	<b>Mackenzie Valley Environmental Impact Review Board</b>  <b>FORM 1</b>	<b>Request for Party Status</b>
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Name of Organization:	Carter Family
Name of Proceeding:	Talston Hydroelectric Expansion Program

Reasons for requesting Party Status in these proceedings.

The Carters are directly affected business owners. They have operated a tourism enterprise in connection with Nonacho Lake for 45 years and are the only inhabitants of Nonacho Lake

**Participation:**  
Please describe how you or your organization intends to participate in this proceeding, such as what information, witnesses, or presentations you plan to submit.

The Carters intend to provide submissions at the hearing regarding how this project will affect the business they operate in and around the lake, as well as certain submissions pertaining to the sustainability of certain fish populations.

If you represent a Responsible Minister or Responsible Authority please state which one.  
List the licences, permits or authorizations issued by your organization relevant to this proceeding.

**Contact Information:**  
Please confirm the organization's contact information and the name of the primary contact person for Board correspondence purposes.

MacPherson, Leslie Tyerman LLP  
 Attention: Eleanor Olstewski  
 2507 TD Tower; 10088-102 Avenue  
 Edmonton, AB T5J 2Z1  
 Phone: 780.969.3503  
 Fax: 780.969.3549

Dated at Edmonton, Northwest Territories, on (MM/DD/YY) 12/11/2009  
 Alberta

  
 (Signature of Party's Representative)

Fax: Eleanor Olstewski