

September 16, 2016

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VIA EMAIL

Public Utilities Board of Manitoba
400 – 330 Portage Avenue
Winnipeg, MB R3C 0C4

Attention: Darren Christle

Dear Sir:

**Re: 2016-2017 MPI GRA
Bike Winnipeg Motion re Round 1 & 2 IRs
Our File: 16137**

The foregoing is notice of Bike Winnipeg's motion with respect to MPI's answers to its IRs.

In Board Order 85/16 the Board granted Bike Winnipeg intervenor status to assist the Board in critically evaluating:

1. The optimum size of MPI's Road Safety Budget and whether it is sufficient to enable a significant reduction in the costs to MPI of injuries to vulnerable road users (including but not limited to cyclists) in the short and long term;
2. The adequacy of MPI's Road Safety programs with respect to the fatal and severe injury of vulnerable road users (including but not limited to cyclists); and,
3. The quality and clarity of MPI's data collection, analysis and accessibility, regarding collisions involving vulnerable road users (including but not limited to cyclists) particularly in comparison to transportation safety programs from local, national and international entities and jurisdictions.

Bike Winnipeg is in receipt of the first and second round information responses of MPI in which the crown monopoly has declined to answer (or to sufficiently answer) some of the information requests presented by Bike Winnipeg.

The refusal by MPI to respond to relevant and material requests raise some fundamental concerns:

1. It deprives Bike Winnipeg (and consequently the Board) of the necessary information required to critically evaluate, among other things, the quality and

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clarity of MPI's data collection, analysis and accessibility regarding collisions involving vulnerable road users (including but not limited to cyclists).

2. It deprives Bike Winnipeg as an intervenor, the ability to fully participate in this proceeding;
3. It deprives Bike Winnipeg (and ultimately the Board) of the ability to effectively test MPI's evidence; and,
4. It is a breach of natural justice.

IRs at Issue

Bike Winnipeg respectfully submits that MPI has not responded to (or has failed to adequately respond to) the following IRs:

1. BW(MPI) 1-6(c)(d)
2. BW(MPI) 1-11
3. BW(MPI) 1-13
4. BW(MPI) 2-1(a), (b) and (c)
5. BW(MPI) 2-2(e), (f) and (g)

Relief Sought

Bike Winnipeg seeks direction from the Board compelling MPI to produce full and adequate responses to the above noted IRs.

Bike Winnipeg further wishes to advise that it will be filing its submission in support of this motion by end of business Monday, September 19, 2016.

Should you have any questions with respect to the above, please feel free to contact the undersigned.

Yours truly,

HILL SOKALSKI WALSH OLSON LLP

Per:



Christian Monnin*
CM/jm

c.c. *Intervenors (via email)*
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