

Bureau 1300
55, rue Metcalfe
Ottawa (Ontario) Canada K1P 6L5

613 236 3882 Téléphone
613 230 6423 Télécopieur



Leslie J. F. Milton
Direct +1 613 696 6880
jmilton@fasken.com

February 26, 2015

BY EMAIL (boardsec@ontarioenergyboard.ca)

Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P1E4

Dear Ms. Walli:

**Re: File Number EB-2014-0116, Toronto Hydro-Electric System
Limited Application for 2015 Distribution Rates**

We have been retained as counsel to Rogers Communications Partnership (“Rogers”), Cogeco Cable Inc. on behalf of itself and its affiliates, including Cogeco Cable Canada LP and Cogeco Data Services Inc. (“Cogeco”) and TELUS Communications Company and its affiliates (“TELUS”) in respect of the above-referenced proceeding. This letter is submitted further to the Board’s Decision and Procedural Order No. 7 (the “Decision”), issued February 23, 2015 to request that Cogeco and TELUS be granted late intervenor status related to the wireline attachment rate increase requested by Toronto Hydro-Electric System (“THESL”) in the above-referenced application.

In the Decision, the Board indicated that it agreed that THESL had not provided adequate notice of its request for an increase in the wireline attachment rate. While the Board declined to strike out that portion of THESL’s application, it decided to establish additional procedural steps in the current proceeding that would “allow for the concerns of Rogers and the other carriers to be heard.”¹ The Board also granted late intervenor status to Rogers. Late intervenor status was not automatically granted to other carriers, but the Board indicated that any other party wishing to make a late intervenor request would be permitted to do so.

¹ Decision at page 3.

Cogeco and TELUS (the “Other Carriers”) are wireline carriers that have wireline communications attachments on poles of THESL and therefore are required to pay any wireline attachment rate that may be approved by the Board. Accordingly, each of the Other Carriers requests late intervenor status in this proceeding. The Other Carriers intend to participate in the proceeding, together with Rogers, by submitting interrogatories and evidence, answering interrogatories, cross-examining witnesses and submitting argument as required. This participation and request are made without prejudice to Rogers’ and Other Carriers’ right to challenge the Board’s jurisdiction to consider THESL’s wireline pole attachment rate in this proceeding, or to request a modification of the schedule established in the Decision on grounds it is not reasonably possible to comply with the timelines without prejudicing the Other Carriers’ ability to participate in this proceeding.

Rogers and the Other Carriers request that further correspondence with respect to this matter be sent to:

Leslie J. Milton
Fasken Martineau DuMoulin LLP
Suite 1300, 55 Metcalfe Street
Ottawa, ON K1P 6L5
Tel: 613-236-3882
lmilton@fasken.com

Pam Dinsmore
Vice President, Regulatory
Broadband & Video Distribution
Rogers Communications Partnership
333 Bloor Street East, 9th Floor
Toronto, ON M4W 1G9
Tel: 416-935-4818
pam.dinsmore@rci.rogers.com

Michael E. Piaskoski
Director, Municipal & Industry Relations
Regulatory
Rogers Communications
333 Bloor Street East, 9th Floor
Toronto, ON M4W 1G9
Tel: 416-935-4808
michael.piaskoski@rci.rogers.com

Bianca Sgambetterra
Senior Advisor, Regulatory Affairs
Cogeco Cable Inc.
5, Place-Ville-Marie, bureau 1700
Montréal (Québec) H3B 0B3
Tel: 514-764-4749
bianca.sgambetterra@cogeco.com

Charlene Schneider
Director, Access & Carrier Agreements
TELUS Regulatory Affairs
Floor 30, 10020 – 100 Street,
Edmonton, Alberta
charlene.schneider@telus.com
Tel: 780-493-5777

Sincerely,



Leslie J. Milton

cc Parties to the EB-2014-0116 proceeding
Pam Dinsmore, Rogers
Michael Piaskoski, Rogers
Bianca Sgambetterra, Cogeco
Charlene Schneider, TELUS