

**Rob Barrass**

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March 21, 2014

*via RESS e-filing – signed original to follow by courier*

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
PO Box 2319  
2300 Yonge Street, 27<sup>th</sup> floor  
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Toronto Hydro-Electric System Limited (“THESL”)  
Application for an Order pursuant to Section 29 of the *Ontario Energy Board Act, 1998*  
 (“Wireless Forbearance Application”) – Interrogatories from THESL  
OEB No. EB-2013-0234**

Pursuant to Procedural Order No. 4, enclosed are THESL’s Interrogatories to Vulnerable Energy Consumers Coalition and Ontario Energy Board Staff on their respective evidence.

THESL’s interrogatories to Dr. Van Audenrode are intended to clarify points made in his Expert Report. Those points are not readily referable to a particular issue on the Issues List. The Nordicity Report entitled “Pole Attachment Regulation” is not referable to any issue on the Issues List. The interrogatories to the Vulnerable Energy Consumers Coalition are directed to Dr. Hariton’s résumé. THESL has made its best effort to assign interrogatories to appropriate issues, as required by procedural Order No. 4, but, for the reasons above, the assignment is somewhat arbitrary.

Kindly refer any questions or comments on this matter to my attention.

Yours truly,

*[original signed by]*

**Rob Barrass**

Manager, Regulatory Affairs

encl.(2)

cc: Intervenor of Record for EB-2013-0234  
Robert B. Warren and Nikiforos Iatrou, WeirFoulds LLP  
Amanda Klein and Daliana Coban, THESL

**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 Toronto Hydro-  
Electric System Limited for an order pursuant to section 29 of the  
Ontario Energy Board Act, 1998.

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**INTERROGATORIES TO  
THE ONTARIO ENERGY BOARD STAFF  
FROM TORONTO HYDRO-ELECTRIC SYSTEM LIMITED**

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**INTERROGATORIES ON DOCUMENT PREPARED BY NORDICITY ENTITLED “POLE ATTACHMENT REGULATION”, DATED MARCH 2014**

***Issue 1***

1. Reference: Pole Attachment Regulation, paragraph 2  
Please provide a copy of the British Columbia legislation providing the Utilities Commission with jurisdiction to regulate pole attachments.
2. Reference: Pole Attachment Regulation, paragraph 4  
Please provide copies of the “cases of complaints to public utilities boards” referred to in this paragraph.
3. Reference: Pole Attachment Regulation, paragraph 5  
Please provide a copy of the “survey conducted by Newfoundland Power” referred to in this paragraph.
4. Reference: Pole Attachment Regulation, paragraph 17  
Please provide copies of the “legal documents between utilities and utilities boards” referred to in this paragraph.
5. Reference: Pole Attachment Regulation, paragraph 19  
Please provide a copy of the Nova Scotia Utility and Review Board decision referred to in this paragraph.
6. Reference: Pole Attachment Regulation, paragraph 20  
Please provide a copy of the post-hearing submission of the Competition Bureau referred to in this paragraph.
7. Reference: Pole Attachment Regulation, paragraph 21  
Please provide a copy of the submission of “Seaside” referred to in this paragraph.

8. Reference: Pole Attachment Regulation, paragraph 23  
Please provide copies of the materials on which the summary of Canadian Pole Attachment Rates is based.
9. Reference: Pole Attachment Regulation, paragraph 25  
Please provide copies of the “four other cases where either utilities or attachers filed applications regarding pole attachment rates” referred to in this paragraph.
10. Reference: Pole Attachment Regulation, paragraph 26  
Please provide a copy of the legislation under which pole attachment rates are regulated by the Nova Scotia Utility and Review Board.
11. Reference: Pole Attachment Regulation, paragraph 27  
Please provide copies of all of the documents referred to in footnote 9.
12. Reference: Pole Attachment Regulation, paragraph 28  
Please provide a copy of the joint use agreement between Aliant and NB Power referred to in this paragraph.
13. Reference: Pole Attachment Regulation, paragraph 28  
Please provide a copy of the legislation under which the New Brunswick Energy and Utilities Board regulates the rates for pole attachments.
14. Reference: Pole Attachment Regulation, paragraph 29  
Please provide a copy the decision of the Alberta Energy and Utilities Board referred to in footnote 11.
15. Reference: Pole Attachment Regulation, paragraphs 33-46 inclusive  
Please provide copies of the federal and state legislation either referred to or relied on for the statements in these paragraphs.

**INTERROGATORIES ON THE REPORT OF DR. MARC VAN AUDENRODE**

***Issue 4***

16. Reference: Expert Report, footnote 129

The statement is made that “If rates for wireless attachments are forborne, the regime is not technologically neutral since wireline attachments continue to be regulated.”

- a) Is it Dr. Van Audenrode’s position that the rate for wireline and wireless attachments should be the same?
- b) Is it Dr. Van Audenrode’s position that the rate for all wireless attachments should be the same?

***Issue 11***

17. Reference: Expert Report, paragraph 93

- a) Is it Dr. Van Audenrode’s position that, even if the “competition rationale” is sufficient to warrant regulatory forbearance, the Board should nonetheless continue to regulate?
- b) Will Dr. Van Audenrode confirm that it is his view that the costs of regulation should be included in an assessment of whether competition is sufficient to protect the public interest?

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**INTERROGATORIES TO  
THE VULNERABLE ENERGY CONSUMERS COALITION  
FROM TORONTO HYDRO-ELECTRIC SYSTEM LIMITED**

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**INTERROGATORIES ON THE REPORT OF DR. GEORGE HARITON**

***Issues 6 and 9***

1. Please list, and provide copies of, the following:
  - a) All refereed journal articles by Dr. Hariton on the economics of regulation and on competition policy.
  - b) All invited papers by Dr. Hariton on the economics of regulation and on competition policy.
  - c) All books and monographs by Dr. Hariton on the economics of regulation and on competition policy.
  - d) All chapters by Dr. Hariton in books on the economics of regulation and on competition policy.
  - e) All papers by Dr. Hariton in proceedings on the economics of regulation and on competition policy.
  - f) All public reports by Dr. Hariton on the economics of regulation and on competition policy.
2. Please list and provide copies of the testimony in all court cases and regulatory proceedings in which Dr. Hariton has been accepted as an expert in competition policy or the economics of regulation.
3. Please list and provide copies of all presentations Dr. Hariton has made on competition policy or the economics of regulation.