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Newmarket-Tay Power Distribution Ltd.

August 30, 2011

Board Secretary
Ontario Energy Board
P.O Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

VIA E-MAIL

Attention: Ms. Kirsten Walli

Dear Ms. Walli:

Re: EB-2011-0120
CANDAS Application for Access to Power Poles

This is with regard to the Proceeding for the subject Board file EB-2011-0120. Newmarket-Tay Power Distribution Ltd. ("Newmarket-Tay") hereby files the attached Interrogatories on Board Staff and Intervenor Evidence in accordance Procedural Order No. 2.

Yours truly,

[original signed by]

Gaye-Donna Young
COO

cc: Helen.newland@fmc-law.com
Michael.schafleer@fmc-law.com
All intervenors

Ontario Energy Board

IN THE MATTER OF the *Ontario Energy Board Act, 1998*,
S.O. 1998, c. 15, (Schedule B);

AND IN THE MATTER OF an application by Canadian
Distributed Antenna Systems Coalition for certain orders under
the *Ontario Energy Board Act, 1998*.

INTERROGATORIES OF NEWMARKET – TAY POWER DISTRIBUTION LTD. ("Newmarket – Tay") ON BOARD STAFF AND INTERVENOR EVIDENCE

EB-2011-0120

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Interrogatory No. 1

In CANDAS' response to the interrogatories of Board staff filed August 16, 2011 on page 13, responses 7.1-7.2, CANDAS states that Newmarket – Tay ("Newmarket Hydro") "indicated that they would not allow antennas to be attached to their distribution poles".

CANDAS further states in response 7.3, 3rd bullet:

"Newmarket Hydro: In a telephone call on or about November 30, 2010, a Newmarket representative, Len McDonald, advised that Newmarket would not permit antenna attachments on its poles."

Newmarket – Tay indicated that we would not allow 3rd party attachments at the top of our poles above primary conductors. That is, Newmarket – Tay limits communication attachments to the communication space and below for their attachments and risers/drops. Newmarket - Tay spent quite some time through the period of November, 2010 to April, 2011 trying to work with CANDAS ("ExteNet") to understand what their needs are, what we could economically, reliably and safely accommodate and provided them with a generic pole access agreement for their review and comment.

**INTERROGATORIES OF NEWMARKET – TAY POWER DISTRIBUTION LTD
ON BOARD STAFF AND INTERVENOR EVIDENCE
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A teleconference with ExteNet was scheduled for April 1, 2011 to better understand their needs and discuss their proposed changes to the generic pole access agreement. Due to time confusion between Central and Eastern time-zones, this teleconference was not achieved. ExteNet has yet to re-schedule this meeting with Newmarket – Tay.

Please explain how these events provide evidence to substantiate CANDAS' postulation that Newmarket – Tay has adopted a "no wireless" policy or is not prepared to offer a pole access agreement.