

December 8, 2009

Our file: **EA0708-007 Taltson Hydroelectric Expansion Project – Dezé Energy Corp.**

Re: **PRE-HEARING CONFERENCE (December 15, 2009)**

To the parties:

There is a Pre-Hearing Conference scheduled for December 15, 2009 that will be held in the Scotia Centre boardroom (lower floor) from 9:30 am to 12:00 pm. The Scotia Centre is located at 5102-50th Ave (Franklin Ave) in Yellowknife, NT. This is an important meeting that will help parties to prepare for the public hearing, scheduled for January 14 & 15, 2009 in Dettah, NT.

If you are not in Yellowknife, please feel free to join us by teleconference at 1-866-912-0504. You will be asked to give a participant code, which is 3501684#. If you have technical problems or require assistance, there is an operator on the line that can help you or you can call the front desk at our office at (867) 766-7050 for assistance.

What is a Pre-Hearing Conference?

The pre-hearing conference offers you an important opportunity to get involved in the planning for the public hearing of Dezé Energy's proposed Taltson Hydroelectric Expansion Project. This will be a meeting of all the parties in this environmental assessment with the Review Board staff and counsel. The pre-hearing conference will:

- define the purpose for the public hearing;
- set the agenda for the public hearing by verifying unresolved issues raised during participant comment periods;



- discuss and seek agreement on the process to prepare for a public hearing (i.e., preparation and exchange of documents), and,
- clarify the process, procedures and technical requirements for the hearing.

The pre-hearing conference will be more efficient if parties are familiar with the Review Board's procedures, and are aware of any outstanding issues not resolved during the participant comment period. This process further ensures that no new documents are introduced for the first time at the hearing. This approach ensures the process is fair and that each party can properly prepare a thoughtful response to the issues and questions highlighted for the public hearing.

Each participant should ensure that at least one of its representatives attending has full knowledge of the environmental assessment. This will ensure that those present are aware of the issues and questions outstanding and are fully capable of making an informed decision about the most important issues to be discussed at the pre-hearing conference.

What to Expect at a Pre-Hearing Conference

The pre-hearing conference will be informal and chaired by Review Board staff. The Review Board itself will not be present. For the pre-hearing conference to be successful the participants must speak freely and this is often easier in an informal setting.

At the pre-hearing conference,

- The process and procedures related to the public hearing will be discussed;
- The hearing topics will be presented and discussed;
- Parties to the environmental assessment will briefly state or clarify their unresolved issues, and the issues will then be slotted under the appropriate topics;
- Based on the number of issues under each topic, time allotments will be assigned for the presentation of issues by the parties to be given at the public hearing; and
- Date, time and location of the hearing will be finalized.



How to Prepare for the Pre-Hearing Conference

Reading the Rules of Procedure issued by the Review Board is important. The document is available online in our online reference library (http://www.reviewboard.ca/reference_lib/index.php?section=7). It will be useful for participants to ask themselves the following questions as they prepare for the pre-hearing:

- Exactly what are the issues of the environmental assessment?
- Why are these issues being raised?
- Is there any chance of resolving or addressing a particular issue or series of issues?
- What are the relevant facts in the environmental assessment?
- Do we agree with the facts?
- Will we be calling expert witnesses?
- On what documents will we be relying?
- What documents should we provide to the other participants?
- Can we provide these documents before or at the pre-hearing?
- What documents do we need from other parties and why do we need them?
- How many days of hearing do we expect our matters to take?
- How many days of hearing in total do we need?

After the pre-hearing conference, the parties will have time to shape and prepare their presentations/interventions, which are to be submitted to the Review Board and circulated to all parties prior to the hearing.

What to Bring to the Pre-Hearing Conference

Please come to the pre-hearing conference with the following material:

- A list of issues to be addressed in the hearing;
- A list of documents you require from other parties and the reasons why you require the documents;
- A list of expert witnesses you intend to use, if any and why; and
- Description of issues about which there is disagreement; description of efforts made to reach agreement, description of why agreement was not reached and what resolution would be acceptable



Overview of the Pre-Hearing Conference Process

The Review Board's pre-hearing conference provides a structured format for the presentation of information and discussion. Typically, the pre-hearing conference begins with opening remarks of the Chair. These may include a statement of purpose of the pre-hearing conference, and introduction of the parties with standing participating in the pre-hearing conference. Preliminary matters such as procedural or legal issues are usually considered next. This includes information needs of participants, timing, location, and issues to be considered at the public hearing. Each participant is asked to present his or her concerns and suggestions for the upcoming hearing session, starting with the developer. The developer also has an opportunity to respond after all participants have presented their views.

If you have any further questions or concerns related to the timing or structure of the Pre-Hearing Conference, please feel free to contact me at (867) 766-7066 or by email at ttestart@reviewboard.ca.

Thank you for your continued participation in the environmental assessment process.

Regards,

Tawanis Testart, EAO



Addendum: List of Parties who have standing

Government of the NWT

Indian & Northern Affairs Canada

Environment Canada

Parks Canada

Natural Resources Canada

Transport Canada

Department of Fisheries & Oceans

Deninu Kue First Nation

Lutselk'e First Nation

Ft. Resolution Metis Corporation

North Slave Metis Alliance

NWT Treaty #8 Tribal Corporation

EA 0708-007 Taltson Hydroelectric Expansion Project

Pre-Hearing Conference Agenda

December 15, 2009

9:30 am to 12:00 pm

- I. Opening Comments
- II. Review of the Rules of Procedure and Public Hearing Process
- III. Presentation of Topics at the Public Hearing
 - a. Discussion from parties
- IV. Statement from Parties on Resolved Issues
- V. Discussion on Hearing Location and Timing
- VI. Closing Remarks & Adjournment