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February 18, 2008

Wheatland County  
Hwy. 1, R.R.1  
Strathmore, Alberta  
T1P 1J6

Attention: Ms. Jennifer Deak  
Chief Administrative Officer

Dear Ms. Deak:

Re: **Shaw Cablesystems Limited and Wheatland County, Alberta**

We received your letter of February 6<sup>th</sup> setting out your counterproposal. We appreciate that the County Council shares Shaw's desire to have the cable installation to the Lakes of Muirfield development underway immediately. We also share the desire to establish access to the County's highways on terms that are reasonable and mutually agreeable. It is unfortunate that those offering you legal advice on this matter do not share that same view.

Our meeting of January 23<sup>rd</sup> focused on the Alberta One Call issue. As we discussed, there are a number of other material issues that we must also resolve in connection with the County's proposed form of Municipal Access Agreement. These issues are more particularly set out in our Part VII Application before the CRTC. We can not agree that the Part VII application is only about the Alberta One Call issue. As a result, we are not in a position to withdraw our Part VII Application.

Your counsel's counterproposal, as set out in your February 6<sup>th</sup> letter, is not in the best interests of the County, Shaw, the residents of the County (especially those residing at the Lakes of Muirfield), or the taxpayers of the County. The proposal will only serve to prolong the dispute resolution process and increase the cost of the legal and regulatory proceedings which is certainly not in the best interests of the taxpayers of the County.

Shaw has successfully negotiated terms of municipal access with hundreds of municipalities and counties across our serving territory. These arrangements include municipal access agreements which are both reasonable and based upon the terms set out in the Ledcor decision. In only 3 cases to date, have we had to resort to submitting our municipal access issues to the Commission. In each of those cases, the Commission ruled in our favour reaffirming the principles articulated in the Ledcor decision and supporting the position that we sought from day 1 in each of these negotiations. To suggest that Shaw's position is unreasonable or that the County will do better before any other body is contrary to the substantial legal and **Shaw Cablesystems G.P.**

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