

12 May 2015

VIA EMAIL: [boardsec@ontarioenergyboard.ca](mailto:boardsec@ontarioenergyboard.ca)

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, 27th Floor  
Toronto, Ontario  
M4P 1E4

Dear Ms. Walli:

OEB File: EB-2015-0141 Re Rogers Motion to Review HONI Dx Decision -  
Procedural Order No. 1

Packet-tel Corp., o/a Packetworks ("Packetworks" or "the Company") is a non-dominant, Canadian carrier operating within the province of Ontario and has certain facilities attached to support structure owned by Hydro One Networks Inc. As such, Packetworks is subject to the Specific Charge for Cable and Telecom Companies Access to the Power Poles charged by Hydro One Networks Inc.

On 08 May 2015, Packetworks received notice of the Ontario Energy Board's ("OEB") Procedural Order No. 1 regarding the matter of a motion by Rogers, Allstream, Cogeco, Eastlink, Shaw and Videotron ("Rogers et al") that the OEB issue an order for leave to bring a motion for the review and variance of Decision EB-2013-0416/EB-2014-0247 as it relates to the Specific Charge for Cable and Telecom Companies Access to the Power Poles charged by Hydro One Networks Inc.

Packetworks notes that it, similar to the experience of Rogers et al, the CCSA and the IPTA, had received no advance notice of the proposed Hydro One Networks Inc. rate increase for licenced occupancy of its support structures.

Packetworks would respectfully point out that Hydro One's conclusion in response to the motion put forth by Rogers et al that *"Each of the Cable parties are large, sophisticated corporations that are regulated entities themselves. All of them had the opportunity to participate but failed to do so. Each had an obligation and every opportunity to determine whether the application would impact them..."* has no relevance to the Company. As noted by the CCSA and IPTA in their communications to the Board on this matter, Packetworks is also a very small business without the luxury of staff dedicated to regulatory issues and simply does not have the ability to monitor OEB proceedings.

Cont.

In light of the fact that no specific notice was provided and given that the proposed Pole Attachment rate was deeply imbedded in a record consisting of many thousands of pages, the Company had no reasonable opportunity to participate in the rate proceeding.

For the forgoing reasons, Packetworks supports the motion by Rogers et al and as per paragraph 3.of the OEB's Procedural Order No. 1, the Company requests that it be added as a party to the motion.

Sincerely,

Michael J Andrews  
President

Cc: Harold Thiessen, OEB  
Jennifer Lea, OEB  
ian Richler, OEB  
Hydro One One  
Cogeco Cable  
Eastlink  
Shaw  
Rogers  
Videotron  
ITPA

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