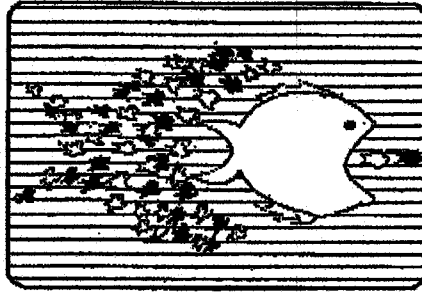


The  
British Columbia  
Public Interest  
Advocacy Centre

208-1090 West Pender Street  
Vancouver, BC V6E 2N7  
Tel: (604) 687-3063 Fax: (604) 682-7896  
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Richard J. Gathercole 687-3006  
Sarah Khan 687-4134  
Patricia MacDonald 687-3017  
James L. Quall 687-3034  
Barristers & Solicitors  
Articled Student 687-3044

October 3, 2005

Via fax and mail: (819) 953-0795

Sherry Fisher  
Barrister & Solicitor  
Canadian Radio-Television and  
Telecommunications Commission  
Ottawa, ON K1A 0N2

Dear Ms. Fisher:

**Re: Telecom Public Notice CRTC 2004-1  
Review and Disposition of Deferral Accounts for the Second Price Cap Period**

This Application supercedes and replaces our earlier application dated November 10, 2004.

The BC Public Interest Advocacy Centre applies on behalf of the British Columbia Old Age Pensioners' Organization *et al.* for costs in these proceedings and have enclosed our costs application with this letter. We ask that the Costs Respondents be directed to forward payments payable to "BC Public Interest Advocacy Centre".

Our clients respectfully submit that they meet the requisite criteria, in that:

- 1) They represent a class of subscribers who receive a benefit or suffer a detriment as a result of this proceeding.

The group of intervenors styled as "BCOAPO *et al.*" consists of the BC Old Age Pensioners' Organization, Council of Senior Citizens' Organizations of BC, federated anti-poverty groups of BC, Senior Citizens' Association of BC, West End Seniors' Network, End Legislated Poverty, and Tenants Rights Action Coalition. These organizations collectively represent many thousands of consumers, seniors, low-income persons and information-rights advocates throughout the Province of British Columbia. In general terms, they represent low- and middle-income residential telephone subscribers. Our clients were the only active participants in these proceedings from the Province of British Columbia.

This proceeding concerns the disposition of monies that have accumulated in deferral accounts arising exclusively from residential telephone subscribers.

SECRETARIAT  
IM / TELECOM # 801

OCT 03 2005  
8678-C12-200402313  
GI / TELECOM  
SECRETARIAT

2) They have participated in a responsible manner in this proceeding.

BCOAPO *et al.* have participated in a responsible manner throughout these proceedings. They have complied with all applicable rules and directions, and have made every reasonable effort to minimize the cost of their active participation. They have asserted the interests of residential subscribers in a firm but constructive manner, focusing upon issues of special significance for residential customers within the province of British Columbia.

3) They have contributed to the Commission's better understanding of the issues raised herein.

BCOAPO *et al.*'s participation has significantly assisted the Commission in understanding on a variety of issues raised in the hearing. They have drawn the Commission's attention to significant issues concerning the welfare of residential consumers.

We submit that the Costs Respondents should be the following regulated companies:

1. Aliant Telecom
2. Bell Canada
3. MTS
4. SaskTel
5. Telebec
6. Telus

All of which is respectfully submitted,

**BC PUBLIC INTEREST ADVOCACY CENTRE**



James Quail  
Barrister & Solicitor

cc: Aliant Telecom  
Bell Canada  
MTS  
SaskTel  
Telebec  
Telus

**FORM I - SUMMARY OF LEGAL FEES**

Applicant: BLOARPO et al.

Claimant: James Quail

Is the Claimant an in-house employee of the Applicant? Yes  If no, indicate name of employer:  
No  BC PUBLIC INTEREST ADVOCACY CENTRE

Claimant's Title: (check one)  Articling Student  
 Legal Assistant  
Date when qualified as a law clerk or paralegal: \_\_\_\_\_

Legal Counsel  
For legal counsel that are not in-house:  
Completed years of practice: 24  
Year of Call to the Bar: 1980  
Has the lawyer practised continually since Call to the Bar? Yes   
(If no, provide details and explanations on a separate sheet) No

Rate Claimed: \$ 230.00

SERVICE	TIME CLAIMED (Use quarter-day increments for in-house services)		FEE CLAIMED (days or hours x rate)
	DAYS	HOURS	
<b>PREPARATION:</b>			
Review file		11.50	
Prepare interrogatories		3.50	
Respond to interrogatories		3.00	
Prepare comments		10.30	
Prepare evidence			
Prepare for hearing			
Prepare argument			
Consult with client		.70	
Case management			
Other (specify):			
1.			
2.			
3.			
<b>ATTENDANCE:</b>			
Attend hearing			
Other (specify):			
1.			
2.			
<b>PROCEDURAL:</b>			
Costs Application		.30	
Taxation Application			
Other (specify):			
1.			
2.			
3.			
<b>TOTAL TIME CLAIMED</b>	<b>DAYS:</b>	<b>HOURS:</b> 29.30	
<b>TOTAL FEES:</b>			\$ 6,739.00
Add TAXES (GST @ 7%; PST @ 7%; HST @ %)			\$ 943.46
Less TAX REBATE if applicable (Specify type and %)			\$
<b>TOTAL CLAIM:</b>			\$ 7,682.46

I certify that the above information is true and accurate.

Date: Sept 29, 2005  
Signature of Claimant: [Signature]



FORM IV - AFFIDAVIT OF DISBURSEMENTS

IN THE MATTER OF THE TAXATION OF COSTS AWARDED TO BCOARO et al BY COSTS ORDER \_\_\_\_\_

AFFIDAVIT

I, James Quail of the BC PUBLIC INTEREST ADVOCACY CENTRE in the Province of BC, make oath and say [or affirm]:

1. I am the legal representative of the applicant, BCOARO et al (the "applicant"), and as such have knowledge of the matters to which I hereinafter depose.

2. Attached to my affidavit as Exhibit A [is/are] \_\_\_\_\_ sheet(s) setting out the disbursement claims of BCOARO et al and the required evidence of disbursement [receipts and other supporting documentation as required under section 31 which [has/have] been prepared in accordance with sections 20 to 36 of the Legal Directorate's Guidelines for the Taxation of Costs, dated May 15, 1998.

3. To the best of my knowledge and belief, the disbursement claims of BCOARO et al submitted herewith, and all the documentation in support, represent disbursements incurred necessarily and reasonably for the purpose of the proceeding.

4. The disbursement claims submitted herewith are made in accordance with the Commission's determination set out in Cost Order Number \_\_\_\_\_ and do not exceed the costs permitted therein. N/A

5. [Where applicable] The applicant has submitted claims for meals both on a per diem basis and on the basis of individual meals. To the best of my knowledge and belief, these claims represent disbursements incurred for the purpose of this proceeding and do not lead to double recovery.

6. The applicant [has or will] receive(d) the following financial assistance in direct connection with its participation in the proceeding: NONE

7. The applicant is entitled to a rebate in connection with the Federal Goods and Services Tax to the extent of \_\_\_\_\_ %, based on \_\_\_\_\_ The applicant's GST registration number is \_\_\_\_\_. [Insert a similar paragraph if a credit is available under the applicable provincial sales tax regime.]

SWORN [OR AFFIRMED] BEFORE ME at the [City, Town, etc.] of Vancouver in the [County, Regional Municipality, etc.] of \_\_\_\_\_, in the Province of British Columbia, on [date]

[Signature]  
COMMISSIONER for taking Affidavits [or as may be]

[Signature]  
(Signature of Affiant)



## EXHIBIT A - SUMMARY STATEMENT OF DISBURSEMENTS

Applicant: BCOARO et al.

Is the Applicant eligible for a tax rebate? Yes   
No

If yes, indicate which rebate is applicable: GST  PST  HST  Percentage rebate: \_\_\_ %

TYPE OF DISBURSEMENT	RATE (specified in Appendix A of guidelines)	TOTAL COSTS (including GST/PST/HST)	RECEIPT (where applicable, indicate page reference)
<b>OFFICE EXPENSES:</b>			
In-house photocopies	\$0.15 ea	3.00	
Other photocopies, printing and binding			
Postage/Courier		1.60	
Long Distance (Telephone/fax)		1.04	
Transcripts			
<b>AIR TRAVEL:</b> (List each traveller separately)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
<b>INTER-CITY TRAIN OR BUS TRAVEL:</b> (List each traveller separately)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
<b>INTER-CITY CAR TRAVEL:</b> (List each trip separately)			
1.	\$0.35/km		
2.	\$0.35/km		
3.	\$0.35/km		
4.	\$0.35/km		
5.	\$0.35/km		
6.	\$0.35/km		
7.	\$0.35/km		
<b>INTRA-CITY CAR TRAVEL:</b> (List each trip separately)			
1.	\$0.35/km		
2.	\$0.35/km		
3.	\$0.35/km		
4.	\$0.35/km		
5.	\$0.35/km		
6.	\$0.35/km		
7.	\$0.35/km		
<b>PARKING:</b>			
<b>INTRA-CITY TAXI/BUS/TRAIN:</b>			

TYPE OF DISBURSEMENT	RATE (specified in Appendix A of guidelines)	TOTAL COSTS (including GST/PST/HST)		RECEIPT (where applicable, indicate page reference)	
<b>HOTEL ACCOMMODATION:</b> (List each traveller separately)					
1.					
2.					
3.					
4.					
5.					
6.					
7.					
<b>PRIVATE ACCOMODATION:</b> (List each traveller separately)					
1.	\$20/day				
2.	\$20/day				
3.	\$20/day				
<b>OTHER DISBURSEMENTS:</b> (Specify nature of disbursement)					
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
<b>SUBTOTAL DISBURSEMENTS: (EXCLUDING MEALS)</b>				\$ 5.64	
<b>LESS REBATE IF APPLICABLE (SPECIFY TYPE AND % )</b>				\$	
<b>SUBTOTAL DISBURSEMENTS LESS REBATE: (EXCLUDING MEALS)</b>				\$	
<b>MEALS:</b> (Identify each individual)	<b>Number of days @ \$48/day</b>	<b>Number of Breakfasts (\$10 allowance)</b>	<b>Number of Lunches (\$12 allowance)</b>	<b>Number of Dinners (\$26 allowance)</b>	<b>TOTAL MEAL CLAIM</b>
<b>NAME OF INDIVIDUAL:</b>					
1.					
2.					
3.					
4.					
5.					
6.					
7.					
<b>SUBTOTAL - MEALS CLAIMED:</b>					\$

Subtotal of disbursements (excluding meals) \$ 5.64

Subtotal of meals claimed \$

TOTAL DISBURSEMENTS \$ 5.64



## FORM V - SUMMARY OF FEES AND DISBURSEMENTS

Applicant: BCOAPD et al.

FEES CLAIMED: (include all applicable taxes less any applicable tax rebates)				
NAME OF CLAIMANT	TOTAL CLAIM	SUBTOTAL	SUBTOTAL	TOTAL
<b>LEGAL FEES:</b>				
<b>LEGAL COUNSEL: (List each individual separately)</b>				
1. James Quail	7'682.46			
2.				
3.				
<b>SUBTOTAL - Legal Counsel Fees</b>			\$ 7'682.46	
<b>LEGAL ASSISTANT: (List each individual separately)</b>				
1.				
2.				
3.				
<b>SUBTOTAL - Legal Assistant Fees</b>			\$	
<b>ARTICLING STUDENT: (List each individual separately)</b>				
1.				
2.				
<b>SUBTOTAL - Articling student fees</b>			\$	
<b>SUBTOTAL - LEGAL FEES</b>			\$ 7'682.46	
<b>CONSULTANTS/ANALYSTS FEES:</b>				
<b>CONSULTANTS: (List each individual separately)</b>				
1.				
2.				
3.				
<b>SUBTOTAL - Consultant fees</b>			\$	
<b>ANALYSTS: (List each individual separately)</b>				
1.				
2.				
3.				
<b>SUBTOTAL - Analyst fees</b>			\$	
<b>SUBTOTAL CONSULTANT/ANALYST FEES</b>			\$	
<b>EXPERT WITNESS FEES: (List each individual separately)</b>				
1.				
2.				
<b>SUBTOTAL - EXPERT WITNESS FEES</b>			\$	
<b>TOTAL FEES</b>			\$ 7'688.46	
<b>DISBURSEMENTS: (include all applicable taxes less any applicable tax rebates)</b>				
<b>SUBTOTAL DISBURSEMENTS EXCLUDING MEALS</b>			\$ 5.64	
<b>SUBTOTAL MEALS CLAIMED</b>			\$	
<b>TOTAL DISBURSEMENTS</b>			\$ 5.64	
<b>TOTAL FEES AND DISBURSEMENTS</b>			\$ 7'688.10	