

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 (the "CANDAS
Application").

INTERROGATORIES FROM THE CONSUMERS COUNCIL OF CANADA

ON THE EVIDENCE OF TORONTO-HYDRO ELECTRIC SYSTEM LIMITED

I General

1. The evidence of CANDAS, at paragraph 2.2, is that, until August, 2010, THESL permitted access to its poles for wireless attachments. In paragraph 2.3 of that evidence, CANDAS indicates that THESL sent a letter to the Ontario Energy Board (Board), on August 13, 2010 advising the Board of a new policy not to permit the attachment of wireless equipment to its power poles.

Please provide copies of all reports, analyses, written communications, including email, with respect to the policy referred to in the letter of August 13, 2010. Please include copies of all reports to THESL's management and board of directors with respect to that policy.

2. Please provide copies of all communications, including correspondence and emails, between THESL and the Electricity Distributors Association or its members with respect to the following:
 - (a) The interpretation of the Decision and Order of the Board in RP-2003-0249 (the CCTA Order);
 - (b) The attachment of wireless communication equipment to electricity distribution poles;
 - (c) THESL's policy reflected in its letter to the Board dated August 13, 2010.

3. Please provide copies of all communications, including correspondence and emails, between THESL and the City of Toronto with respect to the following:
 - (a) The interpretation of the CCTA Order;
 - (b) The attachment of wireless communication equipment to THESL's electricity distribution poles;
 - (c) The policy reflected in THESL's letter of August 13, 2010 to the Board;
4. Please provide copies of all studies, reports, and internal communications including correspondence and email, from the date of the CCTA Order to the present, with respect to the wireless communication plans of THESL, the City of Toronto and any related or affiliated entities, including business plans with respect to the development and implementation of wireless communications systems.
5. With respect to the letter from THESL to the Board of August 13, 2010, please provide copies of all reports, analyses, and communications, including correspondence and emails, in support of the contention that wireless attachments impair operational efficiency and present incremental safety hazards to electricity distributors.

II The Affidavit of Mary Byrne

6. In paragraph 28 of her Affidavit, Ms Byrne states that, pursuant to the CCTA Order, THESL has granted wireline attachers access to THESL poles on the basis of those attachments fitting within the communications space on THESL poles and assuming 2.5 attachments per pole.
 - (a) Please set out the process THESL followed in determining whether a wireless pole attachment application would be granted.
 - (b) Does THESL have the discretion to reject an application? If so, what criteria are applied in deciding to reject an application?
 - (c) Please indicate how many applications for wireless attachments have been rejected?
 - (d) Please provide copies of all documentation related to each such rejection.
7. In paragraph 40 of the Affidavit, Ms Byrne asserts that "wireless attachments create unique issues that affect the safety, adequacy, reliability and quality of electricity service". In paragraphs 42 to 46, inclusive, Ms Byrne provides details of those issues.

For the period from the CCTA Order to August 13, 2010, please provide all reports, analyses, and communications, including correspondence and emails,

describing or reporting on the issues described in paragraphs 42 to 46, inclusive, of Ms Byrne's Affidavit.

8. In paragraphs 47 to 50, inclusive, of her Affidavit, Ms Byrne describes what she refers to as "cost concerns with hosting wireless".
 - (a) For the period from the CCTA Order to August 13, 2010, please provide all reports, analyses, and communications, including correspondence and emails, with respect to the cost concerns referred to in paragraph 47 to 50, inclusive, of Mr. Byrne's Affidavit.
 - (b) For the period from the CCTA Order to August 13, 2010, please provide the additional costs attributable to attaching wireless communication equipment to THESL's poles.
9. In paragraph 47 of her Affidavit, Ms Byrne asserts that "the additional complexities posed by wireless attachments discussed above means that THESL staff and crews must, in general, spend more time and effort making special accommodations for those wireless attachments on THESL poles. This inevitably increases our operating expenses."
 - (a) What is THESL's estimate of the unit cost of each attachment of wireless communication equipment to one of its poles? Please provide a breakdown of the components of that cost.
 - (b) What is the cost differential between attaching a wireline attachment and a wireless attachment? Please provide a detailed breakdown for each type of attachment, including all assumptions.
 - (c) What are the annual operating costs associated with each type of attachment?
10. Would THESL be willing to permit wireless attachments if the applicants provided THESL with full cost recovery, including installation and ongoing operating and maintenance costs? If not, why not?
11. If the Board mandated a policy whereby THESL would be required to attach wireless units, what process would THESL propose to process the applications?
12. In paragraph 56 of the Affidavit, Ms Byrne refers to allegations made by CANDAS.

Please identify the allegations referred to, and please provide THESL's response to those allegations.

13. Were the Board to grant CANDAS's application, and require THESL to attach wireless communication equipment to its poles, what terms and conditions would THESL propose for the attachment of that equipment to those poles?

14. Were the Board to grant CANDAS's application, and require THESL to attach wireless communication equipment to its poles, what fee would THESL charge for each attachment of wireless communication equipment to one of its poles?
15. THESL's current charge for wireline attachers is \$22.35/pole/per year. In addition, THESL has historically charged prospective telecom attachers a \$95 application charge to recover the costs of processing those applications.
 - (a) Do these charges fully recover the costs associated with the attachments? If not, please explain the extent to which other customers subsidize the attachments.
 - (b) For 2008, 2009, and 2010 please list the number of wireline and wireless attachments on THESL's system and the associated revenue received for each type for each year. What was the estimated annual cost for each type of attachment in each of those years?
16. Please explain what the impacts on THESL's distribution customers would be if the Board were to grant the relief requested by CANDAS. Please explain what measures THESL would take to mitigate any negative impacts of that decision on its customers.

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