

1 **Wirebury Connections Inc. INTERROGATORY #25**

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3 **Interrogatory**

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5 Networks claims that the Board's objective to provide "consumers with non-  
6 discriminatory access to ... distribution systems" was intended to apply only to  
7 commodity markets and not to customer connections.

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9 Reference: Appendix A, P2, L23-28

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11 What is the legislative basis for Networks' claim?

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14 **Response**

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16 See Networks' Exhibit J8-12-1(a). The answer to this interrogatory is found in some of  
17 the words in the objective that Wirebury did not include in its quotation and from the  
18 definition of the word "consumer" in section 56 of the OEB Act. The full text of the  
19 Board's objective reads as follows: "2. To provide *generators, retailers and* consumers  
20 with non-discriminatory access to transmission and distribution systems in Ontario."  
21 [Emphasis added]

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23 Networks' view is based on the objective of seeking to ensure that the monopoly wires  
24 entities permit open access to their systems so that the competitive commodity market  
25 can function properly. In the words of the objective, this would include providing  
26 "generators" and "retailers" (the entities Wirebury has left out of the interrogatory) and  
27 "consumers" with "non-discriminatory access" to monopoly wires businesses. In  
28 addition, Networks believes its understanding aligns with the definition of a "consumer"  
29 in Section 56 of the OEB Act, where consumer is defined as "a person who uses, for the  
30 person's own consumption, electricity that the person did not generate." Networks takes  
31 the view that a reasonable reading of the objective on "non-discriminatory access" refers  
32 to facilitating competition in the commodity market, not promoting competition in the  
33 wires systems.

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