RECOMMENDATION

THAT Council receive Report DCS 19-19 Municipal Access Agreement between the Town and North Frontenac Telephone Elgin Corp;

AND THAT By-Law 4325 to enter into a Municipal Access Agreement with North Frontenac Telephone Elgin Corp to enable them to expand their network services in the Town of Tillsonburg be brought forward for Council consideration.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council approval to enter into an agreement with North Frontenac Telephone Elgin Corp in order to establish the terms and conditions necessary for them to expand their network in the Town of Tillsonburg including the requirements for different levels of work.

BACKGROUND

A Municipal Access Agreement (MAA) is an agreement that offers telecommunication companies the ability to construct, maintain and operate their Equipment within right-of-ways that are under the jurisdiction of the municipality. The companies require this access in order to provide the connectivity required by telecommunications services.

The MAA deals primarily with issues such as: Municipal consent, hazardous substances and materials; road occupancy permits, rights-of-way, costs to be carried by municipalities; third party and sub-contractor agreements; service level agreements; maintenance and repair responsibilities; equipment use and invoicing.

Municipal Access Agreements have been used for decades; however, in the past a wide variety of templates were used with varying results and sometimes even legal action. In order to avoid these and other situations, municipal representatives, the Canadian Federation of Municipalities, telecommunications industry players and the Canadian Radio-television and Telecommunications Commission (CRTC) worked together to develop a standardized template that would assist telecom and municipal officials in negotiating the terms of installation and maintenance of telecom infrastructures on municipal property. The CRTC Interconnection Steering Committee (CISC) was developed to lead this process and continues to be responsible for reviewing and updating the standardized MAA template document.
A standardized MAA template provides a significant number of benefits by providing for predictability, lower personnel cost in terms of time and money and the entry into new small markets on a more efficient basis, while allowing for customization to incorporate local circumstances.

The template or model Municipal Access Agreement was made available in 2013 and has been regularly updated based upon best practices and legal case outcomes. This agreement continues to be used in its various forms by municipalities across Ontario.

North Frontenac Telephone Elgin Corp is jointly owned by Packet Tel Corp and The North Frontenac Telephone Company Limited. It is a recognized non-dominant carrier with the CRTC. Packet Tel Corp has previously partnered with the Town of Tillsonburg on its 2011 to 2013 Rural Connections Broadband Program, which was a $1.5 Million project to improve fibre optic service in the southern part of Tillsonburg (south of Concession Street). The successful project completion resulted in an approximately fourteen (14) kilometre extension of the Towns fibre optic network from the downtown core to the Forest Hill Industrial Park and the Van Norman Innovation Park.

Since the completion of the project, Packet Tel Corp has further extended the fibre optic network north of Concession Street along Tillson Avenue. While continuing to add customers along their existing network, Packet Tel Corp is currently considering a further extension of their network jointly with The North Frontenac Telephone Company, which is why they are interested in entering into an MAA agreement with the Town.

CONSULTATION/COMMUNICATION

The Municipal Access Agreement contemplated herein uses the updated format that has been developed in conjunction with Miller Thomson LLP of Waterloo and updated with the Towns requirements.

There has been no public consultation or communication regarding this agreement. It is expected that North Frontenac Telephone Elgin Corp will develop a marketing plan to showcase their capabilities to potential customers as they expand their network.

FINANCIAL IMPACT/FUNDING SOURCE

There is no financial impact associated with this report as any costs incurred by the Town to support requests under this agreement are eligible for reimbursement as per the rates outlined in the agreement.

COMMUNITY STRATEGIC PLAN

Should Council approve the recommendation, there are a number of strategic initiatives that this will support.

1. Excellence in Local Government
   - Demonstrate strong leadership in Town initiatives
☐ Streamline communication and effectively collaborate within local government
☐ Demonstrate accountability

2. Economic Sustainability
☒ Support new and existing businesses and provide a variety of employment opportunities
☐ Provide diverse retail services in the downtown core
☐ Provide appropriate education and training opportunities in line with Tillsonburg’s economy

3. Demographic Balance
☒ Make Tillsonburg an attractive place to live for youth and young professionals
☐ Provide opportunities for families to thrive
☐ Support the aging population and an active senior citizenship

4. Culture and Community
☐ Promote Tillsonburg as a unique and welcoming community
☐ Provide a variety of leisure and cultural opportunities to suit all interests
☐ Improve mobility and promote environmentally sustainable living
## Report Approval Details

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<th>Report DCS 19-19 Municipal Access Agreement between the Town and North Frontenac Telephone Elgin Corp.docx</th>
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<td>Attachments:</td>
<td>- Municipal_Access_Agreement-North Frontenac Telephone Elgin Corp_and_Tillsonburg-E.pdf</td>
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<td>Final Approval Date:</td>
<td>Jul 2, 2019</td>
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This report and all of its attachments were approved and signed as outlined below:

David Calder - Jul 2, 2019 - 2:52 PM