

June 17, 2021

Ministry of Energy, Northern Development and Mines
77 Grenville St., 6th Floor
Toronto, ON
M7A 2C1

Submitted online through Ontario's Regulatory Registry

Dear Ministry of Energy, Northern Development and Mines,

Re: Regulatory Registry # 21-ENDM011 - Enabling the Use of Electricity Infrastructure for Ontario's Broadband and Cellular Action Plan

The Ontario Federation of Agriculture (OFA) is the largest general farm organization in Ontario, proudly representing more than 38,000 farm family members across the province. OFA has a strong voice for our members and the agri-food industry on issues, legislation and regulations governed by all levels of government. We are passionate and dedicated to ensuring the agri-food sector and our rural communities are included, consulted and considered in any new and changing legislation that impacts the sustainability and growth of our farm businesses.

Ontario's diverse and innovative agri-food sector is a powerhouse for the province – growing and producing more than 200 farm and food products, fuelling our rural communities and driving the provincial economy by generating more than 860,000 jobs and contributing over \$47 billion to Ontario's annual GDP. We are the leading agricultural advocate for Ontario farmers, their businesses and their communities.

We are pleased to provide comments from an agricultural and rural Ontario perspective on the Ministry proposal to provide regulatory support to enable high-speed broadband service infrastructure throughout the province.

The expansion of broadband infrastructure and high-quality, reliable internet service is a priority for Ontario farmers. Broadband is a critical component of modern business, and farm businesses are no different. We have heard from our members that poor internet speed and reliability causes interruptions to normal business practices, an inability to access market information and training opportunities, productivity loss, and an inability to adopt technologies that increase farm efficiencies and reduce greenhouse gas emissions. We know that reliable, high-speed internet service will make our farms more competitive in a global market, resilient to the impacts of climate change, provide economic development opportunities and create jobs.

OFA supports *Up to Speed: Ontario's Broadband and Cellular Action Plan* and efforts to increase the rate of broadband expansion in Ontario, especially to rural areas that are significantly underserved. Maximizing the utility of existing programs and assets is a sensible approach to facilitate broadband expansion. Internet infrastructure installation and upgrades must also be a consideration for all planned infrastructure projects where applicable. Any new internet infrastructure must be designed and built with future bandwidth demands in mind (future-proofed).

While OFA supports the rapid expansion of broadband infrastructure to rural areas and encourages government to remove barriers that may slow development and delay deployment, we maintain that future projects must respect the value of farmland and landowners' rights. Adherence to responsible land-use planning is critical to ensuring the importance of agriculture and farmland are properly taken into consideration when evaluating any proposed infrastructure project.

Non-tower telecom assets are usually part of transmission, distribution, or substation development, where telecoms rent space in existing underground or wire pole asset rights-of-way, with no additional easement for the telecom infrastructure. Communications towers proposed as part of transmission lines and substations are subject to right of entry.

We support a process to streamline the attachment process and recognize electricity utilities will incur additional engineering, planning, and administrative costs associated with the Broadband and Cellular Action Plan. This includes reviewing the method to allocate pole attachment costs, ensuring electricity infrastructure is ready for broadband assets, accounting for broadband expansion in capital planning, setting attachment request service standards, and enabling broadband pilot projects.

On provincial poles that already carry distribution lines, the right granted to a telecom is access. This also means that a landowner with an easement in place with the electric company, is expected to act in good faith with a telecom company renting pole space.

Considering the scale of the Broadband and Cellular Action Plan, there will be additional and recurring access needed for telecoms to install their equipment on poles already located on privately owned land, including farm acreage throughout rural Ontario.

For this reason, we recommend standard landowner utility easement agreements include a 'reasonable access' clause, for nominal compensation, to ensure the same care for landowner property is adhered to by telecoms, as is agreed to by the electric utility in the underlying easement agreement. This includes amending existing agreements to add the 'reasonable access' clause and compensation.

Enabling the use of distribution level electricity assets for Ontario's Broadband and Cellular Action Plan would provide access to thousands of kilometers of Ontario's electricity distribution grid. To ensure electricity customers are not burdened by unrelated costs, we encourage the Ontario Energy Board, at the direction of the Ministry of Energy, to create a means for local distribution companies to leverage their assets to deliver foundational telecom infrastructure, aimed to enable more internet delivery companies access to meet the needs of rural Ontarians. We also expect consideration will be given to burying fibre optic cables. The cost to construct, reliability of service, and the time to repair, underground cables versus pole mounted cables must be considered. OFA believes rural pole mounted cables are feasible only when pole line damage (due to fallen trees, pole failure, etc.) is mitigated.

Although not specifically related to Enabling the Use of Electricity Infrastructure for Ontario's Broadband and Cellular Action Plan, it is important to note the distinct impact infrastructure projects have on rural versus urban residents. Building our provincial electricity distribution system impacted rural landowners with transmission lines cutting across their properties. However, urban and rural residents and businesses alike benefit from having access to electric power. We recommend the government ensure rural residents and businesses also benefit from the build-out of internet to rural Ontario. It is not acceptable that rural residents and businesses should have to pay more for internet service than their urban counterparts. Existing fibre optics owned

by the larger national internet providers must be made available to those providers interested in building last mile telecom networks in rural regions. Ontario must ensure open access to fibre optics and pole assets for those companies interested in enabling rural broadband and cellular connectivity.

Sincerely,

A handwritten signature in black ink that reads "Peggy Brekveld". The signature is written in a cursive style with a period at the end.

Peggy Brekveld
President

cc: The Honourable Greg Rickford, Minister of Energy, Northern Development and Mines
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
OFA Board of Directors