

August 25, 2004

Ms. Diane Rhéaume
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario
K1A 0N2

Dear Ms. Rhéaume:

Re: Telecom Public Notice CRTC 2004-1, Review and disposition of deferral accounts for the second price cap period – Requests for further responses and for public disclosure

1. Pursuant to Public Notice 2004-1, directions on procedure paragraph 32, and as amended in the Commission's letters of June 10 and July 30, 2004, the Canadian Cable Television Association (CCTA) the Canadian Cable Television Association (CCTA) submits its requests, as set out in the attachment, for further responses to interrogatories and public disclosure of information for which confidentiality has been claimed.
2. CCTA is requesting further responses and public disclosure respecting the responses to interrogatories received from Aliant Telecom Inc. (Aliant), Bell Canada (Bell), Télébec, société en commandite (Télébec), MTS Allstream Inc. (MTS Allstream), TELUS Communications Inc. (TELUS) and TELUS Québec (TQCQ).
3. A machine-readable file copy of the abridged responses to interrogatories is provided to the Commission and interested parties via Internet email.

Sincerely,

Michael Hennessy

Michael Hennessy,
President

Attachment

cc.: Parties to Public Notice 2004-1



Aliant(CRTC)23Jun04-4

In this interrogatory, the Commission requested, among other things, that Aliant:

Provide a schedule, with supporting calculations, showing the number of circuits by speed in each band, the associated revenues using the DNA tariff, the associated revenues using the interim CDNA tariff, the difference and the total amount that the company proposes to drawdown from the deferral account.

In response, Aliant provided the requested schedule, however, Aliant did not publicly file break-outs, by speed, of the requested information. In failing to do so, Aliant is out of step with both TELUS¹ and Bell², each of which publicly provided greater detail in response to substantially similar Commission interrogatories, and has deprived participants to this proceeding of the opportunity to assess and contrast comparable information across ILECs. CCTA submits Aliant should be directed to disclose break-outs, by speed of the information contained in the Attachment to Aliant(CRTC)23Jun04-4, at the same level of disaggregation publicly disclosed by TELUS and Bell.

Bell(CCTA)23Jun04-3

In part (b) of this interrogatory, Bell was requested to provide its most recent cost studies filed with the Commission in support of IXPL rates.

In its response, Bell stated that the “information requested is irrelevant and unnecessary for a decision in this proceeding [...and...] is confidential.”

CCTA submits Bell should be directed to provide the requested studies as the information is relevant and necessary to provide context to the rating information provided in the balance of this interrogatory. The cost studies would allow parties to better assess the appropriateness of the rating information by indicating the underlying assumptions, time-frame and scope of the economic evaluation. At a minimum, CCTA submits the information should be provided in the form requested to the Commission in confidence, with an abridged version for the public record. The level of disclosure should be no less than that required for cost studies that are filed by Bell in support of proposed rates.

¹ In response to TELUS(CRTC)23Jun04-11, TELUS provided a schedule showing break-outs, by speed of circuit numbers, revenue and deferral account drawdown information.

² Although providing less detail than TELUS, Bell, in response to Bell (CRTC)23Jun04-13, did at least separately break-out sub-totals for DS-0, OC-3 and OC-12 speeds.

Télébec (CCTA)23Jun04-3

In part (b) of this interrogatory, Télébec was requested to provide its most recent cost studies filed with the Commission in support of IXPL rates.

In its response, Télébec stated that that it “has not produced cost studies recently for this service.”

CCTA submits Télébec answer is non-responsive. CCTA requested the “most recent cost studies filed.” Télébec did not object to the question, but merely suggested the studies (which, CCTA presumes were filed with the Commission at some point) were not produced recently.

CCTA submits Télébec should be directed to provide the requested studies as the information is relevant and necessary to provide context to the rating information provided in the balance of this interrogatory. The cost studies would allow parties to better assess the appropriateness of the rating information by indicating the underlying assumptions, time-frame and scope of the economic evaluation. At a minimum, CCTA submits the information should be provided in the form requested to the Commission in confidence, with an abridged version for the public record. The level of disclosure should be no less than that required for cost studies that are filed by Télébec in support of proposed rates.

Télébec (CCTA)23Jun04-4

In this interrogatory, Télébec was requested to provide information pertaining to the initial start-up and recurring charges that a customer of optical fibre services might incur, assuming a three-year contract period.

In its response, Télébec stated that that it “does not have an existing general tariff for optical fibre service.”

CCTA submits Télébec’s answer presumes, incorrectly, that the question was limited to “general” tariff rates. A plain reading of the question demonstrates that no such limiter is present. While CCTA acknowledges the question does refer to “existing” tariffed rates, CCTA notes that in response to substantially the same question (Bell(CCTA)23Jun04-4), Bell provided responses that took into account proposed tariffs not yet approved by the Commission.

CCTA observes that Télébec has before the Commission two tariff application (TN 302/A, filed 18 December 03, modified 28 May 04; and TN 304/A, filed 12

March 2004, modified 03 June 2004) providing for “solutions de réseau privé de fibre optique pour [trois/une, respectively] client distinct.”

CCTA submits that Télébec should, with reference to the noted tariff applications, be directed to respond to the interrogatory posed as the information requested is relevant and necessary to allow the Commission and interested parties to better assess the feasibility, need and propriety of the proposals advanced by several of the participants to this proceeding, including, but not limited to the proposal advanced by CCTA. Further, and particularly in light of the willingness of Bell to respond to all but part (b) of the same interrogatory, the Commission and interested parties would benefit greatly from understanding how, and whether, from a national view, variations in optical fibre pricing practices might influence the effectiveness of parties' proposals in this proceeding.

CCTA submits Télébec should be directed to provide the requested studies as the information is relevant and necessary to provide context to the rating information provided in the balance of this interrogatory. The cost studies would allow parties to better assess the appropriateness of the rating information by indicating the underlying assumptions, time-frame and scope of the economic evaluation. At a minimum, CCTA submits the information should be provided in the form requested to the Commission in confidence, with an abridged version for the public record. The level of disclosure should be no less than that required for cost studies that are filed by Télébec in support of proposed rates.

In light of the above, CCTA submits that Télébec should be directed to provide a full response to the information requested in Télébec(CCTA)23Jun04-4.

MTS Allstream(CCTA)23Jun04-1

In this interrogatory, MTS Allstream was requested to provide information concerning additions to and draw downs from its deferral account relating to the service categories identified in the interrogatory.

In its response, MTS Allstream stated that the “relevant information” was provided as part of the estimates filed on April 14, 2004, and that the “further information requested in this interrogatory is irrelevant, unnecessary and in any event [...] confidential.”

CCTA submits that the information requested is relevant and necessary to allow the Commission and interested parties to better assess the nature and substance of the material provided by MTS Allstream in its April 14, 2004 filing. The requested information will indicate the allocation of additions and draw-downs

from the deferral account as between residential, business and competitor services. This information will provide a meaningful perspective as to the source of contributions to and beneficiaries of the deferral account funds. Further, and particularly in light of the willingness of TELUS, Bell and SaskTel to respond in full to the same interrogatory³, the Commission and interested parties would benefit greatly from the opportunity to assess and contrast comparable information across ILECs, thereby fostering greater understanding of how, and whether adjustments to the identified service categories impact the operation and maintenance of the deferral accounts generally.

With respect to MTS Allstream's claim of confidentiality, CCTA submits that the absence of supporting rationale for the claim, coupled with the provision of similar information by TELUS, Bell and SaskTel demonstrates that confidential treatment of the requested information is unjustified.

In light of the above, CCTA submits that MTS Allstream should be directed to provide a full response to the information requested in MTS Allstream(CCTA)23Jun04-1.

MTS Allstream(CCTA)23Jun04-3

In this interrogatory, MTS Allstream was requested to provide information pertaining to the initial start-up and recurring charges that a customer of IXPL services might incur, assuming a three-year contract period.

In its response, MTS Allstream stated first that the "information requested in this interrogatory is irrelevant, unnecessary and in certain cases is confidential."

CCTA submits that the information requested is relevant and necessary to allow the Commission and interested parties to better assess the feasibility, need and propriety of the proposals advanced by several of the participants to this proceeding, including, but not limited to the proposal advanced by CCTA. Further, and particularly in light of the responses by TELUS and Bell to all but part (b) of the same interrogatory⁴, the Commission and interested parties would benefit greatly from the opportunity to assess and contrast comparable information across ILECs, thereby fostering greater understanding of how, and whether, from a national view, variations in IXPL pricing practices might influence the effectiveness of parties' proposals in this proceeding.

³ See the responses to Bell(CCTA)23Jul04-1, SaskTel(CCTA)23Jul04-1 and TELUS(CCTA)23Jul04-1.

⁴ See the responses to Bell(CCTA)23Jul04-3 and TELUS(CCTA)23Jul04-3.

With respect to MTS Allstream's claim of confidentiality, CCTA submits that the absence of supporting rationale for the claim, coupled with the provision of similar information by TELUS and Bell (save the cost studies requested in part b) demonstrates that confidential treatment of the requested information is unjustified.

With respect to part (b), specifically, CCTA submits that notwithstanding the claims made by TELUS and Bell that cost study information is confidential and not relevant to the proceeding, all ILECs, including MTS Allstream, should be directed to provide the requested studies as the information is relevant and necessary to provide context to the rating information provided in the balance of this interrogatory. At a minimum, CCTA submits the information should be provided in the form requested to the Commission in confidence, with an abridged version for the public record.

In light of the above, CCTA submits that MTS Allstream should be directed to provide a full response to the information requested in MTS Allstream(CCTA)23Jun04-3.

MTS Allstream(CCTA)23Jun04-4

In this interrogatory, MTS Allstream was requested to provide information pertaining to the initial start-up and recurring charges that a customer of optical fibre services might incur, assuming a three-year contract period.

In its response, MTS Allstream stated first that the "information requested in this interrogatory is irrelevant, unnecessary and in certain cases confidential."

The claim of confidentiality conflicts with recent information provided by MTS to the Commission. In a follow-up proceeding to Telecom Decisions 2003-58 and 2003-59, MTS, as it then was, stated as follows:

...the Company has decided not to offer optical fibre service. It has been entirely consistent in the application of this decision and has not provided optical fibre to any customers on any basis since years [SIC] since Decision 98-10.⁵

If the company does not offer optical fibre service, as it claims, there is no basis for a claim of confidentiality concerning the start-up and recurring charges for the service.

⁵ Reply Comments filed by MTS on November 13, 2003 at paragraph 14.

Notwithstanding the position of the former MTS, the former Allstream would appear to have been active in the optical fibre market. CCTA notes in this regard MTS' submission in the same proceeding:

Group Telecom and **Allstream**, the two CLECs that are active in the Winnipeg market also have placed fibre to serve their Manitoba-based customers.⁶ (emphasis added)

The provision by MTS Allstream of optical fibre services in the Province of Manitoba which, whether delivered by its ILEC or ILEC affiliate arm requires tariff approval pursuant to Telecom Decisions 98-10 and 2004-50. MTS Allstream's response to CCTA's question therefore evades a possible compliance issue and it should be compelled to address that issue in the context of this interrogatory.

CCTA requests that MTS Allstream clarify whether optical fibre tariffs are planned or already filed with the Commission. The balance of CCTA's comments respecting this interrogatory are premised on the possibility that proposed tariffs may have been filed the Commission. CCTA requests that MTS Allstream be directed to respond in the context of both intra- and inter-exchange services and further, that any special facilities tariffs for optical fibre services also be described according to the parameters of the initial interrogatory. CCTA notes that Bell provided a complete response to this same interrogatory, including rates based on proposed tariffs filed with the Commission.⁷

CCTA submits that the information requested is relevant and necessary to allow the Commission and interested parties to better assess the feasibility, need and propriety of the proposals advanced by several of the participants to this proceeding, including the proposal advanced by CCTA, Bell and TELUS. Further, and particularly in light of the willingness of Bell to respond to all but part (b) of the same interrogatory, the Commission and interested parties would benefit from understanding how, and whether, from a national view, variations in optical fibre pricing practices might influence the effectiveness of parties' proposals in this proceeding.

With respect to MTS Allstream's claim of confidentiality, CCTA submits that the absence of supporting rationale for the claim, coupled with the acknowledgment of Bell implicit in its provision of the requested information (save the cost studies requested in part (b)) demonstrates that no claim of confidentiality over the requested information could be substantiated and warrants the denial of the MTS Allstream claim.

⁶ Ibid., at paragraph 7.

⁷ See the responses to Bell(CCTA)23Jul04-4.

With respect to part (b), CCTA submits that notwithstanding the claims made by Bell, that cost study information is confidential and not relevant to the proceeding, all ILECs, including MTS Allstream, should be directed to provide the requested studies as the information is relevant and necessary to provide context to the rating information provided in the balance of this interrogatory. At a minimum, CCTA submits the information should be provided in the form requested to the Commission in confidence.

In light of the above, CCTA submits that MTS Allstream should be directed to provide a full response to the information requested in MTS Allstream(CCTA)23Jun04-4.

MTS Allstream(CCTA)23Jun04-5

The following interrogatory was posed to MTS Allstream:

Provide for each of the years 2003, 2004, and 2005 the amount of funds that would remain in the deferral account assuming that all aspects of the proposals in the company's May 19, 2004 submission were implemented.

In providing the requested information, provide the amount based on: (a) an assumption that no further draw downs are required; and (b) net of further draw downs that may arise from outstanding CRTC proceedings, based on the company's best estimate of the amount of additional draw downs.

In response, MTS Allstream offered the following:

See paragraphs 7, 41 and 42 of the Company's May 19, 2004 submission. See also the Company's response to part b) of interrogatory MTS Allstream(Call-Net)23June04-2 PN2004-1.

CCTA submits that the references cited by MTS Allstream do not answer the question asked. Specifically, while paragraphs 7, 41 and 42 of MTS Allstream's May 19, 2004 submission speak to an anticipated "negative balance," the amount of that negative balance is not provided. This information is relevant to the assessment of the MTS Allstream proposal, particularly in light of the proposed use of an exogenous factor adjustment to offset the negative balance. Furthermore, in light of the contingencies inherent in the MTS Allstream proposal, most notably the interplay of its proposal with its February 4, 2004 Review and Vary application, a full answer to the CCTA interrogatory

should properly include responses predicated on the alternative proposal outlined at 43 and 44 of its May 19, 2004 submission.

CCTA submits that MTS Allstream should be directed to provide a full response to the information requested in MTS Allstream(CCTA)23Jun04-5.

MTS Allstream(CCTA)23Jun04-6

The following interrogatory was posed to MTS Allstream:

For each initiative that the company has proposed be funded from the deferral account, provide a detailed explanation of the company's rationale as to why that initiative would not be pursued without any such funding support from the deferral account. Include in the response the results of an economic evaluation or other evidence to support the company's position.

In response, MTS Allstream offered the following:

The information requested is irrelevant, unnecessary and does not apply to the Company's proposals. This question assumes that MTS has proposed funding of capital project initiatives similar to Bell Canada and TELUS. This is not the case.

CCTA submits that MTS Allstream misses the point of the interrogatory. Nothing in CCTA's question turns on whether proposed initiatives are capital or operational in nature. Commission direction in PN 2004-1 required that parties guide their proposals by the objectives set out in paragraph 21. CCTA's question, assuming no more than that parties would heed Commission direction, asks only that MTS Allstream explain why, in the absence of this proceeding, the proposed initiatives would not be pursued.

MTS Allstream has identified one primary proposal, and three alternative proposals. CCTA submits that all of MTS Allstream proposals can arguably be pursued independent of draw downs on the deferral account. The Commission and all parties to this proceeding would benefit from the opportunity to more fully understand the rationale of each proposal, particularly from the perspective of what proposals would not be pursued absent the deferral account.

The relevance of the interrogatory and the need for a response goes to the heart of the proceeding. If proposed initiatives are no more than “ordinary course of business” activities, their ability to satisfy the Commission’s objectives are clearly suspect.

CCTA submits that MTS Allstream should be directed to provide a full response to the information requested in MTS Allstream(CCTA)23Jun04-6.

MTS Allstream(CCTA)23Jun04-11

In this interrogatory, MTS Allstream was requested to complete a table outlining deferral account balances based on a prior response to MTS(CRTC)24Mar04-1.

MTS Allstream responded as follows:

The information requested is unnecessary. Furthermore, this question asks for information related to a response -- MTS(CRTC)24Mar04-1 -- which does not exist. At paragraph 27 of Telecom Public Notice 2004-1 the Commission directed the ILECs to file with the Commission, serving a copy on all other parties, by 14 April 2004, each ILEC's proposed amount in its deferral account showing a schedule for the first three years of the price cap period. The Commission identified that the schedule should include the source of transfers, draw downs, balance in each year, and cumulative balance in each year, calculations and assumptions. The Company provided the relevant information requested when it filed its estimate and supporting calculations and assumptions on 14 April 2004.

As MTS Allstream correctly interpreted, CCTA’s reference MTS(CRTC)24Mar04-1 was indeed to information supplied by MTS Allstream on 14 April 2004 in response to Commission direction at paragraph 27 of Telecom Public Notice 2004-1, issued March 24, 2004. CCTA’s request simply requires a restatement of previously filed information in a format that lends its self to improved understanding, without any new data collection on the part of MTS Allstream. The requested information would also provide parties with the opportunity to assess and contrast comparable information across ILECs. Re-formatted information from MTS Allstream will ensure that the resulting information is based on accurate assumptions and calculations, thereby eliminating concerns that the CCTA improperly re-formatted or misrepresented the information. Further, in light of the revised information respecting deferral account balances submitted by MTS Allstream on 6 August 2004 in response to MTS Allstream(CRTC)23Jun04-7, CCTA considers the need for a clear, simple table summarizing key elements of prior evidence to be even more pressing. MTS Allstream cannot reasonably

refuse to provide the requested restatement. Accordingly, CCTA submits that MTS Allstream should be directed to complete the table as requested in MTS Allstream(CCTA)23Jun04-11

MTS Allstream (CRTC)23Jun04-9

In this interrogatory, the Commission requested that MTS Allstream:

Provide a schedule, with supporting calculations, showing the number of circuits migrated to CDNA on 31 December 2002 by band, the applicable tariffs, tariff item, service description, the DNA revenues, the estimated CDNA revenues and the proposed to drawdown from the deferral account.

Provide a schedule, with supporting calculations, showing the customer name, the circuits speed by band, the tariff, the tariff item, tariff description, element description, annual revenues using the DNA rates, the CDNA rates and the annualized impact of the CDNA rates and the proposed to drawdown from the deferral account for 2002, 2003, and as March 2004.

In response, MTS Allstream provided the requested schedule, however, MTS Allstream did not publicly file break-outs, by speed, of the requested information. In failing to do so, MTS Allstream is out of step with both TELUS⁸ and Bell⁹, each of which publicly provided greater detail in response to substantially similar Commission interrogatories, and has deprived participants to this proceeding of the opportunity to assess and contrast comparable information across ILECs. CCTA submits MTS Allstream should be directed to disclose break-outs, by speed of the information contained in the Attachment to MTS Allstream(CRTC)23Jun04-9, at the same level of disaggregation publicly disclosed by TELUS and Bell.

TELUS(CCTA)23Jun04-11

In part B of this interrogatory, TELUS was requested to provide actual and estimated SIP expenditures for 2003, 2004 and 2005, broken down between (i) non-HCSAs and (ii) HCSAs.

⁸ In response to TELUS(CRTC)23Jun04-11, TELUS provided a schedule showing break-outs, by speed of circuit numbers, revenue and deferral account drawdown information.

⁹ Although providing less detail than TELUS, Bell, in response to Bell (CRTC)23Jun04-13, did at least separately break-out sub-totals for DS-0, OC-3 and OC-12 speeds.

In its response, TELUS failed to provide either the requested information for 2005 or any reason why the information could not be provided. The requested information is needed to permit assessments of TELUS' SIP cost recovery proposal by the parties to this proceeding. CCTA notes also that the same information was requested and received in Bell(CCTA)23Jun04-12. CCTA submits TELUS should be directed to provide the requested information.

TELUS(CCTA)23Jun04-22

In part (a) of this interrogatory, TELUS was requested to provide "an estimate of the number of new customers that would take Call Screen each year for three years" and was asked to "[I]nclude in the response the supporting assumptions and data relied on to arrive at this estimate."

In its response, TELUS first advised that it was modifying its Call Screen proposal from that initially described in its May 19, 2004 submission to limit the availability of the free service to the end of the current price cap period. Notwithstanding that the modification purports to reduce the relevant time frame under review to 17 months (2005 and the first five months of 2006), the answer provided by TELUS ("increase to twice current number by the end of 2006") is both inadequate and confusing. Firstly, an interrogatory seeking specific information, and supporting rationale, is not answered by mere reference to a factor increase over some unspecified amount. And secondly, through speaking in terms of a measurement period that goes to "the end of 2006," TELUS clearly contemplates an impact of its proposal that will continue beyond the anticipated cessation of its offer. Having failed to provide the requested information, TELUS has denied parties to this proceeding an opportunity to evaluate the assumptions underlying this proposal.

In light of the above, CCTA submits that TELUS should be directed to provide a full response to the interrogatory posed part (a) of TELUS (CCTA)23Jun04-22. At a minimum, this response should address the estimated subscription numbers for the full calendar years of 2005 and 2006 and should describe all assumptions underlying this information, including expectations regarding continued subscription by TELUS customers to the Call Screen service subsequent to end of the current price cap period.

TELUS (CCTA)23Jun04-26

In this interrogatory, CCTA asked TELUS the following:

Indicate whether any of the network modernizations proposed at paragraphs 32 and 33 of TELUS' submission would result in or support the expansion of TELUS' DSL services. If so, provide a list of all exchanges that would be affected, the number of eligible lines and estimated subscribers to the company's DSL services. For each exchange, indicate whether there is any broadband Internet service provider currently and whether the exchange has or may receive service through funding awarded as part of a federal, provincial or other government program. Use the "Community Demographics" section of Industry Canada's Broadband web site (www.broadband.ic.gc.ca) to determine where broadband Internet service is available. (emphasis added)

TELUS responded, in part, as follows:

Network Modernization and Digital Divide initiatives will not in and of themselves will result in an expansion of TELUS' DSL services. These initiatives will put in place improved transport facilities that would remove the interexchange facilities cost barrier, allowing Internet and other high-speed data services to be offered by TELUS and other competitors alike on an economic basis at current rates. (emphasis added)

The response indicates that the Network Modernization and Digital Divide initiatives will support the expansion of DSL services. However, TELUS did not provide the specific information requested (exchanges, impacted lines, etc...) required by the Commission and the parties to the proceeding to evaluate TELUS' proposals. Most notably, and in contrast to TELUS' approach to answering TELUS(CRTC)23Jun04-8 and TELUS(CCTA)23Jun04-24, TELUS provided no information that would allow interested parties to discern whether implementation of TELUS' proposals complement, or are otherwise influenced by government broadband initiatives and whether existing or planned competitive broadband deployments will be impacted.

The information requested by CCTA is accessible to TELUS or otherwise within TELUS' control. TELUS offered no specific objection to the interrogatory or to the use of Industry Canada's "Community Demographics" as a reference point for connected communities. CCTA notes also that in response to Bell(CCTA)23Jun04-11, wherein CCTA requested Bell use Industry Canada's "Community Demographics" to provide similar information in the context of

Distribution Serving Areas listed in Bell's proposed DSL expansion plan, Bell agreed to provide substantially all the information requested (save distance from unserved communities to communities with DSL available). Further, Bell has undertaken discussions with Industry Canada to confirm its understanding of the

methodology behind the Industry Canada database (see Bell letter dated 18 August 2004).

In light of the above, CCTA submits that TELUS should be directed to provide a full response to the information requested in TELUS(CCTA)23Jun04-26.

TELUS(CCTA)23Jun04-28

This interrogatory sought detailed information relevant to TELUS' "Digital Divide" initiative. Specifically, part (b) sought "a list of all exchanges that would be affected" and "the number of eligible lines and estimated subscribers to the company's DSL services." Part (d) asked that TELUS associate the identified exchanges with "Census Sub-divisions, as defined by Statistics Canada." Finally, part (e) asked that for Census Sub-division, TELUS provide "the name of the community, its population and number of households, and the distance to the nearest community that currently has DSL service."

In response to part (b), TELUS referred to "TELUS(CCTA)23Jun04-8, Attachment 1." In response to parts (d) and (e), TELUS answered as follows:

TELUS does not have the name of the "Census Sub-division as defined by Statistics Canada" corresponding to the Company's exchanges and therefore cannot provide the information requested.

CCTA presumes that TELUS' response to part(b) of this interrogatory is was intended to refer to TELUS(CRTC)23Jun04-8 and not TELUS(CCTA)23Jun04-8. In any event, CCTA submits the presumed cross-reference is unresponsive as it provides only communities and exchanges, and not details as to "the number of eligible lines and estimated subscribers to the company's DSL services."

Regarding parts (d) and (e), CCTA submits that as the interrogatory seeks only an association between publicly available information (the Census sub-division names, population and household numbers) and information within TELUS' knowledge and control (exchange names and proximity to communities with DSL service), TELUS cannot reasonably claim to be unable to provide the information requested. CCTA notes also that in response to Bell(CCTA)23Jun04-11, wherein CCTA requested that Bell cross-reference the "Distribution Serving Areas" associated with the proposed expansion of its DSL footprint as against Statistics Canada Census Sub-divisions, a full answer is being provided.

The information requested in parts (b), (d) and (e) of this interrogatory is necessary to allow parties to this proceeding the opportunity to assess the impact of TELUS' Digital Divide proposal, including cross-impacts on existing or planned

competitive broadband initiatives, in the context of widely understood parameters such as population, community groupings and line counts.

In light of the above, CCTA submits that TELUS should be directed to provide a full response to the information requested in TELUS(CCTA)23Jun04-28.

TQCQ(CCTA)23Jun04-4

In this interrogatory, TELUS Québec was requested to provide information pertaining to the initial start-up and recurring charges that a customer of optical fibre services might incur, assuming a three-year contract period.

TELUS Québec offered the following response :

TELUS Québec n'a pas de tarif existant pour les fibres optiques intra ou intercirconscriptions.

CCTA submits TELUS Québec's answer is incomplete and misleading. While CCTA acknowledges the question does refer to "existing" tariffed rates, CCTA notes that in response to substantially the same question (Bell(CCTA)23Jun04-4), Bell provided responses that took into account proposed tariffs not yet approved by the Commission. Further, in light of the Commission's direction in Telecom Decision 2003-59 and the existence of proposed TELUS Québec general (TN 362/A) and special assembly (TNs 350, 351, 354, 358, and 361) tariffs filed in response to (or some cases, in advance of) that decision, CCTA submits TELUS Québec has both the means and the obligation to provide a full response to the interrogatory posed. CCTA has no objections to receiving a response qualified on the basis that it is premised on proposed rates, not yet approved by the Commission.

CCTA submits that the information requested is relevant and necessary to allow the Commission and interested parties to better assess the feasibility, need and propriety of the proposals advanced by several of the participants to this proceeding, including, but not limited to the proposal advanced by CCTA. Further, and particularly in light of the willingness of Bell to respond to all but part (b) of the same interrogatory, the Commission and interested parties would benefit greatly from understanding how, and whether, from a national view, variations in optical fibre pricing practices might influence the effectiveness of parties' proposals in this proceeding.

With respect to part (b), specifically, TELUS Québec should be directed to provide the requested studies as the information is relevant and necessary to

provide context to the rating information provided in the balance of this interrogatory. At a minimum, CCTA submits the information should be provided in the form requested to the Commission in confidence.

In light of the above, CCTA submits that TELUS Québec should be directed to provide a full response to the information requested in TCQC(CCTA)23Jun04-4.

TCQC(CCTA)23Jun04-3

In this interrogatory, TELUS Québec was requested to provide, among other things, a completed table respecting tariffed rates for non forborne IXPL services and, in part (b), its most recent cost studies filed with the Commission in support of IXPL rates.

In its response, TELUS Québec, noting that its applicable tariff contained distances based on miles, completed the table on that basis. TELUS Québec responded to part (b) as follows:

Les renseignements réclamés ici ne sont pas pertinents au dossier ni requis par le Conseil afin de rendre une décision dans cette instance. De plus, il s'agit de renseignements constamment déposés au Conseil sous pli confidentiel.

With respect to the table, CCTA submits TELUS Québec's answer is non-responsive as the interrogatory sought a response in kilometres and the distances provided do not correspond to the distances requested. CCTA notes that other parties (see Télébec(CCTA)23Jun04-3, Bell(CCTA)23Jun04-3), though faced with the same circumstance of having tariffs with distances expressed in miles, responded to the same CCTA interrogatory by including in their assumptions an explanation of the conversion methodology applied in the response. CCTA submits TELUS Québec should be directed to take similar measures and respond to the question as asked.

With respect to part (b), CCTA submits TELUS Québec should be directed to provide the requested studies as the information is relevant and necessary to provide context to the rating information provided in the balance of this interrogatory. The cost studies would allow parties to better assess the appropriateness of the rating information by indicating the underlying assumptions, time-frame and scope of the economic evaluation. At a minimum, CCTA submits the information should be provided in the form requested to the Commission in confidence, with an abridged version for the public record. The level of disclosure should be no less than that required for cost studies that are filed by TELUS Québec in support of proposed rates.

TCQC(CCTA)23Jun04-1

In this interrogatory, CCTA requested that TELUS Québec provide, in the context of the response provided to the Commission pursuant to paragraph 27 of PN 2004-1 and for each of the years 2003, 2004, 2005, the following information:

Additions to the deferral accounts resulting from foregone rate reductions and/or elimination of exogenous factors associated with services in each of the following categories:

- i. Residential services in non-HCSAs
- ii. Residential services in HCSAs
- iii. Business services
- iv. Competitor services
- v. Other capped services
- vi. All other services under the price cap regime

In response, TELUS Québec referenced its response to TCQC(CRTC)24Mars2004-1 (the response to the Commission direction in paragraph 27 of PN 2004-1) as well as its response to TCQC(CRTC)23Juin2004-7, which along with a further narrative discussing factors particular to TELUS Québec were held out as providing a full response to the interrogatory asked. CCTA submits that TELUS Québec's response is incomplete as neither the referenced material nor the narrative provide the requested breakdown of information according to the categories presented. CCTA notes that in response to an identical interrogatory (TELUS(CCTA)23Jun04-1), TELUS Québec's affiliate provided the requested breakdown, by year and by category of interest, as did Bell and SaskTel.

CCTA submits that in light of the above, TELUS Québec should be directed to provide a complete answer to part A of this interrogatory, and that it should do so in a manner comparable to TELUS Communications.

TCQC(CCTA)23Jun04-7

In this interrogatory, CCTA sought a range of financial particulars respecting TELUS Québec's proposed initiatives. Among the particulars sought was Part (E), which asked as follows:

Provide the annual operating costs for each of the years of the proposed recovery period.

TELUS Québec responded as follows:

TELUS Québec prévoit récupérer au compte seulement les investissements requis pour la modernisation de son réseau pour la Basse-Côte-Nord. L'Entreprise ne cherche aucunement à récupérer des montants au compte de report pour les dépenses d'entretien pour le réseau en question. En ce qui a trait à l'offre gratuite du service du sélecteur, TELUS Québec prévoit récupérer seulement les coûts additionnels résultant de la demande d'activation du service par les abonnés qui veulent se prévaloir de l'offre gratuite. Ces montants se chiffrent à ##### \$ pour l'année 2005 et à ##### \$ pour les 7 mois applicables en 2006.

CCTA submits that, in respect of the operating costs pertaining to its proposed give-away of Call Screen service, TELUS Québec has no basis upon which it can seek confidentiality for the response provided. Unlike its modernization proposal for Basse-Côte-Nord, TELUS Québec intends to recoup operating expense particular to the Call Screen initiative. As this is an amount that will be drawn from its deferral account, the amount is of direct relevance to the proceeding. Further, TELUS Québec's claim is out of step with its parent, TELUS Communications, who, in response to TELUS(CCTA)23Jun04-13, responded to the same interrogatory, in the context of the same Call Screen give-away initiative, and made no claim of confidentiality over the operating expense related to the initiative.

CCTA submits that in light of the above, TELUS Québec should be denied its claim of confidentiality for the requested information and should be directed to place operating expense details on the public record.

TCQC(CCTA)23Jun04-10

In this interrogatory, CCTA asked a number of questions pertaining to TELUS Québec's proposed Call Screen give-away. In responding to Parts A-C of the interrogatory, TELUS Québec claimed confidentiality over the following:

- With respect to Part A: Estimates of the number of new customers
- With respect to Part B: Forgone retail revenue
- With respect to Part C: Incremental costs to support demand and usage

TELUS Québec offered only a very general statement in support of its claim for confidentiality. CCTA submits that the claim for confidentiality is not compelling given TELUS Québec's statements elsewhere that no CLECs actively operate in TELUS Québec's territory. Having failed to provide the requested information,

TELUS Québec has denied parties to this proceeding an opportunity to evaluate the assumptions underlying its proposal. Moreover, TELUS Québec's claim is out of step with its parent, TELUS Communications, who, in response to TELUS(CCTA)23Jun04-22, responded to the same interrogatory, in the context of the same Call Screen give-away initiative, and made no claim of confidentiality over subscriber numbers (although inadequate detail was offered), forgone revenues or incremental costs.

In light of the above, TELUS Québec cannot reasonably claim confidentiality over the requested information. CCTA submits TELUS Québec should be directed to provide the requested information on the public record.

TCQC(CCTA)23Jun04-13

In this interrogatory, the following facts and questions were put to TELUS Québec:

In Telecom Decision 2002-16, the Commission approved expenditures by TELUS Québec to relieve network congestion in the Basse-Côte-Nord region of the company's territory as part of the company's network improvement plan. The Commission stated that the associated capital expenditures for this plan should be included as part of the company's going-in revenue requirement.

- a. Provide a detailed description of the costs and network improvements that were included in that proposal approved in Decision 2002-16.
- b. Provide a detailed comparison of the costs and network improvements provided in (a) with those proposed in TELUS Québec's submission in this proceeding.

TELUS Québec answered as follows:

A. L'information demandée ci-haut a été fournie au Conseil sous pli confidentiel, en mars 2001, dans le cadre de l'instance amorcée par l'avis public 2001-36.

B. Puisque l'information demandée au paragraphe a) est confidentielle et que les propositions de TELUS Québec concernant l'amélioration de réseau de transport pour la Basse-Côte-Nord sont substantiellement pareilles, nous ne pouvons fournir le tableau comparatif demandé.

CCTA submits the TELUS Québec answer is non-responsive. Without conceding the point that costing and planning information filed over three years ago should remain confidential, it is clear, given the substantial similarity in proposals that the probative value of the information requested in Part A would outweigh any harm that TELUS Québec may incur from the release of the requested information. Moreover, as the details of TELUS Québec's present proposal have been put on the public record in response to TCQC(CCTA)23Jun04-12 and others, TELUS Québec cannot reasonably object to a request to distinguish the proposal from past initiatives. Finally, even if the Commission considers that confidential treatment should still be accorded the 2001 proposal, that does not relieve TELUS Québec from filing the comparison requested in Part B of this interrogatory in confidence, with an abridged version filed on the public record.

In light of the above, CCTA submits TELUS Québec should be directed to respond to the interrogatory, in full.

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