

MEMORANDUM TO:

Ontario Municipalities with Provincially Funded Broadband Projects

FROM: Ministry of Infrastructure
DATE: October 28, 2024
SUBJECT: Release of Municipal Access Agreement (MAA) Template

The Ministry of Infrastructure (MOI) is pleased to release a Municipal Access Agreement (MAA) Light Template, which has been developed in collaboration with the Eastern Ontario Regional Network (EORN) to support and expedite negotiations over municipal right-of-way in response to many requests from our municipal partners.

The intention is for the MAA Light Template to be used as a guide for municipalities who are negotiating with Internet Service Providers (ISPs), and facilitate broadband expansion in municipal rights of way. The province continues to encourage the use of MAAs as they can be utilized to expedite the approval of broadband infrastructure and support timely completion of provincially funded broadband projects. Please keep in mind though, that the lack of an MAA cannot be used to prevent the implementation of a provincially-funded broadband project. Key elements of an MAA include cost recovery, scope of municipal consent, design approval process and requirements among others. We note that not all municipalities or ISPs may find these standard terms acceptable, but they can serve as a starting point to advance negotiations.

We'd like to thank the Association of Municipalities of Ontario (AMO) and those ISPs that sit on the Broadband Technical Working Group for their assistance in developing the Template. The Ministry, alongside Infrastructure Ontario (IO), will continue to communicate the importance of early and frequent engagement with municipalities and the role ISPs play in ensuring project roadblocks are avoided, including at Broadband Implementation Executive Table (BIET).

More broadly, we continue to remind municipalities that IO's Technical Assistance Team is available to provide support in working through disputes that may arise with ISPs. As noted by the Minister at various municipal roundtables in recent months, we expect ISPs and municipalities to act reasonably in reaching agreements for use of right-of-way. Municipalities are reminded that, we expect best efforts will be made to accommodate proposed ISP running lines and that any location requirements, whether implemented through municipal by-laws or through an MAA, are expected to be connected to a specific near-term capital plan proposal or a legitimate technical/geographic limitation.

We remain committed to supporting our municipal partners and are prepared to explore any options that can expedite the approval process and provide certainty for municipalities.

If you have any questions or concerns, please contact MOI staff at broadband@ontario.ca.

Sincerely,

A handwritten signature in black ink that reads "Jill Vienneau". The signature is written in a cursive style with a large initial "J".

Jill Vienneau
Assistant Deputy Minister, Infrastructure Programs & Projects Division
Ministry of Infrastructure

cc. Jason St. Pierre, Chief Executive Officer, Eastern Ontario Regional Network (EORN)