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January 20, 2012

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street  
PO Box 2319, 27th Floor  
Toronto, ON  
M4P 1E4

Dear Ms. Walli:

**RE:           Application by Canadian Distributed  
              Antenna Systems Coalition ("CANDAS");  
              Board File No.: EB-2011-0120**

We are writing to file the responses of CANDAS to the interrogatories of Toronto Hydro-Electric System Limited ("**THESL**") in respect of the Reply Report of Ms Patricia Kravtin filed on behalf of CANDAS.

For ease of reference, where we have referred to answers to first round interrogatories, we have used the following protocol: *e.g.* THESL(CANDAS)Byrne-1, would be a reference to THESL's response to CANDAS' question #1 on Ms Mary Byrne's Affidavit.

Where we have provided a reference to answers to second round interrogatories on CANDAS' Reply Evidence, we have used the following protocol: *e.g.* CANDAS(OEB)Larsen REPLY-1, would be a reference to CANDAS' response to Board Staff's question #1 on Tormod Larsen's Reply Evidence.

We will file two paper copies of the responses as soon as possible.

Yours very truly,

***(signed) H.T. Newland***

YMS/bc

cc:       All Intervenors

**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 the **Canadian Distributed Antenna Systems Coalition** for certain orders under the *Ontario Energy Board Act, 1998*.

**RESPONSES TO INTERROGATORIES OF  
TORONTO HYDRO-ELECTRIC SYSTEM LIMITED**

**(on the Reply Report of Ms Patricia Kravtin filed on behalf of the Applicant, CANDAS)**

**January 20, 2012**

1. *Reference: The Reply Report of Patricia D. Kravtin dated December 16, 2011 at pg. 3, para. 4.*

At paragraph 4, Ms. Kravtin asserts:

"Wireless carriers, who are increasingly seeking to compete in the market for high-quality, ubiquitous telecommunications services, have little, if any, realistic choice but to rent space on existing utility poles."

- (a) Is it Ms. Kravtin's opinion that Bell Mobility currently competes "in the market for high-quality, ubiquitous telecommunications services" in Toronto?
- (b) Is it Ms. Kravtin's opinion that Rogers currently competes "in the market for high-quality, ubiquitous telecommunications services" in Toronto?
- (c) If Ms. Kravtin's response to (a) or (b) above is anything other than an unqualified "Yes," please explain why she believes Bell Mobility and/or Rogers is/are not currently competing "in the market for high-quality, ubiquitous telecommunications services" in Toronto?
- (d) If Ms. Kravtin's response to either (a) or (b) above is anything other than an unqualified "No," please explain Ms. Kravtin's knowledge as to whether these carriers rely on access to utility poles to support their "high-quality, ubiquitous [wireless] telecommunications services" in Toronto.
- (e) Please reconcile the assertion quoted above with the evidence of Mr. Starkey contained at Attachments MTS-03 and MTS-04 to his affidavit which demonstrates that there are 4,045 unique wireless antenna arrays located at 1,343 unique sites within 25 km of the centre of Toronto. Is Ms. Kravtin suggesting that these wireless antenna sites do not exist? Is Ms. Kravtin suggesting that Industry Canada's database is erroneous?

**Response:**

- (a) No, with respect to Bell Mobility Inc.'s ("Bell Mobility") incumbent wireless operations – see the response to (c) below.

Ms Kravtin is aware, however, that Bell Mobility is the wireless division of Bell Canada. Bell Canada, together with its affiliates, Bell Aliant, Télébec and Northwestel, are the incumbent telephone companies for much of the country. These companies offer their customers various services including direct-to-home satellite television, IPTV, telephony, Internet access, mobile wireless and a range of increasingly convergent telecommunications services and they do so using access to pole infrastructure. As such, in the context of the totality of the firm's business operations, Ms Kravtin would agree that the Bell companies currently compete in the market for high-quality, ubiquitous telecommunications services, in Toronto and elsewhere.

- (b) No, with respect to Rogers Communications Partnership's ("Rogers") incumbent wireless operations – see the response to (c) below.

Ms Kravtin is aware, however, that Rogers is one of the largest cable companies in the country. It offers its customers various services including cable television, telephony, Internet access, mobile wireless and a range of broadband services. As such, in the context of the totality of Rogers' business operations, Ms Kravtin would agree that Rogers currently competes in the market for high-quality, ubiquitous telecommunications services, in Toronto and elsewhere.

- (c) As described in Ms Kravtin's Reply Report at 10, the market for telecommunications services is highly dynamic and one that has been evolving in recent years toward convergence of voice, data and video services offered using a mix of wireline and wireless platforms. In Ms Kravtin's opinion, in the context of the rapid technological and structural shifts characterizing the telecommunications industry, incumbent or first generation cellular carrier operations may be characterized as being in the process of evolving toward competing in the market for high-quality ubiquitous telecommunications services, but not currently effectively competing in this market.

The underlying technological reasons for this are highlighted in the Reply Evidence of Tormod Larsen. See, in particular, this evidence at 7, contrasting the uses and limitations of macrocell applications used by incumbent mobile wireless carriers to those of DAS.

For example, even with the wireless radiocommunication spectrum resources that incumbent cellular carriers such as Rogers and Bell hold (155 MHz and 182 MHz, respectively, as compared to the 10 MHz of recently acquired spectrum currently held by new entrant carriers such as Public Mobile), Rogers has publicly stated that "it has embarked on a network densification program in order to add further capacity to our network in major urban markets through the installation of new cell sites." See Written Evidence of Brian O'Shaughnessy dated July 26, 2011 at 5 (Q. 7) and Lemay-Yates Report dated July 26, 2011 at 8.

Further, the authors of the LCC International, Inc. Report, filed on the record of this proceeding, at page 4 *et seq.*, readily acknowledge the pressures placed "on traditional macrocell deployment" due to the "proliferation of devices and advanced media capabilities" and the emergence of smaller cell wireless technologies to address these pressures.

- (d) See responses to (a), (b), and (c) above.
- (e) See response to (a), (b), and (c) above. Ms Kravtin is not "suggesting that Industry Canada's database is erroneous" or that "wireless antenna sites do not exist," but rather that such sites are not sufficiently close substitutes for access to utility poles for entrants, particularly given the type and relatively fewer spectrum resources that

entrants have, seeking to compete in the relevant final product market identified by Ms Kravtin.

2. *Reference: The Reply Report of Patricia D. Kravtin dated December 16, 2011 at pg. 4, para. 5.*

At paragraph 5, Ms. Kravtin asserts:

“The intrinsic characteristics of utility poles that make it necessary, efficient, and practical for their shared occupancy by cable and wireline telecommunications hold just as true in the case of wireless telecommunications.”

- (a) Please explain, in detail, the basis for the assertion that the antenna portions of wireless telecommunications systems, such as those used by major wireless providers in Canada (Bell Mobility and Rogers), “make it necessary” that they be attached to utility poles.
- (b) Does Ms. Kravtin have specific knowledge of the proportion of wireless traffic that is carried by antennas affixed to utility poles in the U.S. and Canada? If so, please provide the basis for, and particulars regarding such knowledge, including the relevant data and other information in support.

**Response:**

- (a) See response to CANDAS(THESL)Kravtin REPLY-1. Ms Kravtin’s Reply Report, at paragraph 4, clearly states that she is specifically referring to wireless carriers “seeking to compete in the market for high-quality, ubiquitous telecommunications services [that] have little, if any realistic choice but to rent space on existing utility poles.” Similarly in the referenced paragraph 5, Ms Kravtin has identified firms requiring access to existing utility pole networks as holding true for “wireless carriers seeking to compete with these firms (referring to wireline cable and telecommunications carriers who have found it necessary to “follow the existing paths of dominant utilities’ networks”).”
- (b) No. However, Ms Kravtin is aware of the increasing interest of wireless carriers to attach to utility poles both in Canada based on the evidence in this proceeding, and in the U.S. as reflected in the record of evidence in the FCC’s recent pole proceeding. See the FCC’s Report and Order and Order on Reconsideration dated April 7, 2011 in WC Docket No. 07-245, GN Docket No. 09-51 (appended to CANDAS’ Application at Tab 22), and in particular, paragraphs 40-44.

3. *Reference: The Reply Report of Patricia D. Kravtin dated December 16, 2011 at pg. 4, para. 6.*

“Both Dr. Yatchew and Mr. Starkey assert limited available capacity on utility poles as grounds for denying wireless carriers access to utility poles for wireless equipment attachments – the former focuses on the space requirements for wireless equipment attachments relative to “traditional” attachments, 2 and the latter directly asserts that pole space is a limited resource based on assumptions regarding multiple future uses.<sup>3</sup> Neither argument is grounded in economic reality.” (emphasis added)

- (a) Please identify all references in Dr. Yatchew’s or Mr. Starkey’s evidence where denial of access is recommended.

**Response:**

- (a) Dr. Yatchew and Mr. Starkey’s evidence, in their entirety, was presented in support of first, THESL’s motion and second, THESL’s primary position in this proceeding, which advocates for a Board finding that (1) mandatory access to its pole network is not required for wireless attachments pursuant to the Board’s 2005 CCTA Order (2) THESL be allowed to operate under a regulatory regime of forbearance with respect to wireless attachments, and (3) that the relief sought by CANDAS be denied. See Starkey Affidavit at 55, Yatchew Affidavit at 32-33.

Given Dr. Yatchew and Mr. Starkey’s acknowledgment of THESL’s monopoly control over its pole network (see Yatchew Affidavit at 30, Starkey Affidavit at 23), their support of THESL’s motion and positions advanced by THESL in this proceeding is tantamount to supporting denial of access for wireless attachments. This is so since it would be within THESL’s unfettered discretion to deny or unreasonably delay access to its poles for purposes of wireless attachments to all Canadian carriers or to any one or more Canadian carriers on a discriminatory basis. This is the case whether such denial would be effected directly as a matter of policy or selectively and on a discretionary basis through the exercise of monopoly control to impose unreasonable delays or discriminatory rates, terms and conditions.

4. *Reference: The Reply Report of Patricia D. Kravtin dated December 16, 2011 at pg. 5, para. 9.*

At paragraph 9 Ms. Kravtin discusses "pole modifications," "reinforcement," and "rearrangements."

- (a) Is it Ms. Kravtin's opinion that costs associated with these activities, undertaken presumably by THESL relative to its utility poles, are included in the existing pole attachment rate set by the Board in its CCTA Decision?
- (b) If Ms. Kravtin's response to question 4(a) is anything other than an unqualified "No," please provide the basis for, and particulars regarding such knowledge, including the relevant data and other information in support, including describing in detail the physical process envisioned by each of the following: (i) pole modifications, (ii) reinforcement, (iii) change-outs and (iv) rearrangement of existing attachments.
- (c) Has Ms. Kravtin studied the extent to which any of the modifications she discusses (including but not limited to (i)-(iv) from question 4(b)), would be necessary more often to support additional wireless attachments versus additional wireline attachments? If Ms. Kravtin has studied the relative frequency of such modifications relative to wireless versus wireline attachments, please describe in detail the results of her study.
- (d) To the extent that Ms. Kravtin believes the existing pole attachment rate set by the Board in its CCTA Decision accounts for the pole modifications she describes in response to question (a) above, please explain in detail how the rate accounts for such cost recovery (including any variation in frequency discussed in relation to question (b) above).

**Response:**

- (a) No. As stated in Ms Kravtin's Reply Report at paragraph 21, charges for make-ready work including the referenced modifications, reinforcement and rearrangements apply in addition to the annual recurring pole attachment rental rate. See also THESL's responses to Board Staff Interrogatories at THESL(OEB)17, found at Tab 1, Schedule 17 filed October 3, 2011, in which THESL confirms that it charges attachers separately for make-ready work in the ordinary course.
- (b) N/A.
- (c) No. Ms Kravtin has not undertaken any specific studies of the type described, nor does she believe such studies would be required for purposes of her opinions. The salient point regarding make-ready work is that the third-party attacher is responsible for reimbursing the utility for the cost of all such work that is necessary to accommodate its attachment. Just as with wireline attachments, the frequency and extent of make-ready work will vary geographically and temporally across the utility's service area, from pole



to pole, and from attachment type to attachment type. Moreover, in Ms Kravtin's opinion, there is no a priori reason to believe that make-ready work would be necessary more often to support additional wireless attachments versus wireline attachments. Her opinions are further supported by the evidence of Tormod Larsen (see CANDAS(OEB)Larsen REPLY-2, 4, and 5 concerning the actual space requirements for certain wireless antenna attachments and the manner in which they can be accommodated on poles) and the findings of the FCC in its recent pole attachment proceeding; in particular, the FCC's finding of "no reasonable basis for applying a timeline [for attachment] disparately to wired or wireless attachments." See FCC's Report and Order and Order on Reconsideration dated April 7, 2011 in WC Docket No. 07-245, GN Docket No. 09-51 (appended to CANDAS' Application at Tab 22) at paragraph 42.

- (d) See response to (a) above.

5. *Reference: The Reply Report of Patricia D. Kravtin dated December 16, 2011 at pgs. 7-10, paras.14-18.*

At paragraphs 14-18 Ms. Kravtin is critical of the product market definition put forward by Dr. Yatchew and discussed by Mr. Starkey.

- (a) Please state with specificity the product market definition Ms. Kravtin believes the Board should use in this proceeding.
- (b) Describe in detail why the product market definition put forward by Ms. Kravtin in response to the question immediately above is preferable to the definition advocated by Toronto Hydro.

**Response:**

- (a) See CANDAS(Energy Probe)Kravtin REPLY-2(b) and CANDAS(VECC)Kravtin REPLY-2(a), (b), and (c).
- (b) See response to (a) above.

6. *Reference: The Reply Report of Patricia D. Kravtin dated December 16, 2011 at pg. 15, para. 29.*

At paragraph 29 Ms. Kravtin asserts:

"As discussed above, the various siting options for wireless cited by Mr. Starkey and Dr. Yatchew are inherently limited in terms of availability, coverage, connectivity, capacity, and/or other needed functionality and, as such, are demonstratively inferior substitutes for access to the utility's existing ubiquitous network of poles."

- (a) Is it Ms. Kravtin's opinion that this statement is true for all wireless transmission technologies used by wireless carriers in Toronto today?
- (b) Unless Ms. Kravtin's response to question (a) immediately above is anything other than an unqualified "Yes," please explain any technologies where Ms. Kravtin believes that utility poles are not the best placement alternative.

**Response:**

- (a) No. See response to CANDAS(THESL)Kravtin REPLY-1 and 2.
- (b) See Reply Evidence of Tormod Larsen and in particular Table 1 – Uses and Limitations of Wireless Access Technologies and Table 2 – Wireline and Wireless Network Architecture. See Lemay-Yates Report dated October 11, 2011 at 14-15.

See also CANDAS(THESL)Larsen REPLY-3(c), 3(k), 3(n), for the ranges associated with certain femtocell, picocell, and microcell equipment.

7. *Reference: The Reply Report of Patricia D. Kravtin dated December 16, 2011 at Attachment 1, page 1.*

The opening paragraph of Ms. Kravtin's resumé summarizes her experience as follows:

"Consulting economist with specialization in telecommunications, cable, and energy markets. Extensive knowledge of complex economic, policy and technical issues facing incumbents, new entrants, regulators, investors, and consumers in rapidly changing telecommunications, cable, and energy markets."

In contrast, the opening paragraph of Ms. Kravtin's resumé filed September 27, 2004 with the Ontario Energy Board in the CCTA proceeding RP-2003-0249 states:

"Consulting economist with specialization in telecommunications, cable, and energy markets. Extensive knowledge of complex economic, policy and technical issues facing incumbents, new entrants, regulators, investors, and consumers in rapidly changing telecommunications, cable, and energy markets. Oriented toward competitive, open-market strategies that carefully balance interests of major stakeholders."  
[emphasis added]

- (a) Please explain why the last sentence has been omitted from the most recent version of Ms. Kravtin's resumé.
- (b) Please provide all reports, studies, filings or evidence prepared by Ms. Kravtin prior to September 27, 2004 which support the proposition that she was "Oriented toward competitive, open-market strategies".
- (c) Please either:
  - (i) Confirm that Ms. Kravtin continues to be "Oriented toward competitive, open-market strategies";
  - (ii) confirm that this is no longer her orientation;
  - (iii) to the extent that part i. is confirmed, please provide all reports, studies, filings or evidence prepared by Ms. Kravtin since September 27, 2004 which confirm that she continues to be "Oriented toward competitive, open-market strategies".

**Response:**

- (a) The referenced sentence was omitted from more recent versions of Ms Kravtin's resume simply to allow space for the addition of updated information and to keep the resume to a limit of two pages. The omission did not reflect any change in Ms Kravtin's

economic orientation as consistently reflected in her body of work in the periods both pre and post-2004.

- (b) See response to (a) above.
- (c) See response to (a) above.

8. *Reference: The Reply Report of Patricia D. Kravtin dated December 16, 2011 at Attachment 1, page 2.*

- (a) Portions of the text appear to be cropped on the right hand side. Please provide a complete version of the page.

**Response:**

See version of the referenced page of Ms Kravtin's resume attached.

## **Patricia D. Kravtin**

57 Phillips Avenue  
Swampscott, MA 01907  
781-593-8171  
[pdkravtin@comcast.net](mailto:pdkravtin@comcast.net)

### **Summary**

Consulting economist with specialization in telecommunications, cable, and energy markets. Extensive knowledge of complex economic, policy and technical issues facing incumbents, new entrants, regulators, investors, and consumers in rapidly changing telecommunications, cable, and energy markets.

### **Experience**

#### **RESEARCH/POLICY ANALYST**

1978–1980 Various Federal Agencies Washington, DC

Prepared economic impact analyses related to allocation of frequency spectrum (Federal Communications Commission).

Performed financial and statistical analysis of the effect of securities regulations on the acquisition of high-technology firms (Securities and Exchange Commission).

Prepared analyses and recommendations on national economic policy issues including capital recovery. (U.S. Dept. of Commerce).

### **Education**

1980–1982 Massachusetts Institute of Technology Boston, MA  
Graduate Study in the Ph.D. program in Economics (Abd). General Examinations passed in fields of Government Regulation of Industry, Industrial Organization, and Urban and Regional Economics.

National Science Foundation Fellow.

1976–1980 George Washington University Washington, DC  
B.A. with Distinction in Economics.

Phi Beta Kappa, Omicron Delta Epsilon in recognition of high scholastic achievement in field of Economics. Recipient of four-year honor scholarship.

### **Prof. Affiliation**

American Economic Association

9. *Reference: The Reply Report of Patricia D. Kravtin dated December 16, 2011 at Attachment 1, pages 3-5.*

This section lists reports and studies for the period ending in August 2003.

- (a) Please either:
  - (i) confirm that no 'reports and studies' were authored/co-authored since August 2003; or
  - (ii) provide a complete list of reports and studies authored/co-authored since August 2003.
- (b) Please confirm that the updated resumé lists all reports, studies, filings, evidence and appearances in regulatory or legal proceedings since 2000.

**Response:**

- (a) No other published reports and studies were authored/co-authored by Ms Kravtin since August 2003. That breakpoint in published reports and studies corresponds to Ms Kravtin's leaving her position as Senior Vice President/Senior Economist at the research and consulting firm of Economics and Technology, Inc., where a significant part of her responsibilities including the preparation of such studies, to start her own independent consulting practice which has had a greater focus on litigation and advisory services.
- (b) Yes, Ms Kravtin's resume is updated through to the present.



10. *Reference: The Reply Report of Patricia D. Kravtin dated December 16, 2011 at pg. 1, para. 1 and at Attachment 1, page 7.*

At paragraph 1, Ms. Kravtin indicates that the purpose of her evidence is to prepare a reply report setting forth her:

“opinions on the economic and public policy issues raised in the evidence of Mr. Michael Starkey and Dr. Adonis Yatchew on behalf of Toronto Hydro-Electric Systems Limited (“THESL”), and in particular, the economic and public policy grounds for mandating access to utility poles by telecommunications carriers.”

At page 7 of Attachment 1, Ms. Kravtin indicates that she provided similar reply evidence in the original 2004 CCTA proceeding (RP-2003-0249). Ms. Kravtin’s Reply Evidence was filed together with Mr. Paul Glist on behalf of the Canadian Cable Television Association on September 27, 2004 (the “2004 Kravtin Report”). The stated purpose of the 2004 Kravtin Report is set out at paragraph 3 and was to “review and assess a report by Bridger Mitchell and Adonis Yatchew” filed in connection with the original CCTA proceeding.

The following series of questions are intended to assist the Board in understanding the differences between the opinion expressed in the 2004 Kravtin Report and the assertions Ms. Kravtin now makes in her Reply Report filed on December 16, 2011.

- (a) Page 2, line 34-36 of the 2004 Kravtin Report asserts that:

"Cable systems are located in the communications space on the poles, regardless of which utility company owns title to the poles."

This assertion is repeated again verbatim at page 9, lines 4-6 of the 2004 Kravtin Report.

- (i) Please explain what was meant by this assertion in the context of the 2004 Kravtin Report and why it was important enough to include twice in the 2004 Kravtin Report.
- (ii) Ms. Kravtin has not made a similar assertion in her December 16, 2011 Reply Report. Please confirm whether Ms. Kravtin acknowledges that unlike the cable systems that were the subject of the 2004 Kravtin Report, the wireless attachments that are the subject of this proceeding are not physically located entirely within the communications space on utility poles?
- (b) Page 6, lines 13-16 of the 2004 Kravtin Report asserts that:

“To the contrary, poles are essential facilities, owned exclusively by telephone and electric utilities. Cable operators are in no position to replicate these facilities and instead must rely on existing utility poles to provide their services.”

- (i) Please explain what was meant by this assertion in the context of the 2004 Kravtin Report and why it was important to include in the 2004 Kravtin Report.
  - (ii) Ms. Kravtin has not made a similar assertion that poles are “essential facilities” for wireless attachments in her December 16, 2011 Reply Report. Please confirm whether Ms. Kravtin acknowledges that unlike the cable operators, wireless operators have a number of other feasible attachment options that make utility poles convenient but not essential for wireless attachments.
- (c) Page 6, line 28-29 of the 2004 Kravtin Report asserts:
- “By contrast, from its inception the cable industry never had a similar opportunity (and was certainly never encouraged) to build parallel pole plant for the delivery of its own services.”
- (i) Please explain what was meant by this assertion in the context of the 2004 Kravtin Report and why it was important to include in the 2004 Kravtin Report.
  - (ii) Ms. Kravtin has not made a similar assertion in her December 16, 2011 Reply Report. Please confirm whether Ms. Kravtin acknowledges that unlike the cable industry, the wireless industry has in-fact already constructed a parallel wireless network for the delivery of its own services in the City of Toronto without relying on utility poles for purposes of mounting antennas.

**Response:**

- (a)
  - (i) First, as recognized in the interrogatory, the evidence filed by Ms Kravtin in the 2004 proceeding was filed jointly with Mr. Paul Glist. Ms Kravtin had primary responsibility for the economic content of the evidence, whereas Mr. Glist, a practicing attorney, had primary responsibility for aspects of the evidence of a more legal, historical, and/or regulatory nature. The sentence referenced in this interrogatory falls into the latter category, and accordingly, while Ms Kravtin can offer her opinion as to why this sentence was included in the report, she cannot answer for Mr. Glist.  
  
As to the question of why the referenced sentence was included twice, that was simply the result of the report containing an Executive Summary summarizing points made in the report. Because this report included a rather comprehensive Executive Summary section, no particular import should be placed on a sentence being repeated in the Executive Summary. Second, and more substantively, if the referenced sentence is examined in the context of the entire paragraph and of the report in its entirety, Ms Kravtin’s belief is that the main point this sentence makes does not pertain to the location of the cable attachment within the communication space as the interrogatory appears to

suggest, but rather with the matter of ownership of the pole. Specifically, this sentence points to the fact that there is no difference as far as the pole owner's ability to accommodate the cable attachment as between a pole owned by the telephone company (and for which the CRTC formula rate applied) and a pole owned by the electric utility (for which pursuant to Canadian law, the Board regulates).

- (ii) Ms Kravtin does not acknowledge that "unlike cable systems that were the subject of the 2004 Kravtin report, the wireless attachments that are the subject of this proceeding are not physically located entirely within the communications space on utility poles." See CANDAS(OEB)Kravtin REPLY-1(a) with references to CANDAS(OEB)Larsen REPLY-2, 4, and 5.

(b)

- (i) Ms Kravtin believes the referenced statement from the 2004 report is self-explanatory in the context of the 2004 report's discussion of the matter at pages 6 -7, and the Board's findings on the subject. See the Board's 2005 CCTA Order at 3.
- (ii) The referenced statement from the 2004 Kravtin report is fully consistent with the opinions expressed in Ms Kravtin's Reply Report in this proceeding. See Kravtin Reply Report at pages 3-4 addressing the structural characteristics of the utility pole network. See also CANDAS(VECC)Kravtin REPLY-1. Ms Kravtin does not acknowledge as applicable to wireless operators generically, and in particular, for wireless operations seeking to effectively compete in the market for ubiquitous, high quality telecommunications services, that "unlike the cable operators, wireless operators have a number of other feasible attachment options that make utility poles convenient but not essential for wireless attachments.. See CANDAS(THESL)Kravtin REPLY-1 and 2. See also CANDAS(VECC)Kravtin REPLY-1.

(c)

- (i) Ms Kravtin believes the referenced statement from the 2004 report is self-explanatory in the context of the 2004 report's discussion of the matter at pages 6 -7, and the Board's findings on the subject. See the Board's 2005 CCTA Order at 3.
- (ii) The referenced statement from the 2004 report is fully consistent with the opinions expressed in Ms Kravtin's Reply Report in this proceeding, at pages 3-4, addressing the structural characteristics of the utility pole network. See, in particular, the last sentence on page 3 of Ms Kravtin's Reply Report in which it is stated:" Wireless carriers who are increasingly seeking to compete in the market for high-quality , ubiquitous telecommunications services, have little, if any realistic choice but to rent space on existing utility poles" and the last

sentence of paragraph 5 which states: “[t]he same holds true for wireless carriers seeking to effectively compete with these firms,” referring specifically to cable and telecommunications carriers who for the reasons set forth in paragraph 5 (the same reasons set forth by Ms Kravtin and Mr. Glist in the 2004 report) are not practically able to duplicate the outside pole plant of electric utilities. Ms Kravtin does not acknowledge as applicable to wireless operators generically, and in particular, for wireless operators seeking to effectively compete in the market for ubiquitous, high quality telecommunications services that “unlike the cable industry, the wireless industry has in fact already constructed a parallel wireless network for the delivery of its own services in the City of Toronto without relying on utility poles for purposes of mounting antennas.” See CANDAS(THESL)Kravtin REPLY-1 and 2. The “parallel wireless network” to which the interrogatory refers is not analogous to the utility pole network in terms of its features and capability to support the delivery of ubiquitous, high quality telecommunications services that can effectively compete with offerings of cable operators and other wireline telecommunications providers who have access to the utility’s pole network.