



ISSN 1180-5218

Legislative Assembly  
of Ontario

First Session, 40<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Première session, 40<sup>e</sup> législature

## **Official Report of Debates (Hansard)**

Wednesday 18 April 2012

## **Journal des débats (Hansard)**

Mercredi 18 avril 2012

**Standing Committee on  
General Government**

Ontario One Call Act, 2012

**Comité permanent des  
affaires gouvernementales**

Loi de 2012 sur Ontario One Call

Chair: David Oraziotti  
Clerk: Sylwia Przedziecki

Président : David Oraziotti  
Greffière : Sylwia Przedziecki

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Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
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Toronto ON M7A 1A2  
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Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Wednesday 18 April 2012

Mercredi 18 avril 2012

*The committee met at 1603 in room 228.*

**ONTARIO ONE CALL ACT, 2012**

**LOI DE 2012 SUR ONTARIO ONE CALL**

Consideration of the following bill:

Bill 8, An Act respecting Ontario One Call Ltd. /  
Projet de loi 8, Loi sur Ontario One Call Ltd.

**The Chair (Mr. David Oraziotti):** Okay, folks, good afternoon. Welcome to the Standing Committee on General Government. We're here today to hear presentations and depositions with respect to Bill 8, An Act respecting Ontario One Call Ltd.

**ENBRIDGE GAS DISTRIBUTION**

**The Chair (Mr. David Oraziotti):** Our first presenters are here, Enbridge Gas Distribution. Welcome to the Standing Committee on General Government. As you're aware, you've got 10 minutes for your presentation. Any time that you don't use for your presentation will be divided among members of the various caucuses to ask questions of you. The time is yours. Just start by stating your name for our recording purposes, and you can go ahead.

**Mr. Guy Jarvis:** Thank you. My name is Guy Jarvis. Good afternoon, committee and audience members. As I mentioned, my name is Guy Jarvis, and I'm the president of Enbridge Gas Distribution. Jamie Milner is our vice-president of pipeline integrity and engineering.

We appreciate you hearing our perspective about Bill 8, the Ontario One Call Act. This is not a political issue, but one of safety that crosses party lines, one that I urge you to support.

It may surprise you to know that, on average, four natural gas pipelines are damaged in the Ontario communities we serve every day, 365 days a year. That is four times a day that local firefighters, police and utility employees are called to what are often preventable incidents. These incidents put not only responders at potential risk of injury or death, but excavators, homeowners and passersby as well.

Damage to underground natural gas lines has also cut off home heating in the winter, forced road closures and evacuations, and temporarily closed business operations.

So much of this damage and the resulting safety issues are unnecessary: caused by third parties who didn't call

to ask their utility or municipality if there was any underground infrastructure to avoid. And there is a great deal to avoid.

Enbridge Gas Distribution alone delivers natural gas to 1.9 million customers through 35,000 kilometres of pipes in Ontario. There are also assets owned by other pipeline companies, water and hydro utilities and the telecommunications sector. Protecting this vital infrastructure that Ontario families and our economy depend on makes sense.

Safety is Enbridge Gas Distribution's top priority, and protecting our gas distribution system is something we take very seriously. So we invest significant dollars in employee training, pipeline integrity and system maintenance.

To address damage caused by third parties, we do a great deal to promote safe digging practices and educate people in the municipalities we serve about the need to call before you dig. Hopefully, you all recognize this message that goes out in our customer bills and on billboards, in radio advertisements and at trade shows.

We're founding members of the Ontario Regional Common Ground Alliance, the organization responsible for driving the safe digging agenda forward in Ontario. And we are a founding member of Ontario One Call, a voluntary, not-for-profit call centre designed to make it easy for people to call for the location of underground utilities with one free call.

Unfortunately, despite all of these efforts and more, people don't always call before they dig. In fact, the Ontario Regional Common Ground Alliance conservatively estimates that the annual cost to repair damage to underground infrastructure exceeds \$39 million, excluding costs associated with emergency responders. This results in unnecessary expense to Ontario families and businesses through their utility bills and their property taxes.

Despite the industry's efforts to educate people about the potential repercussions and the existence of a non-profit One Call centre, why would people still work in the ground without knowing what's there first?

Unfortunately, joining Ontario One Call is voluntary, and many owners of underground infrastructure do not participate. As a result, residents in one community we serve have to make 13 different phone calls to get the location of underground utilities in their neighbourhood. This confusing system is all too often responsible for people digging without underground utility locates.

Fortunately, there is a solution. The passage of Bill 8, the Ontario One Call Act, would significantly reduce the risk of damages to underground infrastructure stemming from digging without proper locates by making Ontario One Call mandatory for excavators, utilities and municipalities.

Later today, you will hear from others who oppose the bill on the basis of cost. We believe that this legislation will actually save money for excavators, utilities, municipalities and society by reducing administrative effort to arrange for locates and reducing the damage, business interruptions and, worse, injuries and deaths that can result. Safe digging best practices in other jurisdictions include a mandatory system.

I can't think of any better way in which to demonstrate the merits of Bill 8 than the successful example in the United States. In the United States, where every jurisdiction has had a mandatory One Call system since 2006, there has been a 70 per cent reduction in damages. Whether you live in New Mexico or New Hampshire, you can call one number for the location of underground utilities before you dig.

Why should the residents of Belleville, Lindsay, Pickering, Rainy River, Sault Ste. Marie or Toronto be denied access to this best practice? Ontario is lagging behind the rest of North America when it comes to reducing our underground infrastructure damages.

My call to action today is clear. Enbridge Gas Distribution supports the speedy passage of Bill 8, the Ontario One Call Act, and I ask that you support it too. Making the utility locate system simple, consistent and mandatory for all underground utility owners is an important way to make Ontario a much safer place to work and live. Enbridge firmly believes that safety cannot be voluntary.

In 1976, legislators in Ontario decided that safety should not be voluntary when it came to drivers wearing seatbelts. They led the first mandatory seatbelt law in Canada and saw other Canadian jurisdictions follow. In 2012, it is time that Ontario leads Canada again by implementing the first mandatory One Call system for underground utility locates in the country.

I thank you for your time and we look forward to your questions.

1610

**The Chair (Mr. David Oraziotti):** Okay, thank you very much for your presentation.

I just want to make a note for members of the committee that Mr. Bailey has handed out the Ontario Regional Common Ground Alliance handbook here for referral should you need to do that. Thank you very much, Mr. Bailey.

First, over to the Conservatives. Questions?

**Mr. Robert Bailey:** Thank you, Mr. Jarvis and Mr. Milner, for attending today and presenting. Yes, I did bring that handbook in. I thought it might explain a lot of questions that members might have. I know I learned a lot from it the other day at a presentation I was at with the insurance company.

My first question is—and thank you for presenting today—could you give us an idea of the cost to your organization in any given year of strikes or potential damages to your utilities?

**Mr. Guy Jarvis:** Well, I can start out by saying that in 2011, we had approximately 1,450 strikes of our asset. Obviously, the cost to repair any one of those would range from relatively minor, in a circumstance where the release was minor, to some that were very substantial that require us ourselves to get in and do things like excavation to find safer points at which to deal with the leak that has been created.

Jamie, I'm not sure if you've got a number that you would be willing to attach to that range or not.

**Mr. Jamie Milner:** Well, I can give you just a range of costs. In terms of the damage costs themselves, you're talking about an average of about \$1,000 per, and you've got 1,400 of them. However, we have a lot of other costs and liabilities that go with that, so you can almost triple those costs when you look at all of the overheads associated with that and other liabilities that come with it.

**Mr. Robert Bailey:** Another question I have that has been raised as an issue, Enbridge being one of the former owners before the change made to Ontario One Call when it went to, you know, the opportunity to go to the non-profit: Has Enbridge ever made a profit off of the operation of Ontario One Call?

**Mr. Guy Jarvis:** No, we've never made a profit off of Ontario One Call. In fact, initial investments that we put into that organization, we left in the organization when it went to its new structure. Our view on that matter is that there should be a single call centre, a non-profit organization with an independent board that's representative of the utilities and municipalities that are on it. We think the One Call that's in place now can do the job, but we're more interested in there being a single point than it being the one that we're affiliated with.

**Mr. Robert Bailey:** Oh, is my time up?

**The Chair (Mr. David Oraziotti):** We need to move on, yes.

**Mr. Robert Bailey:** Thank you.

**The Chair (Mr. David Oraziotti):** Mr. Marchese.

**Mr. Rosario Marchese:** We understand that there are costs related to damage and other liabilities. Is it difficult or impossible to say how much you pay into it in terms of your membership and the current structure? Is that something that you can't say?

**Mr. Jamie Milner:** I can tell you that it costs us \$1.60 a call. That's what it costs. And in terms of where we started, we started at \$2.80. Costs continue to go down as membership goes up, as technology advances. So for us it's very cost-effective.

**Mr. Rosario Marchese:** Right. I know we'll ask those who don't want to be part of this, but what is the deterrent for some companies not to take part, given that the damages and liabilities for everyone are so high? I guess you don't want to speak to that. It's political, I imagine. We'll ask them.

Some municipalities are nervous; they think there is a fee attached to joining. As far as we understand, in the American jurisdictions where they have it, there are no municipality fees. Is that your experience or knowledge of it?

**Mr. Jamie Milner:** That's how we're treating municipalities at this point.

**Mr. Rosario Marchese:** And the cost is borne by the participants, not by the callers and/or municipalities, as far as I know.

**Mr. Jamie Milner:** That's right.

**Mr. Rosario Marchese:** Thank you.

**The Chair (Mr. David Oraziotti):** Okay, thank you. Liberal caucus: Ms. Mangat, go ahead.

**Mrs. Amrit Mangat:** Thank you for the presentation.

My question is that if there is a One Call system, there will be one service provider, right? If there is one service provider, how can it be cost-effective in that sense of competition? I fail to understand.

**Mr. Guy Jarvis:** I think the utility locate system is not unlike the traditional utility business itself, in our view. Provision of natural gas, as an example, is a monopoly operation in our franchise area because that, in fact, has proven to be the lowest-cost manner in which to provide that service. Given the nature of the utility locate system and the large scale in terms of numbers that is going to be dealt with, and that it's close-linked to many, many utility businesses, we don't see that a competitive situation with more than one provider would make sense.

**Mr. Jamie Milner:** Having said that, within the call centre itself, we put those services out for bid to make sure that we're getting the lowest and best price. So not only do we do that, we review our costs and the way that we're delivering those services on a regular basis to try to drive improvements. And as I said, we started out at \$2.80 and we're at \$1.60. So we're driving the right behaviour with the right kinds of service providers for us.

**Mrs. Amrit Mangat:** But how can you keep the rates competitive?

**Mr. Jamie Milner:** Well, as I said, when we look at market-based services, that's where you actually look at getting competitive prices. So it's the services that are being provided to Ontario One Call that are the competitive aspect of it, and then it's all of the members looking at their interests as a board and so on that drives the best service and cost for that group, for everybody.

**Mrs. Amrit Mangat:** When you're saying all the members, what do you mean by the members? Municipalities? Cities? But not all the cities are supportive of this. There are municipalities, such as northwestern Ontario municipalities, that are not supportive of it. AMO is not supportive of it.

**Mr. Jamie Milner:** Well, we can't speak for them. However, our understanding is that things are changing. As people become aware of how services are delivered and what those services are, they're changing their minds. They're getting a better sense of what this really is and how it can be cost-effective for them.

I can tell you that as we bring on any municipality, the starting point is usually, "I'm not sure how this is going to be cost-effective." And then when we're able to work with them in terms of how we streamline those costs and look at how many locates they're going to get and so on, that's when things start to change, where it can actually be of value to a municipality as opposed to a perceived cost or a perceived barrier.

**Mrs. Amrit Mangat:** Thank you.

**The Chair (Mr. David Oraziotti):** Thanks. That's time. We appreciate you coming in today. That's time for your presentation.

#### ROGERS COMMUNICATIONS

**The Chair (Mr. David Oraziotti):** The next presentation: Rogers Communications. Good afternoon. Welcome to the Standing Committee on General Government.

**Mr. Michael Jensen:** Thank you.

**The Chair (Mr. David Oraziotti):** As you've been listening, you have 10 minutes for your presentation. Any time you don't use will be divided among members for questions. Simply start by stating your name, whoever will be speaking, and start when you're ready.

**Mr. Michael Jensen:** Sure. I'm Michael Jensen, and I'll be presenting today.

Thank you for the opportunity to present the views of Rogers Communications. My name is Michael Jensen. I am the manager for central records and locates. I'm accompanied by my colleagues Michael Piaskoski, director, industry relations; and Jan Innes—

**Mr. Rosario Marchese:** Excuse me. Sorry to interrupt you. Try to speak a bit a louder and in that mike, for my benefit.

**Mr. Michael Jensen:** Sorry, okay—and Jan Innes, VP, government relations at Rogers.

As a major utility stakeholder with an extensive network throughout the province, Rogers has a wealth of experience providing timely and accurate locates for buried infrastructure. We are long-standing members of the Ontario Regional Common Ground Alliance, and we support and commend the work of the alliance. Because of our membership, we understand the interest in a One Call type of service. We have concerns, however, with the proposed legislation, and we are here today to provide our perspective.

Rogers uses the services of a company called Digline to process all call-before-you-dig inquiries for our network. Digline is an Ontario company established in 2002. It handles the excavation requests for Rogers as well as four other members. Upon receiving an inquiry, the Digline service desk will either give an "all clear" or send the request to the Rogers look-up desk for more detailed analysis.

Digline personnel are very familiar with our network and mapping standards. Using a sophisticated buffer, Digline is able to quickly and efficiently manage and pre-screen requests, providing a high number of all-clears and eliminating unnecessary inquiries where Rogers has

no facilities. To give you an indication of the volume of work, of the 246,000 locate requests we received in 2011, we completed 105,000 locates.

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Rogers Cable used to be a member of One Call. We decided to leave the service as Digline was a better option for our company and our residential and business requests for a couple of reasons. First of all, call centre staff of One Call do not have the same level of knowledge of and expertise in our industry. This will be particularly problematic if they are required to handle inquiries for over 400 utilities in the province. Also, as their buffer system is not as refined as Digline's, there will be numerous and unnecessary inquiries sent out to utilities like Rogers, even where we have no nearby facilities. Conversely, Digline is focused on our business and ensures maximum efficiency.

Secondly, Ontario One Call is also more expensive than Digline. As a not-for-profit organization, Ontario One Call has no incentive to rein in costs for its members. It is funded by charging for each and every function it performs. Digline, on the other hand, charges Rogers a flat fee per year.

Finally, under One Call, unlike Digline, member utilities have no control over the process and will not be able to drive efficiencies or reduce costs under a one-size-fits-all solution applied to all industries.

We have had a positive relationship with Digline. The service is efficient and, as a business operating in a highly competitive environment, Rogers appreciates the financial certainty of a fixed monthly fee arrangement. If this proposed legislation is implemented, there will be a substantial increase in our costs. We estimate that our current expenditures for locates will double, resulting in a significant financial burden.

One of the other features of this proposed legislation which we find extremely troubling is the requirement for all utilities to provide locates within five days of a request from Ontario One Call. Financial penalties may be imposed if this deadline is missed. The problem with this deadline is that if the actual excavation does not occur within 30 days of the locate, due to weather, workforce availability or poor planning, the locates become stale and have to be redone. Also, when there is a lengthy time between locates and excavation, the locates may actually disappear, as paint marks may be washed or worn away by rain or traffic. Utilities will have to return to the site and redo their locates. This is costly and inefficient.

Our experience suggests that it would be much wiser to time locates to the excavation date rather than the date of the request. Our current practice is to work with the excavators to provide locates at least two days prior to excavation. This ensures that the locate is fresh. It also provides little opportunity for it to be removed. Finally, it allows us to efficiently plan our resources, particularly during the heavy construction season.

We believe it makes sense to distinguish between tier 1 utilities, such as gas companies, and tier 2 utilities, such

as a cable or telephone company. Locates for tier 1 utilities can be a matter of life and death, where the consequences of unearthing and breaking a gas line can be catastrophic. The same issues are not associated with tier 2 locates.

Allowing a tier 2 utility to operate independently of mandated legislation by utilizing its own call centre or, alternatively, by leveraging available technologies to route calls from the Ontario One Call centre to its own call centre can work and meet the objectives of Bill 8. Mandating Ontario One Call membership or a five-day locate requirement will not increase safety, especially for a non-dangerous utility like a telecommunications network.

Unfortunately, this proposed legislation would not have prevented past problems such as the 2003 explosion in Etobicoke. In this instance, the contractor had called Ontario One Call for a locate. The issue was that the information on file was faulty. It was not because a locate had not been requested.

To conclude, we strongly believe that while this proposed legislation is well intentioned, the proposal to make participation in Ontario One Call mandatory does not account for these differences between tier 1 and tier 2 utility members. In our view, these distinctions should be central to any changes. As well, the proposals will result in more costs and reduced efficiencies for companies such as Rogers.

Thank you for allowing us to present our views regarding this proposed legislation. We look forward to answering any questions you might have.

**The Chair (Mr. David Oraziotti):** Okay, thank you very much for your presentation. NDP caucus is up first. Go ahead, Mr. Marchese.

**Mr. Rosario Marchese:** Thank you. You have a question?

**Ms. Sarah Campbell:** Yeah, I do.

**The Chair (Mr. David Oraziotti):** Ms. Campbell, go ahead.

**Ms. Sarah Campbell:** Can you elaborate a little bit on the buffer system? You said that Ontario One Call's buffer system wouldn't be as refined as Digline's. How is it that Ontario One Call wouldn't be able to adopt this?

**Mr. Michael Jensen:** How would Ontario One Call adopt this? I don't know if they could. It is distinct, where we use a buffer system, and they use street centre line and road network to locate an address for a locate request. Based on where that falls, and the street centre line, is how it dispatches or clears a locate request, whereas we use a buffer around the street centre line to process those calls. So it's a different process that both companies use.

**The Chair (Mr. David Oraziotti):** Further questions? Mr. Marchese.

**Mr. Rosario Marchese:** In America, where they've done this and this system became mandatory, in all of the American states, the damage caused by digging was reduced by 70% when the One Call system was introduced. And surely that involves the cable and telephone

companies, so they must have found a way to work together and they must have found a way to iron out whatever differences you were talking about so as to make sure that we avoid a patchwork of systems and have one system. Surely we can figure that out.

**Mr. Michael Jensen:** It's possible, but at the end of the day, it's about managing our process and efficiency and costs related to our business. We have an existing process in place that works very well and efficiently. People know who Digline is and who Rogers cable is, and it works well today.

In the US, I have to say that telecommunications companies are not mandated in all states to be part of One Call. Colorado is an example of that, where a telecommunications company is a tier 2 utility and they are not mandated to be part of One Call.

**Mr. Rosario Marchese:** Okay. So as far as you're concerned, the patchwork system works well because it works well for you.

**Mr. Michael Jensen:** Yes.

**Mr. Rosario Marchese:** And if it doesn't work for the others, too bad, so sad; keep it voluntary or mandatory, but keep you out?

**Mr. Michael Jensen:** All I can say is, it works well for us, sir. We're able to control and manage our processing costs.

**Mr. Rosario Marchese:** I understand that. But we can make it more efficient. The fact that it's non-profit doesn't mean they don't want to make it efficient, surely.

**Mr. Michael Jensen:** I wouldn't disagree with that.

**The Chair (Mr. David Orazietti):** Okay, I'm going to stop you there.

Liberal caucus: Ms. Mangat, go ahead.

**Mrs. Amrit Mangat:** Thank you, Michael, for the presentation. I have two questions. Number one, if there will be one service provider, what would happen to the other providers' business? Number two, what would be the most fair way to select the best provider?

**Mr. Michael Jensen:** If it was made mandatory, our current Digline call centre, I would expect, would shut down. It would no longer be required.

**Mrs. Amrit Mangat:** So you mean they will be out of business?

**Mr. Michael Jensen:** I believe so, yes.

As far as selections in a mandatory process goes, the board of directors for Ontario One Call would need to RFP that to find the best cost-effective company to run that business. That's the only way that I can see that it will happen.

**Mrs. Amrit Mangat:** But how would they find out? What method would they adopt to find this out?

**Mr. Michael Jensen:** From a business process perspective?

**Mrs. Amrit Mangat:** Yes, that's right.

**Mr. Michael Jensen:** I believe it would be a detailed RFP and it would be a one-standard process required to suit all utility requirements in a One Call system.

**Mrs. Amrit Mangat:** Okay, thank you.

**Mr. Michael Coteau:** Quick question.

**The Chair (Mr. David Orazietti):** Very briefly.

**Mr. Michael Coteau:** You said that there would be additional cost to your company if One Call is made mandatory. How much money are we talking about for Rogers?

**Ms. Jan Innes:** It's millions of dollars. We currently spend millions of dollars; it would increase by millions of dollars.

**Mr. Michael Coteau:** So if we implemented one stop right across the board, you're saying that your company—and you're not alone; there's probably other companies that would fit into the same category—would have to pay millions of dollars more to implement that new system?

**Ms. Jan Innes:** Yes, they would.

**Mr. Michael Coteau:** Thank you.

**The Chair (Mr. David Orazietti):** Mr. McDonell?

**Mr. Jim McDonell:** Thank you. As a former employee at Bell, I used to work in the engineering company and see these cuts all the time. There's no shortage of them. I see some of the stats here, where cuts just last year took out, in this case here, 100,000 customers. Certainly in the days of fibre, I'm somewhat surprised that you're not interested in getting along with this, because a mayor of a township—and that was one of her issues: How do we handle locates? We weren't part of One Call.

Two summers ago, I was involved with some work at the fairgrounds and trying to figure out who to call for some work that we were doing. Of course, I was familiar with One Call, but then I found out that there's all these other numbers you have to call and try to figure out where they are. I can see, without some coordination—we show the figure's down 70%. It's a huge number that you're looking at in savings and costs of infrastructure. Whether it be tier 2 or not, providing phone service and communications, you're involved with 911 services. It may not seem to be a big issue, but for the private homeowner, or if you're a business, 911 can save lives. Isn't that the goal as well?

Your competitors are being involved with this as well, so there must be some savings in it, or at least a cost that's acceptable when you look at the overall public safety.

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**Mr. Michael Jensen:** I don't disagree that one number to call benefits an excavator; it makes it easy and simple. But the fact is, again, when we're a part of a large group of utilities and following one process, there is a cost impact to us. The fact is that our current call centre does operate efficiently. The community at large understands who Digline is and who to call from a Rogers perspective.

Yes, there were a couple of major hits to our network last year. Those weren't a result of somebody not calling in for a locate request; that was other process issues that caused those damages. Generally speaking, the amount of damages we have on our network are very, very low throughout the year.

**Mr. Robert Bailey:** Do we have a minute?

**The Chair (Mr. David Oraziotti):** Yeah, go ahead, Mr. Bailey.

**Mr. Robert Bailey:** I just had one point to make. Thank you for your presentation today. We've heard from a number of fire chiefs and people in the fire departments that have expressed support for something like Bill 8, a One Call system. Do you agree, on the record, with the fire chiefs and firefighters that it would enhance public safety, or it won't?

**Ms. Jan Innes:** Sorry. In the—

**Mr. Robert Bailey:** One Call—are you disagreeing with them?

**Ms. Jan Innes:** No, we are supportive of the concept, but we have some issues with this bill. We also think there's perhaps a way of having the various call centres work together.

**Mr. Robert Bailey:** Okay. Well, we could do that in regulations. So you support the concept, but maybe with some machinations to it. Would that be fair?

**Ms. Jan Innes:** Yes.

**Mr. Robert Bailey:** Okay.

Do we have a little time yet, Chair?

**The Chair (Mr. David Oraziotti):** Go ahead if you've got something brief.

**Mr. Robert Bailey:** Okay. You talked about the cost, and the other presenter said that their cost started at \$2.80 a call and they've driven that down now, through efficiencies and calls, to \$1.60. Is it your presentation that you don't think that they could do that again as part of One Call—that we could drive the cost down further, you know, if you joined up and we made these machinations to make it fit?

**Mr. Michael Jensen:** There's no guarantee that that could actually work. I can't say for sure. And once I jump from one call centre to another, I'm stuck there. It's very difficult to go back.

**Mr. Robert Bailey:** Okay.

**The Chair (Mr. David Oraziotti):** That's time.

**Mr. Robert Bailey:** Okay, thanks.

**The Chair (Mr. David Oraziotti):** Thank you for coming in. We appreciate the presentation today.

## DIGNORTH

**The Chair (Mr. David Oraziotti):** Our next presentation is DigNORTH. Good afternoon. Welcome to the Standing Committee on General Government.

**Mr. Keith White:** Thank you very much.

**The Chair (Mr. David Oraziotti):** You've got 10 minutes for your presentation, so if you can just state your name for our recording purposes, and go ahead.

**Mr. Keith White:** My name is Keith White. I'm the business development manager for DigNORTH. We're based in Dryden, Ontario. My company was formed in 2010 to answer a call, address a need and fill a void in an industry not being served by existing providers, especially in northern Ontario, and we oppose this bill.

DigNORTH has created a damage prevention initiative based around the acronym CBYD, "call before you

dig." Its program is second to none, with an extensive education and awareness model geared to the digging community of Ontario and focusing on public safety while protecting the buried infrastructure of our province.

We have, in a short period of time, achieved more than anybody else in the industry. We have gained the respect, confidence and trust of contractors and the admiration of the industry. Senior members of our competition and various safety organizations have complimented me personally on the business model for its ease of use—an incredible compliment—and I'm so proud to be here today.

DigNORTH is the ultimate grassroots, true, transparent, single-point-of-contact utility locate notification service, designed exclusively for the digging community, offering a service to make one call, and one call only, to obtain all their utility locates. This unique system allows contractors to make just one call and then we do the rest. We notify every utility and call centre under the geographic footprint of the excavation site, on their behalf, of their intent to dig. It's beyond simple and it works.

My company is over two years old. Its sister company, Digline, is the call centre for Rogers, as you've just heard, and is nine years old. Our founding company, Cable Control Systems Inc., affectionately known in the industry as CCS, has been a field leader in utility contracting, locating and call centre services for over 26 years—very much not the Johnny-come-lately company as previously labelled in this process.

Until we reached out to Mr. Miller, we were not even recognized as having any sort of opposition to both the previous bill and the current bill, Bill 8, even after sending thousands of letters to MPPs outlining our concerns, including a series of letters sent to all 444 municipalities, to their mayors and councillors. I have 24 pages of screen captures to show the MPP deliveries alone, if anybody is interested to have them sent to them.

All three of our companies are members of the ORCGA, and I was a very active member of ORCGA. Personally, I sat on all 13 geographic councils and was the past co-chair of their education committee. As an ORCGA member in their so-called One Call stakeholder category, we were quite surprised not to be contacted to participate in Bill 180 or Bill 8, especially as two of its members just happen to be One Call centres.

As I mentioned earlier, we oppose Bill 8.

Bill 8 does nothing to address the act of calling prior to excavation.

Bill 8 creates a monopoly, is in direct violation of the federal Competition Act, and is not in the best interests of the digging community. This bill will put my staff and I, along with the staff of Digline and every municipality that has locate requesting departments, out of work, and there's no excuse for that.

Bill 8 goes against the Ontario Open for Business policy.

Bill 8 is named after a corporation. Why? How can you build an education and awareness model around the name of a corporation when you're trying to make the



most impact towards safe digging? Why is it not called the Call Before You Dig Act? Even Mr. Miller and Mr. Bailey agree that the name has more relevance to what we are trying to achieve here.

By mandating every utility and municipality into the corporation, all you're doing is creating a super database, and that will be fragmented and time-consuming to implement. It will put unnecessary stress on municipalities to conform, at a time when funds are hard to come by. It will raise taxes to comply. There has been no due diligence, no discussion, with call centres or consultation with municipalities on such an important issue, and that is unacceptable.

Not all municipalities have electronic records; some have as-built drawings and, in some cases, card files, or even the "guy that knew the guy that knew the guy" scenario. How will a third party even read these records and distinguish the correct information? Are we asking for trouble? The safest way is to let those communities handle their own lookups and assist them down the road to transition into a universal system.

Bill 8 has a name that will confuse the initiative of "call before you dig."

Bill 8 will be weak to market; it has no catchy hook line—and to the layman, one call for what?

A serious look at the validity and purpose of Bill 8 needs to be undertaken. If the content and name are misleading and confusing, what chance do we have to make an all-encompassing piece of legislation?

Bill 8 has put the industry back on the fence and public safety on hold.

Just to clarify the April 4 standing committee comments, the city of Thunder Bay is still very much an active member of CBYD, and we are about to launch the 2012 CBYD and Dig Safe campaigns. On behalf of the CBYD members and the local communities we represent, we oppose Bill 8 and have a solution.

No one in this room or province wants another digging disaster in Ontario. We fully support a "call before you dig" act, one that forces anyone who puts a shovel in the ground to call prior, one that provides heavy penalties to those who do not dig safe and utilities that do not provide accurate mapping—even mandatory reporting of hits and damages for the digging community. Everyone needs to be accountable for their actions.

We were so passionate and sure of our program, we even gave it away for free for the first year. The CBYD platform by DigNORTH does not discriminate. We patched our members' calls to everyone, even our competition, and they refused to take our calls on behalf of their members, to which they would have made a minimum of \$5.45 per call.

This is a selfish and very dangerous act. What gives them the right to make such a life-changing decision? Even citing liability as the reason—this was later dispelled by senior management at ORCGA. Actually, isn't any call better than no call?

**1640**

Ontario One Call is a self-proclaimed provincial call centre, not a government-appointed one, and has misled

the industry for many years. In my presentations, I now refer to them as Ontario "one of the calls." I believe, as in the US system, we can all work together to deliver maximum public safety and damage prevention.

DigNORTH has branded its program the "Ontario call before you dig program" with the program-specific phone number of 888-ONT-call before you dig, utilizing the acronym CBYD and the website cbyd.ca.

DigNORTH's "call before you dig" program combined with public works and contractor awareness sessions is well on its way to making CBYD a household name. We have aligned ourselves with the Métis Nation of Ontario and First Nations housing, bringing awareness to aboriginal communities.

CBYD is the perfect marketing brand to transition a viable option for the province of Ontario to facilitate the ultimate "call before you dig" initiative for contractors and homeowners alike with zero expense to the province. We offer efficiencies to the contractors, municipalities and utilities that enable them to make their requests and be back in the field without the unnecessary office down time, and they only make one call. The contractors are prepared to pay for this service and CBYD is the contractor voice in the industry.

I am offering the services of DigNORTH as a solution to this critical initiative for the true One Call system, as the USA 811 model, for the province of Ontario and to offer a vehicle to have the Canadian 811 system pointed to CBYD.

I am offering one number for public safety and damage prevention for homeowners and contractors to call. Then we do the necessary calling on their behalf and report directly back to the caller. A national number is in place to facilitate a national "call before you dig" platform of 1-855-CDN-CBYD and our organization is scalable and sustainable with call centres from Sault Ste. Marie and other major centres standing by to assist.

The initiative will utilize the DigNORTH mobile education awareness unit to promote the program throughout the province. We have put over 270,000 kilometres across the entire province of Ontario with an 18-wheeler mobile education unit and special events promo van, not to mention the thousands of kilometres flying to promote our initiative. MPP Michael Gravelle cut the ribbon at our launch and praised the program because it's simple, it works and it's what the contractors have asked for—

**The Chair (Mr. David Oraziotti):** Mr. White, thank you. That's 10 minutes for your presentation. We need to move to questions now. I'm going to move to the Liberal caucus so they can ask a few questions of you. I appreciate your presentation.

**Mr. Keith White:** No problem.

**The Chair (Mr. David Oraziotti):** Ms. Mangat, go ahead.

**Mrs. Amrit Mangat:** Thank you for the presentation.

**Mr. Keith White:** You're welcome.

**Mrs. Amrit Mangat:** My first question is, how many people are working in your company?

**Mr. Keith White:** We have two companies that can share off each other's resources. We have over 30 people right now, and we have a pool to choose from, from our sister company as well. So between area code routing—we can actually make any call accessible from northern Ontario into southern Ontario.

**Mrs. Amrit Mangat:** Okay. So it means if there is only one service provider, those people will go out of work; right?

**Mr. Keith White:** It will put us out of business. It will put anybody that handles a call centre for utility locates out of work, for sure.

**Mrs. Amrit Mangat:** Okay. Thank you.

Can you explain the US 811 model? What is that? You were talking about a USA 811 model for the province of Ontario.

**Mr. Keith White:** It's a single number to require utility locates, and then the number's routed to the nearest call centre in the state where the call originated from. Not all states have one call centre. Some states have multiple call centres.

**Mrs. Amrit Mangat:** Oh, they have multiple call centres, one number?

**Mr. Keith White:** Yes, exactly.

**Mrs. Amrit Mangat:** Okay. Thank you.

**The Chair (Mr. David Oraziotti):** Thank you. Questions, Conservative caucus? Mr. Bailey, go ahead.

**Mr. Robert Bailey:** Thank you for your presentation today, Mr. White. The concept of your business—it's a for-profit company that charges excavators to make the calls on their behalf?

**Mr. Keith White:** To offer the contractors efficiencies so that they can make one call and get back out in the field straight away.

**Mr. Robert Bailey:** Ontario One Call, say, they have over 160 including Bell, Enbridge, Union Gas, Hydro One and a number who also sit on their board. Could you give us a list—even if not right today—provide the clerk with a copy of the list of your members and the information of who sits on your board of directors—

**Mr. Keith White:** Absolutely. It was part of the MCS One Call to Dig project. The report's already public knowledge.

**Mr. Robert Bailey:** Okay.

**The Chair (Mr. David Oraziotti):** Anything further? Mr. McDonell.

**Mr. Jim McDonell:** I know there's a lot of legislation, and there's no question that most contractors are aware of the law about having to call. Our issue really is having something across the province so our property owners, who really don't get involved with this very often, can call and it's looked after and not have to worry. You've gotten partway there, but as you see across the province, this is not the case.

We're looking at making something so that no matter where you are or where you move from, you'll know where to call and it's looked after. Any comments on that? I mean, we're looking at the province of Ontario, not just certain areas.

**Mr. Keith White:** One of the things with the larger contractors that move out of their own geographic area—with the program that we offer them, when they move into another municipality, we have that data to offer to them so they don't have to go looking for it. I notice that when a municipality comes on board with our program, all the citizens of that municipality get the call for free anyway, so we're covering the municipalities and their citizens at the same time.

**Mr. Jim McDonell:** There's a lot of work to do in this bill as we go through it. Nothing segregating the province into one or two or three areas has been discussed yet, but it's something that's very much a possibility. What we're really looking at is having one call to look after all the utilities, no matter whether you're Bell or Rogers or Enbridge. It doesn't matter. You call and it's looked after. So it gets away from these people who know that there might be some telephone there, but they never think of the gas or they never think of the water. That's really—

**Mr. Keith White:** It's about public safety, not big business.

**Mr. Jim McDonell:** Yes. Okay.

**The Chair (Mr. David Oraziotti):** Okay, thank you. We need to move on. Mr. Marchese, a question? Ms. Campbell, go ahead.

**Ms. Sarah Campbell:** So what are your hours of operation? Are there ever any times that you're closed?

**Mr. Keith White:** No, not at all.

**Ms. Sarah Campbell:** Okay, so 24/7?

**Mr. Keith White:** Yes.

**Ms. Sarah Campbell:** Okay. I'm wondering about the extent of the service that you provide. How do you access the infrastructure information? Do you call the utility each time or do you have a large data bank?

**Mr. Keith White:** We have a large database. When we bring a municipality on board, we liaise with their public works department, engineering, to gather the information before we go live. That becomes part of the database. The more municipalities we bring on board, the larger the database gets and the more beneficial it is to the contractor as they move across the province looking for work.

**Ms. Sarah Campbell:** In your presentation, you mention the fact that there are some smaller municipalities and townships, especially in northern Ontario, that may not have on paper where all of their infrastructure is located. Do you think that you can respond to some of those challenges better than, say, One Call? I mean, you kind of mentioned that, that sometimes it's a guy who knows a guy.

**Mr. Keith White:** Exactly, and that has been the biggest strength of the CBYD program: knowing the guy who knew the guy, the old retirees, the engineers who are no longer needed but who were around when the infrastructure was created and who know all the idiosyncrasies of the area. Absolutely. It's all about data mining, but it's also establishing the personal relationship with the municipalities to gather that.

**Ms. Sarah Campbell:** And that information is in your database?

**Mr. Keith White:** Absolutely.

**Ms. Sarah Campbell:** Okay. I just have one other question. You mentioned that you have about 30 employees. Where are they working out of?

**Mr. Keith White:** Out of Dryden.

**Ms. Sarah Campbell:** Out of Dryden?

**Mr. Keith White:** Yes, out of Dryden. We've been there now since January 2010.

**Ms. Sarah Campbell:** One more question if I could squeak it in?

**The Chair (Mr. David Oraziotti):** Very briefly.

**Ms. Sarah Campbell:** Who pays? Your members—how is that structured?

**Mr. Keith White:** We charge the contractors to be members of the CBYD program, because it's the efficiencies that we're offering them, and we're doing the work on their behalf, so they only have to make one call. We do everything else on their behalf. It's up to us to do the due diligence and get the numbers for them.

**Ms. Sarah Campbell:** Municipalities don't pay?

**Mr. Keith White:** Sorry?

**Ms. Sarah Campbell:** Municipalities don't pay?

**Mr. Keith White:** Municipalities—we have a two-tier system for municipalities, from the point of view of joining as an ambassador for public safety or, as in the case of the city of Thunder Bay, a full-blown member, where we facilitate their mapping and do their lookups and everything else. That's what we're trying to do across northern Ontario to have the same platform for everybody.

**Ms. Sarah Campbell:** Thank you.

**The Chair (Mr. David Oraziotti):** Okay, I need to stop you there. Thanks. That's time for your presentation.

**Mr. Keith White:** I really appreciate it.

**The Chair (Mr. David Oraziotti):** We appreciate you coming in.

## UNION GAS

**The Chair (Mr. David Oraziotti):** We're going to move to Union Gas as our next presenter. We're just waiting for one other individual, so we'll wait until—

**Mr. Robert Bailey:** Aecon's not here?

**The Chair (Mr. David Oraziotti):** We're just waiting for one other individual to arrive, so we'll do that.

Good afternoon, and welcome to the Standing Committee on General Government. You've got 10 minutes for your presentation. Any time you do not use will be divided among committee members for questions. You can start simply by stating your name, and you can proceed with your presentation when you're ready.

1650

**Mr. Steve Baker:** Thank you, Mr. Chair, and thanks to the committee for providing us the opportunity to speak to you today. I'm Steve Baker. I'm the president of Union Gas, and with me is Mike Shannon, our vice-president of distribution operations.

Over the next 10 minutes, we're going to give you a brief overview of who we are and how integral safety is to everything we do. We've prepared a take-away package for you that we'll be referring to from time to time. It contains more detail than we can cover today, so I'd urge you to look over it when you have some time.

Let me start by telling you a little bit about Union Gas. We store, transport and distribute natural gas. We're actually the second-largest natural gas utility in the country. We've been doing business in the province of Ontario for more than 100 years. Our distribution business serves over 1.4 million residential, commercial and industrial customers in more than 400 communities across Ontario, and we do this through approximately 67,000 kilometres of transmission and distribution pipeline. In perspective, that's more than one and a half times the circumference of this earth. We have assets of almost \$6 billion and we employ 2,200 workers across the province.

For some time now, we've been working to transform our organization to a zero-injury, zero-illness culture, and safety is a strong value supported by all of our employees. We believe that by understanding safety risks and taking steps to eliminate or reduce these risks, we can make a real difference in the communities where we live and work. That's why we support important community safety initiatives, including over \$600,000 to support seven Children's Safety Villages across Ontario. It's why we've got detailed, company-wide emergency response plans. It's why we work hard with all emergency responders in the communities that we serve. It's why we meet or exceed all safety codes for the construction and operation of our pipelines.

While we maintain the highest standards in our own operations, we can only do so much about what others do, and that's why our overarching message is simple: Safety cannot and should not be voluntary. The best way to protect Ontario citizens from injury and even death, and to increase productivity and cut costs, is to make it mandatory for all utility asset owners and excavators to be part of a single One Call system to locate all underground utility lines before digging. As you've heard, this has already been done in all 50 US states.

It may surprise you—again, as you've already heard—that our largest risk to our pipeline assets are third parties that dig and hit our lines. In 2011, of the nearly 1,100 incidents involving damage to Union Gas pipelines, almost 40% were due to third parties who did not call before they began to dig. The fact is, they simply didn't know where they were digging and what exactly was underground. Another 57% were due to imprudent digging, such as not following the line locate marks. In fact, third party damage to underground utilities has cost customers and municipalities in this province tens of millions of dollars a year, and these costs can be reduced dramatically.

I want to be clear: Again, as you've heard from our friends at Enbridge, this is not about our bottom line. We recover the cost of responding to these incidents through

our ratepayers and our rates, similar to municipalities recovering their costs through property taxes. It's not only about property damage or lost productivity, both of which are the side effects of a non line locate. But this bill is about safety, the safety of our employees, our customers and Ontario citizens in general, and we believe the risk of serious harm and even death is too significant for legislators to ignore any longer.

I want to give you a quick idea of what happens, for example, when a contractor is digging a ditch and accidentally hits our line. Emergency services such as fire, police and EMS typically get a call through 911 and they're first on the scene. We are then typically informed of the incident by the fire department. Our workers arrive to help identify the source of the problem and help local fire and police ensure the emergency site is clear of anyone whose safety could be at risk. Surrounding homes and businesses might need to be evacuated, for example; roads might need to be closed for traffic. It can take hours or days for us to restore gas service, representing thousands of people-hours, because we must visit each home twice in the event of an incident. First, we need to turn off the gas meters in the affected area so that we can safely repair the pipeline, and second, to turn them back on, we have to enter every customer's house in order to relight all of the appliances.

When all is said and done, the total cost of an incident can reach into the hundreds of thousands of dollars, especially when you consider loss of income and repair costs, among other things. But far more important than the money and the time is the fact that every incident puts lives at risk. I want you to consider one recent incident which is contained in the presentation package. In Paris, Ontario, last July, a homeowner was doing a simple chore: driving a metal stake into the ground to reinforce a wooden fencepost. Without a call to locate the underground utilities, he unwittingly drove that post through a natural gas line, almost completely severing it. Natural gas from the damaged line migrated its way into the basement of the home and burst into flame. The home was extensively damaged. Neighbouring homes were also evacuated while the investigation was under way.

This is one small example of how here in Ontario, we've been pretty lucky so far, but the consequences of incidents like this have the potential to be catastrophic considering that these incidents happen, as I said, over 1,000 times a year on Union Gas utility infrastructure alone.

I'd now like to turn things over to Mike Shannon, who will use our remaining time to talk a little bit more about our commitment to Ontario One Call.

**Mr. Mike Shannon:** Thank you to the committee for allowing us to make a presentation to you today.

First, a bit of history on Ontario One Call: Ontario One Call was formed in 1996 by Bell Canada, Union Gas and Enbridge Gas Distribution. It was loosely built on the city of Hamilton's BUD, or "before you dig," model, with the city of Hamilton joining thereafter.

As some of the province's largest privately owned utilities, we saw that damage to infrastructure due to no

locates was really high, and we wanted to do something about it. We came to the realization that utilities operating in silos didn't help the broader public and decided that only a fully integrated approach would work.

We fundamentally believe that every Ontarian should have free and immediate access to information regarding our underground infrastructure. Today, I'm proud to say that Ontario One Call has grown from just the three of us—Bell, Enbridge and Union Gas—to more than 170 utility members which include Hydro One, Ontario Power Generation, Toronto Hydro and Telus, along with 40 large and small urban and rural municipalities such as the city of Toronto, the town of Essex, the town of Fort Frances, the city of St. Catharines and the village of Point Edward, just to name a few.

Ontario One Call's state-of-the-art call centre, which employs 75 people in Guelph, handled more than 700,000 locate requests last year and sent out almost 2.7 million locate orders to member utilities. The call centre operation is contracted out to Accu-Link. That's a staggering number because Ontario One Call, which is non-profit, operates 24 hours a day, 7 days a week, 365 days a year, and it can process requests in minutes. But today, it is only voluntary, and the risks remain high. To ensure that the system works to the benefit of all Ontarians, we need all utility asset owners to participate. That's why we are such passionate advocates of Bill 8.

I also want to note that those participating in the existing system are listening to the concerns of those who have been hesitant about joining. I'm a member of the board of directors of Ontario One Call. Speaking from a Union Gas perspective, I can assure you all that this initiative is not about money. We want full participation because it makes sense, and it makes the system work better. We support the position that smaller utility members shouldn't have to bear much, if any, financial cost to operate the system. That is why the current board of Ontario One Call is supportive of exempting utilities that receive few annual calls from paying locate fees altogether, and our governance model is evolving to a multi-stakeholder board to ensure that all member voices are fully represented on the board.

**The Chair (Mr. David Oraziotti):** I'm going to need to get you to wrap up very briefly. We need to move on to questions.

**Mr. Mike Shannon:** So as Steve said, we're taking up this cause for many reasons. First of all, we're doing it for safety. The second reason is because we know it can save municipalities and businesses tens of millions of dollars a year. Finally, we're doing it because it will be a much more efficient system by having people only have to make one call. Thank you very much.

**The Chair (Mr. David Oraziotti):** Thank you for your presentation. Conservative caucus: Mr. Bailey, go ahead.

**Mr. Robert Bailey:** Yes, thank you, Mr. Baker and Mr. Shannon, for being here today. I think it always—I worked at a large industrial before. Safety starts right at

the top, and it's always impressive when the senior people are involved in the safety programs, like Enbridge and yourselves and others that take the lead. So I wanted to commend you on that.

**1700**

There have been some concerns raised at the committee about this monopoly call centre—not my words, others'—that would put other competitors out of business. How could you assure the committee that there would be something done where you could take into account some of the competitors and make sure there's room in the call centre for everybody? Can you address that, Steve?

**Mr. Steve Baker:** Yes. As Mike mentioned, the call centre today is contracted out to Accu-Link, so there is a competitive bidding process in terms of the services that are provided. As we go forward and we get more municipalities and utilities on board, and there's just a greater volume of activity, I think it's quite possible that you could see enough room for another call centre, potentially in the north, to bid for the service, to provide it. I don't think we're saying that it necessarily has to be only one call centre for all of the province of Ontario; that's not the way it works in the US. I think there's openness in that model to look at that going forward.

**The Chair (Mr. David Oraziotti):** We need to move on. Mr. Marchese, go ahead.

**Mr. Rosario Marchese:** Thank you for your presentation. I agree with everything you've said. I'm a big supporter of this One Call system. I didn't quite understand where some of the Liberal questions were coming from, but now that I've heard from DigNORTH, I understand, and now that I've heard from Rogers, I'm beginning to get a better understanding of why they have certain questions like that. Part of what I hope we're trying to do is to solve some of the questions that have been raised.

I am hopeful that Rogers's costs would not be as high as they claim as we move to this system. I'm hoping we'll get all three parties' support. I understand where DigNORTH is coming from. I didn't get a chance to chat with the person, but that's a for-profit company and they're going to be losing business. So I feel for them and I understand that. I am hopeful that some of their workers would be employed in this non-profit One Call system—and as you just indicated, it may not have to be just one centralized system, but rather a regionalized system working under one umbrella, as a way of hopefully making sure that those people with such experience get work.

So I don't know that I have questions, but I'm beginning to understand the concerns that other people are raising. Hopefully, we can accommodate some of those concerns in some way as a way of dealing with them. I don't know whether you have a comment about that.

**Mr. Steve Baker:** I'd just make one quick comment: I think one of the big differences is that with Ontario One Call they have access to all the mapping and all the utility infrastructure at their disposal, so when you call, they know your location, they know what infrastructure is

there. I think that differs from the DigNORTH model, where really, you're calling in to DigNORTH and they're in turn calling out to all the various utilities to say, "Do you have infrastructure in that place?" I think when you look at response time and ability to respond quickly, whether it's a residential customer and excavator for locates, that's a major difference in terms of the model and the structure.

**Mr. Rosario Marchese:** That was another important question we wanted to ask DigNORTH, because as I understood it, they just make calls to the utility companies, and that's a big difference.

**The Chair (Mr. David Oraziotti):** Thanks. Mr. Marchese, we need to move on. Questions? Mr. Coteau.

**Mr. Michael Coteau:** Thank you for your presentation. First, I have a quick question. As a founding member, you probably understand the governance structure of One Call well. How does the governance structure currently work? How many members are on the board, and what organizations represent those board positions?

**Mr. Mike Shannon:** Thanks very much for your question. Right now, with the current structure, there are three board members. There's Union Gas, Enbridge Gas Distribution and Bell. But we're right now in the process of migrating to a broader structure, where we're actually going to have 12 board members, and those board members would come from small, medium and large companies in the pipeline sector, in the telecommunications sector, in the electrical sector and in the municipal sector.

**Mr. Michael Coteau:** With 12 members, would you be open—and I know you probably can't speak on behalf of everyone, but as a Union Gas representative, would you be open to having, perhaps, a municipal representative or someone who's publicly appointed to a board like that?

**Mr. Mike Shannon:** At this point in time, as I mentioned, we plan to have three representatives from the municipal sector.

**Mr. Michael Coteau:** From the municipal sector? Okay.

**Mr. Mike Shannon:** Absolutely.

**The Chair (Mr. David Oraziotti):** Thank you. That's time for your presentation. Appreciate you coming in today.

#### AECON GROUP INC.

**The Chair (Mr. David Oraziotti):** The next presentation: Aecon Group, Ms. Smith. Thank you and welcome to the Standing Committee on General Government. You've got 10 minutes for your presentation. Any time you don't use will be divided among members of the committee for questions. Just start by stating your name and you can start when you're ready.

**Ms. Katelyn Smith:** Great, thank you. My name is Katelyn Smith and I'm representing Aecon. I'm here in lieu of Eric MacDonald.

I would like to first of all start off by thanking you for having me to present. I know that Bill 8 will mean

obvious significant help for Aecon as far as financials go, clearly diminished administrative fees when we have to process all the locates. That is apparent. But I want to set that aside; that's not why we're here. I'm not here to talk about dollars and I'm not here to talk about the cost savings for an excavating company, for a construction company; I'm here to talk to you today about safety, because that's our core value. It's what we truly believe in and it's what we as managers try to bring down to our front line workers. We try to offer the safest working day for our excavators, for our front line groups.

Now, we do everything we can as far as training, understanding how to read locates, how to provide that to our workers, understanding when the locates expire, when they need to get new locates. But I want you to walk through with me a day that one of our excavators, one of our crews, one of our foremen have to go through.

I'm talking about areas such as you heard before where there are 13 different calls—that's 13 different calls—to utilities to get locates. Now you're giving a crew a package of 13 different locates, 13 different templates that they've got to look through, some of which might not even have takeoffs or measurements, and you're asking them to stick a shovel in the ground? You're asking them to locate around gas, live mains. You're asking them to locate around hydro. You're asking them to try to understand an entire package of 13 different locates, 13 different templates, and stick a shovel in that ground, put their lives at risk, put the lives of the public at risk because we don't have a One Call system yet. We don't have a system in place where we can just get one template, one locate package, one simple solution to getting our employees working safely. That's what we need. We have 1,200 employees in our utilities division alone supporting this bill and we need your support to get this, because we need to work safely every day.

I'm speaking from a company point of view, I'm speaking from a safety point of view, but I'm also speaking from a personal point of view. My significant other goes to work and he is an operator. Now, he doesn't work for a company as in tune as Aecon into training. They don't provide training on how to read locates, on which areas need what utilities. They won't know necessarily what utilities they're supposed to have in their work package. That concerns me every day. So I want to speak to you on behalf of the public. I want to speak to you on behalf of the wives, the husbands, the mothers who are sending their loved ones into the field to work on those front lines, who we're trying to get to work safely, and we need you guys to help us to get them to work safely. Thank you.

**The Chair (Mr. David Oraziotti):** Thank you very much for your presentation. First up, NDP caucus. Mr. Marchese, go ahead.

**Mr. Rosario Marchese:** One of the attractive things about the One Call system is that it would operate 24 hours a day, seven days a week. That's important for the different sectors but, as well, individuals. I don't think we can get that in any other system, can we?

**Ms. Katelyn Smith:** I would agree that, no, you need to have a One Call system.

I talked on behalf of what it takes for a construction company but now I want to put it into your hands. Do you know what utilities are on your property? Do your kids know what utilities are on their property, or your parents? Do they know? We need to have a One Call system, not just for companies, but for digging in your own backyard.

**Mr. Rosario Marchese:** We agree with that. Part of what we're concerned about is the questions that other people are raising, because we know that 60% of Ontario's population is covered by the current members, so that's a big majority of people that are on it. The question is how we involve the rest of the population and how we address the other questions that other people have been raising.

**1710**

We agree with you, safety is critical. There are savings to be had, lives and money, and if we can make this easier for others who are not involved, I think that would make this venture a little more possible. Hopefully, we'll deal with some of the questions that others have raised as we go. Thank you.

**Ms. Katelyn Smith:** Thank you.

**The Chair (Mr. David Oraziotti):** Okay, thank you. Liberal caucus, Ms. Mangat.

**Mrs. Amrit Mangat:** My question is, what does your group do? What kind of service do you provide?

**Ms. Katelyn Smith:** Aecon is Canada's largest publicly traded construction company. We do everything from—my division in particular is utilities, so we install gas pipelines, hydro, telecommunications. Now, that's just one division of Aecon. We do buildings, we do roads, we do mining, industrial nuclear plants. We are a one-solution, vertically integrated construction company. So this doesn't just affect our one division that I represent; it affects all of Aecon across Canada.

**Mrs. Amrit Mangat:** So are you in support of One Call centre or One Call system?

**Ms. Katelyn Smith:** Both.

**Mrs. Amrit Mangat:** Both?

**Ms. Katelyn Smith:** Yes. We need a One Call system and we do support the One Call centre.

**Mrs. Amrit Mangat:** Don't you think there is a difference between One Call centre and One Call system?

**Ms. Katelyn Smith:** Why would you say there's a difference?

**Mrs. Amrit Mangat:** No, you have to answer me. Why? Why do you support both? In my opinion, it differs.

**Ms. Katelyn Smith:** Okay.

**Mrs. Amrit Mangat:** Right? In One Call system, it says there will be multiple service providers, said by DigNORTH. In One Call centre, there will be only one service provider. Why do you support both and how do they differ?

**Ms. Katelyn Smith:** Okay. Well, how I would say they differ is that, right now, we have a One Call centre, but there is the possibility of making it a One Call system as we have greater—like the previous speaker mentioned, we might be needing to call in other systems to build that, right, because you're going to need to increase the capacity.

**Mrs. Amrit Mangat:** So you are not clear which business model you will adopt, right?

**Ms. Katelyn Smith:** Currently, we support the One Call centre with our company. I believe it may have to grow to be a One Call system.

**Mrs. Amrit Mangat:** Okay. Thank you.

**The Chair (Mr. David Oraziotti):** Thank you. Ms. Scott, go ahead.

**Ms. Laurie Scott:** Thank you very much for coming here today and appearing before the panel and with such passion and knowledge of your industry. We appreciate that.

I think safety is foremost of why we're here, and there are some details—One Call system, the centres, you know, things that politicians can work out. I think the overlying principle of the bill was that they needed to develop a system so that it was easy.

Just to verify, you said it was 13 calls that you possibly make, on average, whenever you go to dig?

**Ms. Katelyn Smith:** That's one specific area. For some areas, depending on what utilities are in the ground, there are less calls, but that's probably one of our more difficult areas—about 13 different calls to the utilities.

**Ms. Laurie Scott:** Right, and have you had an accident where employees have been hurt or people have been hurt in a locale?

**Ms. Katelyn Smith:** We've had some utility hits. Due to our training, though, we're significantly under the industry standard for utility hits. But yes, it's always a fear that somebody's going to get injured and somebody's going to get hurt. That's what keeps managers up at night, and that's, quite frankly, what keeps probably the workers up at night.

**Ms. Laurie Scott:** For sure. We've heard from different people today. It's just interesting that the safety issues is what we're trying to do, the how-tos. Whether there are two different centres or not, I think we can work out, but I think there's unity in the fact that we need a One Call system for safety purposes, for the ease of business. For doing business, it just makes total sense.

I appreciate you coming here today, and is there anything else that you want to add, a statistic or anything from your company?

**Ms. Katelyn Smith:** Well, my one statistic is, we have over 1,200 people supporting this, who have signed this. We're all on board and we're really looking forward to seeing this come through. But other numbers off the top of my head—sorry, I didn't prepare any presentation, just speaking from the heart from our company.

**The Chair (Mr. David Oraziotti):** Okay, thanks. I understand Mr. Bailey has got a brief question.

**Mr. Robert Bailey:** Yes, very brief. Thank you for the presentation, Ms. Smith. I think you've stated in a clear and succinct manner what a lot of other people with maybe more background on that didn't make in their presentations. You've got a significant interest, like you said, your loved one especially, and no one has touched on that, so I appreciate you bringing that up.

I'm very familiar with your company. They worked with me when I was in industry before, and I know you do have a good safety record.

In your opinion, as we move forward, as long as we move to this One Call, whether you want to call it a "system," an "operator," whatever, at the end of the day, your significant other, my significant other, anyone in this room who has family, they're going to be far safer, whether we have two call centres—one in the north and one in southwestern Ontario here. Is that your opinion, that at the end of the day, we'll be safer?

**Ms. Katelyn Smith:** Yes, absolutely. Absolutely, no doubt. If we can make this clear and concise, and we can communicate it to our crews, they will be able to work safer, day in and day out.

**The Chair (Mr. David Oraziotti):** Thanks for your presentation, and thanks for coming in today.

Folks, given we've got just a little bit more than 10 minutes on the clock, and to be fair to the next presenter so that they can get their full presentation in, we'll come back immediately following the vote in the Legislature to continue with presentations. The next presentation up is T2 Utility Engineers. I understand those folks are here.

Okay, folks, the committee is in recess until we vote in the Legislature in about 10 minutes. Thanks.

*The committee recessed from 1716 to 1731.*

## T2 UTILITY ENGINEERS INC.

**The Chair (Mr. David Oraziotti):** Okay, folks, let's resume here and try to get things moving. Our next presentation is T2 Utility Engineers. Good afternoon and welcome to the Standing Committee on General Government. You've got, as you know, 10 minutes for your presentation. Time you don't use will be divided among members. You can just start by stating your name, and you can proceed when you're ready.

**Mr. Lawrence Arcand:** Great, thank you very much. My name is Lawrence Arcand. I'm the president of T2 Utility Engineers. Hopefully, I'll give you a bit of an introduction about myself, about our company and about why we support Bill 8.

As I said, I'm a professional engineer with 15 years' experience working in the industry. I'm a member of the board of directors, and I represent the engineering stakeholder group on the current board of directors of the ORCGA. I am a past chair of the ORCGA and a past chair of the best-practices committee on the ORCGA. I am also a member of the CSA committee which developed new CSA S250 standards for underground utility mapping in Canada. As well, I'm a member and the upcoming chair of the Transportation Association of

Canada public utilities management subcommittee. On that committee is representation from all across the country, including the Ministry of Transportation of Ontario.

Company background: T2 Utility Engineers is a niche consulting firm specializing in subsurface utility engineering services. That includes utility mapping, utility design and utility relocation coordination. We've been working for 10 years across the country, specifically here in Ontario. Our parent company is AECOM—not to be confused with the last speaker, Aecon; it's AECOM—which is the largest consulting firm in the world, with over 50,000 employees, as well as Cardno, which again is a large consulting firm with 10,000 employees across the world.

Some of the things that we get involved with that you may be familiar with would be the 407 east extension—we did the work on that—the Union Station expansion project here in Toronto or the Ottawa light rail transit.

We do work for a variety of clients, including municipalities, government agencies, consultants and utilities. All of the clients we work for recognize the importance of having good utility information when they're working on their capital works projects.

We do use One Call on a daily basis. Two different ways that our company utilizes One Call: One, which I'm sure has been talked about many ways, is we use it when we call before we dig. We actually go out and do physical excavations on a daily basis, so we utilize Ontario One Call for that purpose: to ensure the safety of all the employees at our organization.

Another aspect that we utilize it on that I thought I'd bring to light here, because I may be a little different than some of the other speakers today, was that we utilize it for the collection of utility records information and the presence of those utilities across the province.

Here are some of the key reasons why we are supporting the bill. The One Call system is and will be a free system for us and other engineering firms like us to utilize. When excavating and doing things like vacuum excavation, doing things like geotechnical bore holes, it helps us promote the overall safety of our workers in the field who are engaging in those excavations. When preparing engineering drawings, it allows us to get updates of the utility owners in various areas across the province.

Currently, however, because not all utilities are part of One Call, it becomes very difficult to determine if we have 100% coverage of all the utilities that are out there. To combat this, what our firm has had to do is develop a very large and extensive database for contacts in various areas. Even with that, we never know if there may be some of these small utilities out there that we're not aware of that could impact the projects that we're working on. It is a very time-consuming process to create, update and maintain that database, and if all utilities were legislated to be members of One Call, it would certainly help ensure the quality of the information that's developed on engineering plans and drawings across the province.

The data collected from our investigations is used as the basis of major capital works projects across the province. Other examples would include the Eglinton cross-town light rail transit project and the Detroit River International Crossing project. If we do not have a complete list of utilities present, we end up with incomplete drawings, and therefore the presence of some of those utilities may not be taken into account during the design phase, which could end up resulting in considerable delays and cost increases to public works projects across the province.

This same practice is used by the majority of consulting engineering firms in the province. Therefore, mandatory One Call will dramatically improve the ability of consulting engineers and, hence, municipalities, governments and infrastructure agencies that utilize consulting firms to save time and money.

One specific example where a One Call system worked, that we did very close by to here, was the design of the northwest PATH from Union Station. There will be a new PATH tunnel going up York Street, from Union up to Wellington. We were involved with the preliminary design on that project and the environmental assessment, at which time we did mapping for it. That was back in 2006. In 2010, we came back and were working on the detailed design component of it. As part of our regular protocol to ensure that we had all the utilities gathered, we contacted One Call and had a list of all their members in the area. At that time we realized that there was a new start-up fibre company called TeraSpan. We were made aware of that by One Call, and we were able to add that information to the drawings and make sure that it did not become a problem. If all utilities were members of One Call, that would be an approach that would be utilized across the province in an effective manner.

Why we think it's important: Ontario One Call is a critical resource to ensure the effective management of vital underground utility infrastructure that we have come to rely on as Ontarians. Although the current One Call system is effective at providing services in a non-profit environment, its usefulness is limited by the fact that currently not all utilities are members. It's a big problem. It would be like calling an operator for directory assistance, and they could only tell you the first three digits of the phone number. It just does not make sense and does not work. We need to improve the system.

Ontario One Call will only be able to meet its ultimate usefulness when all utilities are members, so the question is, what will it take to get there? The one thing that we know is that the voluntary system that's currently in place just does not work. Those in the industry have known this for years. The government has found it out in its recent investigations.

So what is it going to take? In my opinion, it will take legislation and this Bill 8 to come into effect. I recognize that it won't be easy, but nothing is that creates fundamental change.

It will take time for some utilities and municipalities to adjust and learn that using One Call can actually save them time and money and improve the safety of their



overall systems. Currently, utility owners that are members know this. Municipalities that are members know this. It's just up to the rest of those that are not currently members to recognize this. The only people that don't are those that are maybe afraid of the unknown, of change and, ultimately, of progress, in my opinion.

1740

In conclusion, the engineering consultant community, which essentially represents all capital projects across the province, will, without a doubt, benefit from Bill 8. It will improve our ability to obtain utility information and improve overall design work, and that will trickle down to improve construction schedules and reduce costs for the Ontario taxpayer. I would urge you all to seriously consider all the information that you receive through these hearings and make your decision regarding the support of this important bill. I hope that you will help Ontario follow the success that has been shown in the US and act as a leader and example for the rest of Canada.

**The Chair (Mr. David Oraziotti):** Thank you very much for your presentation. The Liberal caucus is up first on your presentation. Ms. Mangat, go ahead.

**Mrs. Amrit Mangat:** Thank you for the presentation. In your presentation, you spoke about the One Call system which is in the US, and it is mandatory. You spoke about a mandatory call system. Which business model do you support, a One Call centre or multi service providers?

**Mr. Lawrence Arcand:** I think the best approach would be to utilize the current model, utilize Ontario One Call, where you have a non-profit centre where it is represented and the board are members of all the different parties—the various utilities, municipalities and everyone that is actually part of the system—and that is offered up for free for the users of the system.

**Mrs. Amrit Mangat:** But all municipalities don't support that system, the current system. That's my understanding. Right?

**Mr. Lawrence Arcand:** Currently, there are some, yes, that are hesitant—

**Mrs. Amrit Mangat:** But not all. My understanding is that AMO is also not supportive of this.

**Mr. Lawrence Arcand:** I think if you look at the reason for that, a lot does not come down to the effectiveness of the system nor that it is the right system; some of it comes down to costs. When it comes to costs, I think the big aspect of that is the unknown and the actual, because you're trying to compare the current system to something they're not familiar with. Until we get in and start operating together and start utilizing it, there won't be a full understanding.

**Mrs. Amrit Mangat:** How does this current system differ from the US system?

**Mr. Lawrence Arcand:** The current system, the difference from the US system? In the majority of the states in the US, it is a legislated One Call system, which is what Bill 8 would produce here. In those systems, just like what we're trying to create here, when you call 811 in the US, which has been mentioned a few times today, you're linked in with the state's One Call centre. All the

utilities in that area are members of that system. Currently here when we call in and we go into certain areas, only certain utilities are members, and then there's a requirement to make additional calls or make additional—

**The Chair (Mr. David Oraziotti):** I need to stop you there. Thank you very much. Mr. Bailey.

**Mr. Robert Bailey:** I just want to make a couple of points, statements to correct the record. Just to reinforce that part about not all municipalities belonging, municipalities representing 80% of the population of Ontario are presently members. That's my understanding of the One Call system that's in place. I think it's incumbent upon organizations like AMO to get on board and to get behind this because I think they could see the wisdom of it. Just because they're advocating or whispering in someone's ear that maybe they don't support it, I don't think that's a good enough reason for us not to move forward.

Mr. McDonell?

**Mr. Jim McDonell:** Just a couple of points. One thing: I guess I'm kind of shocked that AMO would not want to be involved. Coming from a small municipality—six in our county system—there has not been a way of getting involved. We're not involved, and we've never been really asked to get involved, at least officially. I'm sure that we're—typically with a small number of small areas involved with utilities we have no system in place. If you happen to call us, we'll go out. But that's one of the issues because we're in the One Call area, but you have to know you call One Call, and then you have to know who else to call. That's the problem. Accidents are happening because a lot of people think, "I'll just call One Call. Everybody's there." That's not the case: They have to call the municipality, they have to call Rogers, they have to call the other utilities involved. They have to know who's there or they've got a problem. Contractors are a little better because they're used to it, but the private homeowner is the one that's—

**Mr. Lawrence Arcand:** I think that's one of the major challenges because a lot of people think that the current system has all members present, and that's almost more dangerous than not.

**The Chair (Mr. David Oraziotti):** Thank you. We need to move on to Mr. Marchese or Ms. Campbell.

**Mr. Rosario Marchese:** Thank you, Lawrence. I'm trying to get an understanding of what Ms. Mangat is talking about by way of the one system versus One Call centre. I like the notion of the One Call system because I think it's more comprehensive, in terms of possibilities. Then she used a different expression, saying "multi service providers." Then it confuses me, because I'm not sure what she's getting at.

The idea of different regional offices operating in the same system is something that makes sense to me. That's why changing the name to One Call system works for me, and so I'm hoping that we can negotiate what we mean by these things.

In terms of the current system, as it operates with the board, in the next election they will be moving to have every member be able to have a vote as to who is on that

board. I'm assuming that makes sense because that would make it a little more democratic in terms of who gets on that board. I'm assuming they're all there for the same interest, but you never know. Do you support that kind of system, in terms of the non-profit board and how it gets set up?

**Mr. Lawrence Arcand:** Without a doubt. I'm not an expert in the actual setup of the system and how it is. However, I agree 100% that the non-profit system and the fact that there is a board that represents all the key stakeholders, which is the way the current One Call system is moving towards, is the right model to use.

**Mr. Rosario Marchese:** Thanks, Lawrence.

**The Chair (Mr. David Oraziotti):** Okay, thank you. We appreciate your time today. That's time for your presentation.

#### MR. RUSTY RUSTENBURG

**The Chair (Mr. David Oraziotti):** The next presentation: Rusty Rustenburg. Is he here?

*Interjection.*

**The Chair (Mr. David Oraziotti):** Yes, 15 on there.

**Mr. Rosario Marchese:** I would recommend that we cut it short, if we have to, by way of questions. But we should do it, because I've got a meeting this evening.

**The Chair (Mr. David Oraziotti):** We have the electricity distribution presentation next. Do you want to try to get to that before the vote?

**Mr. Rosario Marchese:** Yes, let's do it.

**The Chair (Mr. David Oraziotti):** So we may have to reduce the questions—

**Mr. Rosario Marchese:** Yes, please. Let's get going.

**The Chair (Mr. David Oraziotti):** Okay. Go ahead, start. Thank you.

**Mr. Rusty Rustenburg:** Yes, good afternoon. Thank you for the opportunity to speak to Bill 8 for the allotted 10 minutes. As Paul Harvey quips, the rest of the story will be in my submission and hard-copy evidence and documents.

My name is Rusty Rustenburg. I've been an enforcement officer for most of my working career with over 55 various federal, provincial and municipal legislation and regulations. I've effected change through amendments and have been involved in input to rewrite acts to make them workable and effective in the field.

I'm not representing any previous employers. I'm not an employee of any company. I'm not representing anybody other than, I'm here as a concerned citizen and I'm supporting a tougher "call before you dig" act and not Bill 8, for many reasons.

I know there is not one person in this room that wants to see death or injury, but there is a need for real legislation that addresses the real issues and makes it enforceable. As Mr. Kipp said from the CGA even said, you need enforcement to effect the laws. Let's make it right; let's not rush this to tweak the weak Bill 8 later.

I guess I will not be popular today for not following the pied-piper approach, because my conscience has to stand up for what's right.

Case number 1: This is a house. It's across from a fire hall, across from a school. The homeowner calls for a call locate. Union Gas shows up and marks the property. The contractor walks the property with the owner. The contractor begins digging. As we're sitting there, the bucket pulls up a gas line—a U pipe. He shuts the machine off and yells to the homeowner, "Call the gas company now."

In the house are these children with their mother. Mr. Bailey, you have children; you have grandchildren. They were in that house. The gas company shows up and the site's contained for an inspection. The Union Gas locator is distraught and the owner and the contractor are visibly upset. This pipeline is not on Union Gas mapping.

I'm getting tired of listening to contractors getting bashed. It's industry that is causing problems with inaccurate mapping, and there's no accountability.

**1750**

Do you know how I know this? This is my house and this is my wife and children.

I'm telling you, this stuff, this on-and-on, 13 calls, blah blah blah, is not addressing the real issue. There is nothing in this province that forces a homeowner to call. It doesn't force a renter to call. All Mr. Bailey's act does is create a database that no one has to call. It's homeowners that the industry is complaining about—contractors. Look, it's just not acceptable.

I've got examples in my report of missing maps in the US for 20 years, and a gas explosion kills eight people. Show of hands: How many people here speed? How many people go to the police station and go, "Please write me up a ticket"?

*Interjection.*

**Mr. Rusty Rustenburg:** Good, Mr. Dickson.

This is an example of the DIRT voluntary reporting—3,200 hits. That's people voluntarily saying it. How many actual real hits are out there? How many good, bad and ugly contractors? How many good, bad and ugly situations happen? There's good and bad in every group. Legislation has to address this problem: calling before you dig. It's nothing about a not-for-profit organization that has been claiming that for 12 years and then all of a sudden Bill 8 shows up, "Oh, let's go get ourselves turned into a thing."

Look at the worst disaster in Ontario, the Enbridge situation. Mr. Bailey, you lied to the House. You lied to the House. You said, "Consider, for example, what happened on April 24, 2003." Ironically, that's the next day after your next standing committee meeting. "In each and every one of these cases, Mr. Speaker, it was discovered that the companies and people at the site did not call" for a locate of the underground infrastructure. I have the TSSA report. One Call was called. Enbridge was fined for inaccurate mapping. A call was made.

Mr. Bailey has no excuse. There are two people in this room, Mr. Douglas and—where did Mr. Scarland go? They were at the epicentre of this explosion. They were there. Mr. Douglas was responsible. How can he, in good conscience, push this through and not address the real

issue and prevent what happened on that day? That's my question to this committee.

Another example: a homeowner digs, Burlington Beach, the Trans-Northern gas line—if this would have ruptured, it would have contaminated the bay, and the cities of Hamilton and Burlington would have had contaminated water. So, environmental infrastructure is overlooked. Let's have a committee with all these industry representatives. Where's this committee where there are public citizens who are paying the bills for Enbridge? Where's their input into these industry accidents?

Owen Sound, Union Gas: They're running a line into a neighbourhood that doesn't have gas. They know it's propane. What do they do? They hit the propane and kill people in Owen Sound. Aecon took the hit. Where was Union Gas? As far as I'm concerned, on the Occupational Health and Safety Act, if it was their contract, they should have been charged.

Mr. Bailey, I just don't understand it. You look at the fines that Enbridge was given. It works out to \$39,700 per person. That equals 32 minutes of profit for Enbridge for each person who died, and Mr. Bailey didn't even mention the people who were injured. There were four people injured who were physically or mentally scarred from this incident. This is not addressing the issue.

It's on and on, this, "We're non-biased; we're transparent." Look at the things they put out. How can this be a not-for-profit organization? I have the math numbers. They're talking \$1.60 a call. Well, everybody is saying 13 calls—times that by 13. So that's \$13.60 per call. Plus, if they put out anything—there is serious money being made here. And that's the protection.

The process of this bill is flawed. They haven't addressed opposition. Mr. White sent every MPP four different letters opposing this bill. They were accused of being Johnny-come-latelies. They've had a program in effect that Minister Gravelle supported.

I implore to you, Mr. Bailey: You called the Premier a liar on November 19, 2009, and you walked out of the House to applause.

**Mr. Robert Bailey:** No, I got thrown out.

**Mr. Rusty Rustenburg:** You were there. You've got to apologize. Donna Cansfield, actually, was going to—the look on her face, she said, "I was totally wrong." I'm right, and I proved it to her. She said you were sold a bill of goods.

So there's two things. You were sold a bill of goods with your crack team here that was there. To make that statement in the House is wrong.

The bill has no offence section. The only offence sections? If you don't join One Call or you rub out the markings. There's nothing for—under a "call before you dig" act—

**The Chair (Mr. David Oraziatti):** Mr. Rustenburg, that's time for your presentation, 10 minutes. We've got a couple of questions, so I—

**Mr. Rusty Rustenburg:** I just have one more point and I was kind of interrupted there. I just have one more point.

**The Chair (Mr. David Oraziatti):** Well, wrap it up.

**Mr. Rusty Rustenburg:** I will.

**The Chair (Mr. David Oraziatti):** Thanks.

**Mr. Rusty Rustenburg:** There's no offence section. Mr. Bailey is violating Mr. Hudak's top 10 with four of his top things. He's killing jobs in northern Ontario; he's eliminating jobs with red tape; he's cutting out expansion for young workers to become locaters and technicians. He's getting rid of jobs in northern Ontario. People in northern Ontario are starving to death—

**The Chair (Mr. David Oraziatti):** Okay, Mr. Rustenburg, that's time for your presentation.

I'm going to just ask the committee members a question. If you would like to ask questions of the presenter, we can do that, or we can move to the next presenter, because otherwise, the next presenter will not get an opportunity to make any of their presentation because of the standing orders and because of the vote. So do you want to do that? Do we have consensus to move to the next presenter?

**Mr. Michael Coteau:** Yes.

**The Chair (Mr. David Oraziatti):** And defer questions on this? Okay.

Thank you, Mr. Rustenburg. Thanks for coming in.

#### ELECTRICITY DISTRIBUTORS ASSOCIATION

**The Chair (Mr. David Oraziatti):** Okay, folks. You've got what time is remaining. We're going to need to end it at a certain point here so I can get members over to the Legislature if they want to vote. Just start by stating your name, and you can start your presentation.

**Mr. Max Cananzi:** Thank you, Mr. Chair, and honourable members of the committee. My name is Max Cananzi, chair of the Electricity Distributors Association and president and CEO of Horizon Utilities, a utility that serves 240,000 customers in the Hamilton-St. Catharines area.

The Electricity Distributors Association is the voice of all—and I do emphasize all—of Ontario's electricity distributors across this province, the publicly and privately owned companies that safely and reliably deliver electricity to all Ontarians through 4.8 million homes, businesses and public institutions.

Ontario's electricity distributors have delivered electricity to this province's community for more than 100 years. The electricity distributors sector provides employment to almost 10,000 Ontarians. Distributors own over \$14 billion in infrastructure assets and invest more than a billion dollars annually as part of grid modernization to ensure safety and reliability to our customers. Our member companies provide approximately \$600 million in dividends and other payments to municipal and provincial shareholders.

Local electric distribution companies, or LDCs, have a notable record of safety. In fact, if you were to ask any one of our members about their core values, safety would rank at the top of this list. Our industry prides itself on an excellent safety record for our employees, our contractors

and the public. Our collective industry efforts have contributed to a downward trend in incidents related to electrical contacts, electrical injuries, power line and utility-related equipment. Serious injuries in Ontario have continued to decline in the 2001 to 2010 period, as reported in the Electrical Safety Authority's 2011 annual report.

Presently, the current One Call organization has earned the business of over 20 of our association members, who have voluntarily joined the organization because it made business sense for them. Even those electric utilities that have become members agree that the membership should continue to be voluntary. My utility, Horizon, which is a member of One Call, strongly agrees with the voluntary membership. Instead of making membership mandatory, the One Call organization should focus on refining and improving its value proposition to prospective members, which can then translate into a stronger offering to existing members as well.

Some LDCs have not joined because they do not see the need, as they believe they have the appropriate balance between safety and value to their customer. They receive the call from the contractor and perform the locating service without the need for a third party service and have done this successfully for years with no issues arising.

In its efforts to entice prospective members, One Call may be able to learn from their LDCs that are currently

providing cost-effective locating services to their customers as to what it will take to earn their business. This commercial imperative to earn the business will provide the impetus for continuous improvement and strengthen the One Call organization overall and for the long term.

**The Chair (Mr. David Oraziotti):** Sir, just one second. Folks, the presentation is in front of you. If members want to go and vote—do you want to go and vote or continue to hear—

**Mr. Michael Coteau:** I have to go vote.

**The Chair (Mr. David Oraziotti):** Okay. We're going to need to—

**Mr. Robert Bailey:** We can come back—

**The Chair (Mr. David Oraziotti):** I'm told that if it's after 6 p.m., we can't come back, according to the—

**Mr. Robert Bailey:** We can't come back for committee, but we can come back and meet anybody who's here, right, and talk to them?

**The Chair (Mr. David Oraziotti):** Yes, absolutely. Sir, we apologize for the time delay here and the restraint. The bells are ringing in the House and it takes priority over committees, so members need to be available to vote. We have your deputation in writing, and you have what you've read onto the record, but members have this as well, which will be part of the record. We thank you for coming in today to make your presentation.

**Mr. Max Cananzi:** Okay, thank you.

*The committee adjourned at 1801.*







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