



RP-2003-0249

EB-2003-0310

NOTICE OF APPLICATION AND NOTICE OF HEARING

An application, pursuant to section 74 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c.15 (Sch. B), dated December 16, 2003 (the “Act”), has been filed with the Ontario Energy Board by the Canadian Cable Television Association (“Applicant” or “CCTA”) on behalf of its member companies operating in Ontario. The CCTA seeks an amendment to the licenses of all electricity distributors to establish uniform terms and conditions of access to electricity distribution power poles for the purpose of transmitting cable services. The CCTA also requests that the Board set a specific pole rental charge, retroactive to Jan. 1, 1997. The Application has been given Board file number RP-2003-0249 and EB-2003-0310.

This application raises a threshold issue of whether the request for the Board to approve a pole rental charge is an application under s.78 of the Act, thus requiring the written approval of the Minister of Energy (the “Minister”) under s.79.6 of the Act. Prior to proceeding with the application, the Board would like to receive submissions on whether the Minister’s approval under s.79.6 is required.

HOW TO PARTICIPATE

If you wish to intervene in or observe the proceeding or comment on the Application, you must write to the Board Secretary at the address set out below within 14 calendar days of the publication of this Notice. Your letter must quote the file number of the application, clearly stating your name and address and indicating the nature of your interest in the application. Information on how to intervene, observe or comment can be obtained from the Board’s Customer Service Centre at 1-877-632-2727 or by visiting the Board’s web site at www.oeb.gov.on.ca. A copy of your letter must also be delivered or mailed to the Applicant’s Counsel, Gowlings, at the address below.

The Board intends to proceed by way of an Oral hearing. The Board will issue a Procedural Order setting out the timing of the Oral hearing and the dates for submissions from parties on whether s. 79.6 is applicable, once the intervenor list is established.

IMPORTANT

If you do not file a letter of intervention or a letter of comment or indicate to the Board Secretary that you wish to comment at the hearing , the Board may proceed in your absence and you will not be entitled to any further notice of these proceedings.

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Copies of the Application are available for viewing at the Board's office in Toronto and at the office of Gowlings.

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Ce document est disponible en francais.

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ADDRESSES

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DATED at Toronto, April 13, 2004.

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ONTARIO ENERGY BOARD

Peter H. O'Dell
Acting Board Secretary