

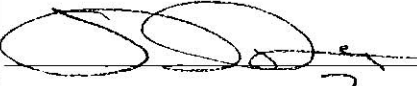


To:	Public Works and Transportation Committee	Date:	January 10, 2008
From:	Robert Gonzalez, P.Eng. Director, Engineering	File:	10-6600-08-01/2008-Vol 01
Re:	Bell Canada Supplementary Access Agreement		

Staff Recommendation

That Council authorize the General Manager, Engineering and Public Works to enter into and execute a Supplementary Access Agreement with Bell Canada.

Robert Gonzalez, P.Eng.
Director, Engineering
(604-276-4150)

FOR ORIGINATING DEPARTMENT USE ONLY		
CONCURRENCE OF GENERAL MANAGER		
		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/> D.W.R.	NO <input type="checkbox"/>
REVIEWED BY CAO	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

Staff Report

Origin

In 2001, the City entered into a Municipal Access Agreement (MAA) based on Bylaw 7259 (Federally Governed Telecommunication Company Access to City Road Rights-of-Way Regulation) with Bell Canada (formerly Bell West Inc.). This MAA preceded the Canadian Radio-television and Telecommunications Commission (CRTC) Decisions 2001-23 which allows municipalities to recover direct costs associated with the installation or costs resulting from the presence of telecommunication companies' infrastructure (ie. causal costs).

Analysis

The existing Bell Canada MAA allows them to utilize other telecommunication companies' infrastructure as per CRTC regulations. Recently, however, Bell Canada applied to the City to utilize BC Hydro infrastructure in four specific applications to address their 2010 Olympic related commitments as well as expand their telecommunication network. BC Hydro is not regulated under the CRTC Act and the current Bell Canada MAA does not specifically permit the use of BC Hydro's infrastructure. Furthermore, BC Hydro's agreement with the City differs greatly from Bell Canada's MAA. Bell Canada does not have sufficient time to renegotiate an amendment to the existing MAA at this time and as such has agreed to enter into a supplementary access agreement in the general format as described below with the City that will allow the four current projects to utilize BC Hydro infrastructure and the City to recover causal costs related to these specific applications.

The proposed supplementary access agreement is currently undergoing legal review and will include the following causal costs defined as costs incurred by the City as a direct result of the presence of the proposed installation of any of the Company's Equipment, including but not limited to, the construction, maintenance or operation of the Equipment in, on, under, over, along and across the Service Corridors. In general, the causal costs recoverable by the City will include the following:

- lost productivity costs in relation to the construction, installation, repair, replacement, extension or maintenance of sewage lines, conduits, ducts and pipes owned by the City;
- permitting and inspection costs in the amount of five hundred dollars (\$500.00) for each permit involving twenty (20) meters or less for any Work authorized and an additional five hundred dollars (\$500.00) for each one hundred (100) meters or part thereof in excess of the first twenty (20) meters along with an additional 15%; and

- pavement degradation fees in accordance with the table below

Age of the Street in Years Since Last Paved (as determined by the City)	Pavement Degradation Fee per Square Metre of Excavation
0-5	\$40.00
6-10	\$30.00
11-15	\$20.00
16-20	\$10.00
21 Years or Greater	\$0.00

The proposed supplementary access agreement will only be applicable to the following four projects:

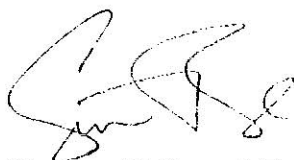
1. Hollybridge Way between High Road and Westminster Highway per Drawing C1012-P01
2. High Road and Road as per Drawing C1016-P02
3. Russ Baker Way at Inglis Drive as per Drawing C991-P01
4. No. 3 Road at Westminster Highway as per Drawing C1360

Financial Impact

The City stands to recover causal costs from Bell, should Council support the staff recommendation.

Conclusion

Staff recommends that Council authorize the General Manager of Engineering and Public Works to enter into and execute an access agreement that supplements the existing MAA with Bell Canada to include for the recovery of causal costs specifically for the four projects as noted above.



Siu Tse, M.Eng., P.Eng.
Manager, Engineering Planning
(604-276-4075)

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