

NO: R104

COUNCIL DATE: May 17, 2010

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **May 3, 2010**
FROM: **General Manager, Engineering** FILE: **5450-30 (ALL)**
SUBJECT: **License Agreement for Use of Road Allowances by MTS Allstream Inc.**

RECOMMENDATION

The Engineering Department recommends that Council authorize the appropriate City officials to execute a license agreement with MTS Allstream Inc. (“Allstream”) that will act to grant Allstream a non-exclusive right to install and operate telecommunications infrastructure for a 10-year period within certain road allowances in Surrey as listed in Appendix I attached to this report.

BACKGROUND

Allstream has approached the City for permission to install and operate underground fibre optic cable and manholes in Surrey, at locations as listed in Appendix I and illustrated in Appendix II. This infrastructure will allow Allstream to expand its wireless communications capacity and to support the longer term expansion of their customer base in Surrey. To proceed with these projects, Allstream must enter into a license agreement with the City.

DISCUSSION

The City has entered into similar site-specific license agreements in the past with Allstream and other telecommunications carriers including AT&T, Rogers Communications, Bell Canada, and Bell Mobility. The proposed agreement has been modified slightly from the previous agreements to be consistent with the recently released FCM National Telecommunication Handbook and Access Agreement template. In accordance with the template, the City will receive payment for administration and costs in return for granting Allstream permission for such use of its highways and road allowances.

Legal Services has reviewed the proposed agreement and has no concerns.

SUSTAINABILITY CONSIDERATIONS

The proposed works support the Environmental Pillar of the City’s Sustainability Charter in relation to following goal:

- EN8: Sustainable Engineering Standards and Practices – by minimizing environmental impacts during construction by Allstream.

CONCLUSION

Based on the above discussion, it is recommended that Council authorize the appropriate City officials to execute a license agreement with Allstream that will act to grant Allstream a non-exclusive right to install and operate telecommunications infrastructure for a 10-year period within certain road allowances in Surrey as listed in Appendix I attached to this report.

Vincent Lalonde, P.Eng.
General Manager, Engineering

AC/SSL/brb/jkb

Appendix I - Location of Proposed Works

Appendix II - Map of Location of Proposed Works

APPENDIX I

Location of Proposed Works

MTS Allstream Inc.
6150A Lougheed Highway
Burnaby, BC, V6B 2Z9

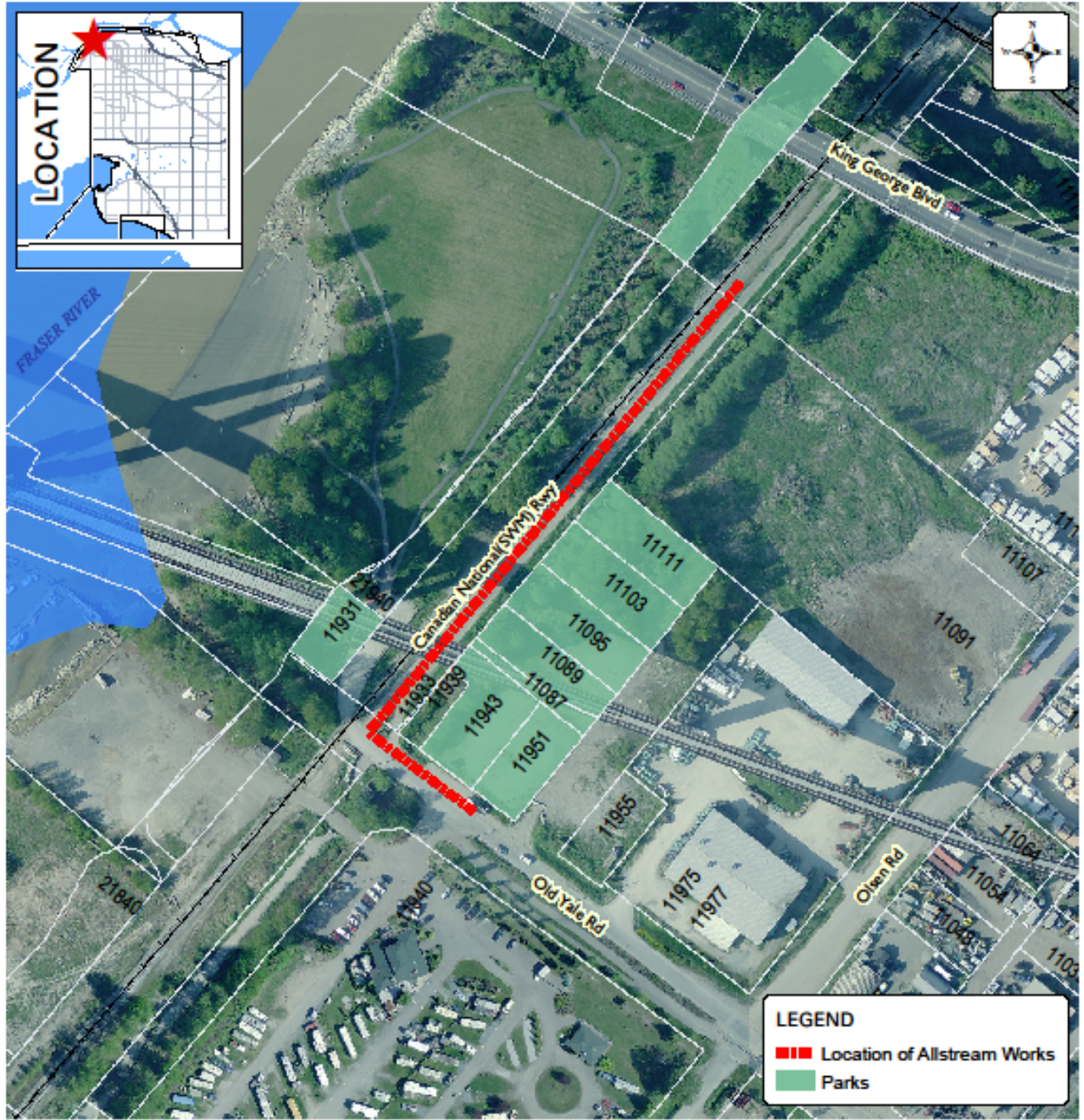
Project No: C1884

Location:
Underground installation

1. Old Yale Road between CNR Right of Way and 11951 Old Yale Road
(Drawing C1994 Rev.B)

Total drawing sheets = 2

APPENDIX II AERIAL PHOTOGRAPH OF SITE



Produced by GIS Section: April 23, 2010, AW

Date of Aerial Photography: April 2009



LOCATION OF ALLSTREAM WORKS

ENGINEERING
DEPARTMENT

The data provided is compiled from various sources and IS NOT warranted as to its accuracy or sufficiency by the City of Surrey.
This information is provided for information and convenience purposes only.
Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.

G:\MAPPING\GIS\MAPS\CORPORATE REPORTS\Utilities\AW_Location_AllStream_Works-AP.mxd