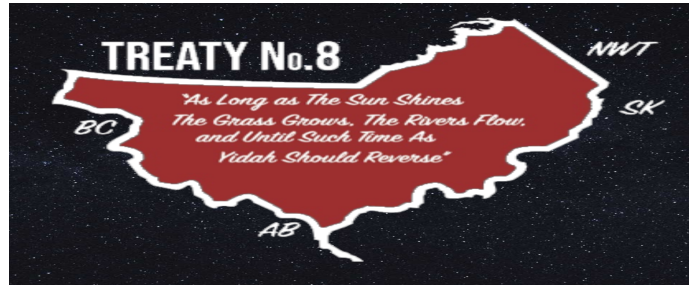


ECOLOGICAL STEWARDSHIP

CULTURAL CONTINUITY

RESOURCE CONSULTATION

TRADITIONAL LAND USE



January 30, 2025

Canadian Energy Regulator

Email: rppr@cer-rec.gc.ca

Re: Horse Lake First Nation IRC Comments on the CER's Rules of Practice and Procedure Review

Dear the Canadian Energy Regulator.

Please find below, the Horse Lake First Nation IRC comments on the CER's Rules of Practice and Procedure Review.

Question #	CER Question	Horse Lake First Nation IRC Response
1	Are there specific process steps for cost apportionment applications that you would like to see made mandatory through the Rules?	Yes, First Nations should be engaged on apportionment applications
2	Are there specific process steps for compensation applications that you would like to see made mandatory through the Rules?	Question: Why are settlers being compensated when First Nations who have been on the land for thousands of years are not compensated for the impact of potential resource development projects on constitutionally protected inherent and Treaty and Aboriginal rights?



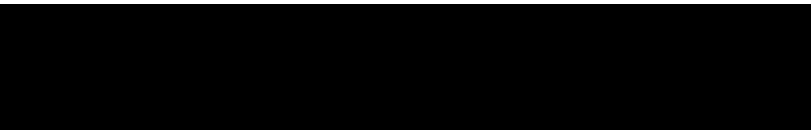
Question #	CER Question	Horse Lake First Nation IRC Response
3	Do you have feedback regarding how the Rules could incorporate process steps for providing and protecting Indigenous knowledge within hearings?	Protecting Indigenous knowledge could be better protected by holding hearings at the First Nation. This would also allow for membership to observe hearings on projects that affect member's exercise of constitutionally protected Section 35 rights.
4	Would you like to see the role of the Crown Consultation Coordinator, and the nature of its participation in Commission hearings reflected in the Rules? If so, how?	Yes, the Crown Consultation Coordinator's role should be to ensure reconciliation with First Nations and ensuring that UNDRIP is being implemented throughout the process.
5	Do you have other feedback related to how the Commission can align the Rules with the CER Act, including the objectives outlined in the Act's preamble, such as the commitment to Reconciliation, and the UN Declaration?	The Commission can align the Rules with the CER Act by ensuring UNDRIP is implemented, including Free, Prior and Informed Consent.
6	Do you have any suggested changes to the Rules to reflect hearings pursuant to the <i>Canada Oil and Gas Operations Act</i> or other legislation?	Yes, there is no mention of UNDRIP or Free, Prior and Informed Consent in the Oil and Gas Operations Act. This should be added.
7	Do you have feedback with regards to any timelines set in the Rules, additional timelines you would like to see added to the Rules, or the approach for computation of time (Rules, s. 5-7)?	Yes, timelines should be in "business days" and not "calendar days"
8	Do you have feedback related to the notice of motion process or suggested changes to support efficiency? Do you have feedback on the use of oral notice of motion processes to support efficiency?	Early engagement with First Nations and mitigating or accommodating concerns may help streamline the process. Yes, oral notice of motion processes would help those more technologically challenged.



Question #	CER Question	Horse Lake First Nation IRC Response
9	Do you have feedback on the current process for fixing costs related to detailed route hearings?	Fixing costs are challenging, as the time and effort placed on projects may not be the same for every project.
10	Are there processes that you would like to see written into the Rules?	Yes, a First Nation Panel would help strengthen the process. This could run in parallel with the Commission's process. Costs would need to be covered by Canada.
11	Do you have feedback regarding changes that could be made to the information request process to clarify its use and support efficiency?	Information requests need to provide ample time so that First Nations can engage membership and provide collated information into the process.
12	Can you identify of other regulators or tribunals that support efficiency and could inform the Commission's Review?	Yes, a First Nation Tribunal would help strengthen the Commission's process.
13	Do you have other feedback related to how the Commission can update the Rules to enhance competitiveness through predictable and timely processes?	Early engagement with First Nations and mitigating or accommodating concerns may help enhance competitiveness and streamline the process.
14	Do you have feedback regarding the modernization of requirements to allow for electronic filing and service in most instances?	Electronic filing and service is appropriate in some circumstances. Providing the hard copies of original documents should not be necessary.
15	Do you have feedback regarding the potential removal of signature requirements in certain instances (e.g., physical signatures on applications and notice of motions)?	Removal of physical signatures may not be necessary on all documents; however, they should clearly identify the person responsible for such document. DocuSign may also be an alternative.



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16	Do you have feedback regarding removal of the current requirement for the company/applicant and the CER to have a hard copy of project applications on site for public inspection (Rules, s. 24)?	Hard copies of project applications should be on site for public inspection, as not everyone has access to computers and printers.
17	Do you have feedback regarding what type of notice publication requirements are appropriate in a digital age and where Commission approval is necessary?	All public hearings should be posted in specific locations and placed on the CER's website.
18	Do you have feedback related to how the Rules could better support accessibility to and throughout Commission processes?	The rules and associated guidance should be written in layman's terms, so it is clear for everyone.
19	Do you have other feedback on how the Commission can update the Rules to modernize practices and procedures?	In terms of electronic signatures, DocuSign may be an alternative to signing important documents expeditiously.
20	Is there other feedback or suggestions you have related to the Rules Review?	The rules should allow First Nations ample time to review and respond to information. It is very important that First Nation membership is also engaged.
21	Would you like to see guidance on any specific topic related to the Rules Review?	Yes, guidance on other Tribunals would be helpful. In addition, guidance on how the CER plans to implement UNDRIP and Free, Prior and Informed Consent in relation to resource development projects would also be appreciated.



Casey Horseman, Industry Coordinator
Horse Lake First Nation IRC

