

LDC COALITION INTERROGATORY #13

INTERROGATORY

Reference: Evidence of Wirebury Connections Inc., August 7, 2003, Paragraph 39:

"Requiring full review of all service area changes creates inefficiencies and unnecessary costs, impedes open and non-discriminatory access to distribution systems and creates regulatory uncertainty and delays for customer connections."

- (a) Under what circumstances would Wirebury's proposed process contemplate a "full review" of a service area change?
- (b) What would constitute a "full review" of a service area change?

RESPONSE

- (a) Wirebury expects that as one of the objectives of this proceeding, the Board will establish principles and an administrative process which distributors can rely on to resolve most service area amendments independent of the Board. A review or mediation process would be required only when the applicant and incumbent cannot agree on the application of the principles or when existing customers who may be impacted by the proposal, oppose the amendment.

If overlapping service areas are used and the Board concludes that existing customers cannot be forced to switch distributors, the distribution services to existing customers would not be impacted at all, which would eliminate most customer opposition. Disputes could arise if a distributor refuses to connect or switch a customer but these would be rare.

Most connection disputes with customers could be resolved by an interpretation of established procedures and therefore would not require a full review. In situations where the applicant and incumbent distributor cannot agree on one aspect of the application like the capital contribution requirement, the review could be limited to the disputed issue(s).

- (b) A full review of a service area amendment would involve an oral or written hearing before a panel of the Board. Other means of review by Board Staff may be more efficient to deal with most application disputes. Where the parties can agree on the connection arrangements and the process to be used, the Board's involvement would be limited to recording the change to the service area.

