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Compliance Office

May 30, 2005

Compliance Bulletin 200505

To: All Licensed Electricity Distributors

Re: Access to Power Poles

This bulletin is issued to inform licencees of the Chief Compliance Officer's expectations with respect to compliance with Distribution Licence conditions.

On March 7, 2005 the Board issued a Decision and Order in respect of an application by the Canadian Cable Television Association ("CCTA") for access to the power poles of the regulated electricity distribution utilities in Ontario for the purpose of supporting cable television and telecommunications transmission lines.

In its Decision and Order, the Board ordered that:

The licence conditions of the electricity distributors licensed by this Board shall as of the date of this Order be amended to provide that all Canadian carriers as defined by the Telecommunications Act and all cable companies that operate in the Province of Ontario shall have access to the power poles of the electricity distributors at a rate of \$22.35 per pole per year.

Distributors are reminded that their obligation to provide access is in effect and that the rate of \$22.35 per pole per year is applicable. Distributors must therefore process any requests for new attachments in a timely manner.

Distributors are also reminded that this access obligation applies regardless of whether or not a service agreement has been negotiated with the Canadian carrier or cable company in question, or regardless of whether there are any outstanding disputes between the parties regarding past compensation.

Please direct any questions you may have on this matter to the Market Participant hotline at 416-440-7604 or by e-mail at market.operations@oeb.gov.on.ca.



Brian Hewson
Chief Compliance Officer
Compliance Office

No statutory power of decision has been delegated to the Chief Compliance Officer, and the views expressed in this Compliance Bulletin are not binding on the Board. The Chief Compliance Officer may seek enforcement action by the Board under Part VII.1 of the *Ontario Energy Board Act, 1998*, in relation to non-compliance.