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BY EMAIL and RESS

September 10, 2015
Our File No. 20150004

Ontario Energy Board
2300 Yonge Street
27th Floor
Toronto, Ontario
M4P 1E4

Attn: Kirsten Walli, Board Secretary

Dear Ms. Walli:

Re: EB-2015-0004 – Hydro Ottawa 2016-2010 – Motion Submissions

We are counsel for the School Energy Coalition (“SEC”). Pursuant to the *Decision and Procedural Order No. 7*, these are SEC’s submissions on the motions brought by Hydro Ottawa Limited (“HOL”) and the Carriers¹. SEC submits the Board should grant both motions as the information sought is clearly relevant to the issue of the appropriate pole attachment rate.

In addition to all the reasons set out in each of the moving parties’ submissions in support of their requested relief, SEC notes the following:

- Mr. Richard’s evidence on behalf of Rogers appears to be that the allocation methodology adopted by HOL (from the RP-2003-0249 decision²) is not appropriate since it does not take into account certain advantages that a pole owner has over a pole tenant.³ Information regarding Rogers’ (as a pole tenant) ability to overlash and charge third-parties for access⁴, leading to potentially making a profit⁵, is clearly relevant to the question it raised regarding advantages and disadvantages of pole ownership versus tenancy.

¹ Rogers Communications Partnership, TELUS Communications Company and Quebecor Media

² Decision and Order (RP-2003-0249), dated March 7 2005

³ Evidence of Kevin Richards, Rogers Communication Partnership, dated August 21 2015, paras. 4-6.

⁴ Technical Conference Transcript Vol. 3, p.26, ln 11-16

⁵ Technical Conference Transcript Vol. 3, p.26, ln 24 to p.27, ln 7



- Notwithstanding HOL's position regarding the scope of issue 4.11, questions related to Mr. McKeown's view on if other aspects of the RP-2003-0249 decision should be opened for reconsideration are clearly relevant. Mr. McKeown was retained by the carriers as an expert on costing.⁶ His proposed methodology differs, in part, from the RP-2003-0249 decision, and because of that leads to a lower proposed rate.⁷ It is relevant to this proceeding for parties and the Board to understand if there are any other aspects of that decision that set out the methodology for pole attachment rates that he disagrees with. This may include aspects of the decision that were favorable to pole attachers at the expense of electricity ratepayers.

SEC submits both motions should be granted and the information requested should be produced.

All of which is respectfully submitted.

Yours very truly,

JAY SHEPHERD P. C.

Original signed by

Mark Rubenstein

cc: Wayne McNally, SEC (email)
Interested Parties (email)

⁶ Technical Conference Transcript Vol. 3, p.29-30

⁷ Expert Evidence of David McKeown, View Communications Inc., dated August 21 2015, paras.109-115