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**Official Report
of Debates
(Hansard)**

G-7

**Journal
des débats
(Hansard)**

G-7

**Standing Committee on
General Government**

Getting Ontario
Connected Act, 2022

2nd Session
42nd Parliament

Wednesday 30 March 2022

**Comité permanent des
affaires gouvernementales**

Loi de 2022
pour un Ontario connecté

2^e session
42^e législature

Mercredi 30 mars 2022

Chair: Logan Kanapathi
Clerk: Isaiah Thorning

Président : Logan Kanapathi
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Wednesday 30 March 2022

Mercredi 30 mars 2022

The committee met at 0901 in committee room 2.

GETTING ONTARIO
CONNECTED ACT, 2022
LOI DE 2022
POUR UN ONTARIO CONNECTÉ

Consideration of the following bill:

Bill 93, An Act to amend the Building Broadband Faster Act, 2021 and the Ontario Underground Infrastructure Notification System Act, 2012 / Projet de loi 93, Loi modifiant la Loi de 2021 sur la réalisation accélérée de projets d'Internet à haut débit et la Loi de 2012 sur un système d'information sur les infrastructures souterraines en Ontario.

The Chair (Mr. Logan Kanapathi): Good morning, everyone. The Standing Committee on General Government will now come to order. We are here for the public hearing on Bill 93, An Act to amend the Building Broadband Faster Act, 2021 and the Ontario Underground Infrastructure Notification System Act, 2012. We are joined by staff from legislative research, Hansard, and broadcast and recording. Please wait for me to recognize you before starting to speak and, as always, all comments should go through the Chair, please.

Are there any questions before we begin, committee members? Seeing none, our first presenters today are the Minister of Infrastructure and the Minister of Government and Consumer Services. They will have 20 minutes to make a joint opening statement, followed by 40 minutes for questions and answers, divided into two rounds of 7.5 minutes for the government members, two rounds of 7.5 minutes for the official opposition members, and two rounds of five minutes for the independent members.

Are there any questions at this time? Seeing none, I'll now call Minister Kinga Surma. You will have a combined 20-minute presentation with Minister Ross Romano. Please go ahead.

MINISTRY OF INFRASTRUCTURE
MINISTRY OF GOVERNMENT
AND CONSUMER SERVICES

Hon. Kinga Surma: Thank you very much, Chair, and thank you, members. Thank you so much for working hard to support the people of Ontario. I very much appreciate

your time this morning. I will be sharing my time with Minister Romano.

I am pleased to have this opportunity to speak to all of you about Bill 93, Getting Ontario Connected Act, 2022. Our proposed legislation comes at a time when COVID-19 has emphasized the importance of digital connectivity in our daily lives.

As we all know, the pandemic forced us to pivot our lives online to work, learn, access critical services and connect with friends and family. We continue to hear how this shift has deepened the digital divide that already existed between urban and rural communities across Ontario and their ability to access fast, reliable Internet services.

For those with a strong Internet connection, adapting to virtual platforms was a relatively seamless transition. New phrases like "You're on mute" and "Nice to virtually meet you" quickly became part of everyday conversations. But the reality is that logging on to the digital world has not been easy for everyone, especially those who lack access to reliable Internet services.

Before our government began taking steps to fill these service gaps, as many as 700,000 households and businesses across the province didn't have access to Internet services. I, myself, cannot believe it. It is still a shock to me. This is unacceptable, especially in the 21st-century global economy.

While many of us were learning how to navigate virtual platforms, hundreds and thousands of people were left asking themselves, "How will I get access to the high-speed Internet that I need? How will my children learn from home? How will I be able to continue operating my business, and when will I be able to access health care services for me and my family?" These are questions I continue to receive from people speaking to me and writing to me about their ongoing frustrations. As the world rapidly changes to a digital economy, more and more Ontarians are faced with these frustrations as they continue to fall further behind. We cannot stand by as this happens. We have a responsibility to act now and support the people of Ontario by helping to close this gap.

That is why, through our proposed legislation, we are helping to prioritize the accelerated deployment of high-speed Internet infrastructure across the province. Now, more than ever, building better infrastructure faster is critically important to support our province's long-term economic growth, renewal and prosperity. We envision a

future for our province where every family, every individual and every business has access to high-speed Internet, no matter where they live. Our government is taking decisive action to make this a reality for all Ontarians so that they can join the online world that so many of us cannot imagine living without.

We have also committed a historic investment of nearly \$4 billion to connect every region with access to the high-speed Internet that they deserve by the end of 2025. I'm proud to say that this is the largest single investment in high-speed Internet in any province by any government in Canadian history.

To support this commitment, we have a bold plan in place, with many programs and projects that are well under way. Our government has already committed more than \$900 million to over 180 high-speed Internet, cellular and satellite projects to date. Our plan will help to bring high-speed Internet access to 375,000 homes and businesses across the province and significantly improve cellular connectivity throughout eastern Ontario.

As part of our broadband plan, in the summer of 2021, we announced a historic partnership with the federal government to support over \$1.2 billion in joint funding for 58 broadband projects. We continue to work hard with our federal colleagues to execute agreements with project recipients.

We have also announced investments of up to nearly \$16.2 million for 17 new projects under the provincial Improving Connectivity for Ontario program, also known as ICON. These projects will provide up to 17,900 homes and businesses with access to reliable, high-speed Internet.

Our commitment to ensure that Ontarians are connected to high-speed Internet access is further reflected through a combined total of \$134 million to support both the Southwestern Integrated Fibre Technology project and the Eastern Ontario Regional Network cellular gap project.

In addition, we have also invested \$30 million towards the Matawa broadband project, which will support high-speed Internet access for northern residents. And we have made commitments to satellite technology by investing more than \$109 million in Telesat's next-generation low-Earth orbit satellite network, Telesat Lightspeed, to meet the rapid rise in demand for digital connectivity.

But as we continued to push forward with our ambitious plan, we realized that more was still needed. For us to truly accelerate the deployment of high-speed Internet infrastructure to every community in Ontario, we need to further remove obstacles to faster deployment. That is what this important legislation would help us achieve, if passed.

The proposed Getting Ontario Connected Act, 2022, is our government's next step to accelerate connectivity projects across the province. If passed, the changes would further reduce barriers, duplication and delays, making it easier and faster to deploy high-speed Internet infrastructure. This would help bring access to reliable high-speed Internet to underserved and unserved communities sooner, because we simply cannot wait any longer.

Our government is building on the progress we've already made as part of our plan to get Ontario connected.

As part of this legislation, we are proposing amendments to the Building Broadband Faster Act, 2021. Municipalities would be required to meet set timelines to respond to right-of-way permit applications for provincially designated broadband projects. If passed, municipalities and other stakeholders would also be required to share relevant data in a timely manner when requested by Infrastructure Ontario on behalf of the Minister of Infrastructure. Data would be shared through our online platform called Broadband One Window. This would help manage right-of-way access applications, ensuring a more efficient, streamlined process. These proposed amendments would support timely decision-making to help build provincial high-speed Internet projects faster.

As part of our plan to get Ontario connected, we're also finding new and innovative ways to bring Ontarians the fast, reliable Internet access they need and deserve. In fact, in 2021, we launched a competitive process, led by our agency, Infrastructure Ontario, to connect the outstanding 300,000 homes. We have received a lot of market participation from Internet service providers of all sizes during this process. Our proposed legislation would provide Internet service providers with the tools and assurance they need to get shovels in the ground as early as this summer, which is only a few months away.

0910

And I'm pleased to share that the competitive process is coming to an end. Infrastructure Ontario has made enormous efforts to achieve strong results, and I'm confident that this will have a significant impact on helping to close the gap for homes and businesses that remain unserved and underserved. We are committed to delivering on our goal to enable access to high-speed Internet across the province. That includes ensuring that no community is left behind. I look forward to having the opportunity to update the public further on our progress.

Our government understands that access to reliable high-speed Internet is fundamental to people's health and well-being as well as the province's economic future. Through this legislation, we're taking further action to help reduce the barriers that are preventing people from connecting more quickly to the rapidly expanding digital world. We will continue working with our partners to help build broadband infrastructure faster, because we cannot do this alone. This is a huge undertaking which requires support from all levels of government as well as members of this committee and the Legislature.

I look forward to continuing to work together to help build a stronger and more connected Ontario.

Now I will pass it over to my colleague Minister Romano.

Hon. Ross Romano: Thank you very much, Minister Surma, for the introduction, and thank you, everyone. Committee members, good morning. I'm pleased to be here with you all today to speak about the Getting Ontario Connected Act, 2022. Particularly, I'm excited to be able to speak with you today about the proposed changes to the Ontario Underground Infrastructure Notification System Act, 2012, otherwise known as the Ontario One Call act. I

certainly want to give a little bit of a friendly high-five, if I can, from across the room—a virtual high-five, we'll call it—to MPP Bailey, who is the father of the One Call act.

These changes here that we're speaking about are going to bring about significant improvements for sectors that rely on Ontario's locate process and would also ensure that they have the resources that are necessary for them to continue their important contributions to Ontario's infrastructure network.

Much like the rest of the critical infrastructure work that the government has been putting into place, this bill and the broadband network that it would expand would help the people of our province to recover from the economic effects of this pandemic that we are just emerging from and to become stronger as a result.

This is an important bill that is going to allow us to get more critical infrastructure built in the province and, more particularly, to get it done faster. For my ministry's part, the bill would amend the Ontario One Call act to, among other things, make improvements in the way that we have location of underground infrastructure occurring in the province—specifically, in terms of, as I said, the speed of getting that done.

The pandemic has shone a very bright light on a number of things, and certainly one of them has been the digital divide that Minister Surma has been speaking about and putting a lot of work into rectifying. It is an unfortunate reality that many people in underserved or unserved areas have just simply never had the benefits of access to high-speed Internet and what that provides you, including the opportunity to work from home, when needed, as we just recently saw and continue to see. Without any action being done, we won't be able to have people have this experience any time soon either.

Simply put, it just takes too long to get some of this stuff done, and the need for everyone to have access to high-speed Internet is only going to grow. There is just no question about it: The speed of change has just gone into overdrive, and it's our job to make sure that we get the things done that need to get done to make sure people can get connected.

It is critical that every community has the chance to keep up with that pace of change and to not be left in the rear-view mirror. Personally, I come from a northern riding, the city of Sault Ste. Marie. I've seen first-hand how many people—especially young professionals—feel like they have to move down south into the GTA in order to avoid being left behind. I've been spending a lot of time, as a northern MPP, trying to push that notion that you don't need to leave your community in order to find employment. And with a lot of these opportunities that we see now, good access to Internet, that can be a reality for so many ridings across this entire province.

We can't stand by and just simply let that continue, that notion that people can't be able to stay at home in their home communities. We will not stand by and let that happen. That is why I am such a big supporter of this bill, and why I'm so committed to having my ministry do everything that we can to support this endeavour. This is

the single largest investment in high-speed Internet in any province, by any government, in the entire history of our country. I really want to say a very special thank you to Minister Surma for the work that's gone into this. It is very, very critical and important to our province.

It is so critical to understand that these pieces of infrastructure exist below our feet at all times. They criss-cross right below all of us, right where we are today. Just about anywhere you walk, you'll find telecom cables, gas pipelines, water mains and electric wires running underground. It's not hard to imagine how big the impact of the changes to Ontario One Call would really be.

If passed, this bill is going to help make improvements in the way we conduct our locates and the way we find the underground infrastructure. In particular, it's going to address immediate pressure points in getting location information for this underground infrastructure—also known as locates—that would help avoid accidents and get infrastructure in place sooner.

For example, the amendments would require the use of a dedicated locator for certain excavation projects, which is going to allow a project owner to get all of their locate services done by one person, rather than waiting on a different person for each utility. I recently came through myself, just having built a home over the summertime. You're calling Ontario One Call five or six or seven or eight or nine times during one project—every single time you have a digger on the property. This would allow one person to do it, and they do it for the entire duration of the project. This has fantastic potential to increase the ease of doing business in Ontario, and it's going to help us build better and faster.

Additionally, the locate information, as I was saying earlier, is going to be valid for a period of at least 60 days. This helps avoid duplicative work and drives efficiencies. Duplication would also be reduced by allowing contractors working on the same dig site to share information with other contractors on the same dig site. These are all simple steps that would help get work done faster and much more easily and efficiently. And most importantly, it would maintain Ontario's very strict safety standards.

There are many more changes that would also help the industry operate better, like putting more clarity around requirements for the different types of the locate services which would make things run more smoothly. In addition, removing terms that we have currently in place, like "reasonable attempts" in relation to the timelines for locates, is going to put a stronger onus on underground infrastructure owners and operators to get their locates done within a more predictable time frame to support construction activities and those individuals who have to wait for these details before they can even start to dig.

We're also all about promoting compliance. We know that it's not enough to just put these simple rules into place. There has to be more done to ensure compliance. That is why we are proposing to give Ontario One Call the authority to issue administrative penalties against non-compliant members and excavators within the industry. They would also be required to publish data on how

underground infrastructure owners and operators are performing on completing their locates in a timely fashion. Even further, Ontario One Call would publish administrative penalty orders that they've issued directly on their website. Lastly, excavators would also have an avenue to be able to seek recourse against members through the Ontario Land Tribunal for various matters, such as late or inaccurate locates.

We want to ensure that we have a better governance model. This is the last significant portion of the changes to the One Call act that would be improving the overall governance and oversight infrastructure. For instance, this bill is going to require a mandatory MOU—memorandum of understanding—between One Call and the minister. It would also add tools that the minister of the day would be able to exercise in the event that the organization does not comply within the legislative framework. Now, to be clear, this is not a commentary on the work of Ontario One Call; however, it is wise for the government to have levers in place that it can use to act on, if a time comes where the public interest is not being met. We want to ensure that if there is ever a situation that we have reservations or concerns about from a governance perspective or a safety perspective, we would be able to step in. These would be measures of last resort, but it's a responsible thing for government to have these contingencies in place.

This bill will also give the minister the authority to change the size of One Call's board of directors and the aspects of its composition. They would be able to appoint directors to the board, as long as it is less than the majority of the board. Certainly, an important authority to ensure a balanced set of views are represented in decision-making is very important. These powers are not unique, and these enhancements are in line with governance-related requirements placed on other entities overseen by my ministry in specific sectors and industries.

0920

Obviously, we have a lot of priorities and we want to ensure that they're connected. I have outlined the importance of this bill and the need for change in light of the digital age that we live in, which has been exacerbated by the pandemic, as has been discussed by my good colleague and friend Minister Surma. We cannot allow Ontario to be separated into those with broadband and those without. The proposed changes that we're speaking to today go beyond that.

Whether it's a developer building a new subdivision, a homeowner getting a dig for their brand new foundation so that they can build a house for their family or an extension on their existing home, or a builder who is looking at creating affordable housing projects, these changes to the Ontario One Call act are going to help get this important work done faster.

It is also going to be maintaining public confidence, and we're ensuring that there's public confidence that it's being done safely. We're ensuring that Ontarians and our businesses and builders can get their shovels in the ground quicker so that we can keep on moving forward in building up our province.

The Chair (Mr. Logan Kanapathi): Minister, you have two minutes left.

Hon. Ross Romano: Thank you. Much appreciated. I will make sure to speak a little—no, Chair, I kid.

In conclusion, as I was getting to the end of my comments, our province desperately needs more communications infrastructure. I think that's a very, very fair statement. It's not only going to allow everyone to participate in our growing digital economy, but it's going to ensure that we have access to the critical services that that enables. I'm thrilled to bring forward these changes along with my colleague the Minister of Infrastructure to ensure that we are getting the job done for Ontario and the people of this province quicker.

Again, I don't want to belabour the point, but these are really very, very simple changes that have been made as a result of the great work that has been done by our Minister of Infrastructure. We are taking the opportunity to also fix a system with our One Call act that needs to be more reliable, needs to be faster and more efficient so that we can build more, quicker.

With that, I conclude and I thank you all for your time again this morning. Thank you very much.

The Chair (Mr. Logan Kanapathi): Thank you, Minister Surma and Minister Romano for your presentation.

We will now be moving on to the questions and answers, divided into two rounds of 7.5 minutes for government members, two rounds of 7.5 minutes for official opposition members and two rounds of five minutes for the independent member.

At this time, I will begin with the government members. MPP Sabawy, please go ahead.

Mr. Sherif Sabawy: Thanks to the minister for the impressive presentation on the new piece of legislation. As we've seen during this COVID time, we have been depending on connectivity and the Internet and the infrastructure for all of our critical services—even required for food, doing remote work from home and remote study from home. It highlighted that infrastructure's importance. In the areas which lack broadband, I think it's close to a national security issue now. It's a lifeline for rural areas. Can the minister explain how this Ontario Underground Infrastructure Notification System Act, or the One Call act, can improve the processes to enforce and accelerate building the infrastructure so that it doesn't lag in time?

Hon. Ross Romano: Thank you to the member for the question. Our government, as we've said, is looking at helping to build better infrastructure. We want to be able to strengthen our communities. We want to make sure that we're laying a foundation for our future growth, renewal and long-term economic recovery and prosperity. As you highlighted, and as has been highlighted, we've recognized the importance of, obviously, broadband throughout this pandemic. Just about everyone in every corner of the province is now recognizing the importance of being able to be connected, and it's not just ensuring that you're connected to the Internet. You need affordable Internet, and it needs to be reliable as well.

As I indicated at the conclusion of my previous comments, the work that is being done by our Minister of

Infrastructure with this single-largest investment ever by any government in Canadian history into broadband is giving us the opportunity to say, “What else can we do while we’re doing that work?” Well, while we’re doing that work that the Minister of Infrastructure has laid out, we can also remedy these issues with One Call.

Some of these issues for these delays that exist are just so simple, as I cited with my own particular home projects. You’re building a house or you want to get an extension built onto your home: You first have to call the gas company to come get a locate of your gas line. You’ve got to call the electrical company to get a locate of your electrical line. You’ve got to call the phone company for a locate of those wires. All of these different locates take time. It’s more work for your builder; it’s more work for yourself as the owner. So how does this make it easier? Well, you’ll have one person now, one on site. If you have a project manager, that one person can be in a position to work with one single locator throughout the entirety of the project, which simplifies time and it just makes the whole process more efficient.

In addition, it being valid for a period of at least 60 days is going to assist a great deal, because as anybody who has ever been involved in any type of a project knows, especially if you’re dealing with a larger-scale development, you’re going to have a digger on your site potentially multiple times in a week, maybe multiple times in a day, so you don’t want to have to be continuously going back and calling the same person to come back to your residence. Once it’s marked, located and all that information is being shared with your contractor, you have that type of a simple efficiency in place. It’s just sensible and it’s easier, and just taking advantage of the great work our Minister of Infrastructure is doing to allow us to be able to get this other work done with One Call.

Mr. Sheref Sabawy: Can you also highlight—
Interjection.

Mr. Sheref Sabawy: Oh, sorry.

Hon. Kinga Surma: Sorry, MPP Sabawy. I would just like to add to Minister Romano’s comments. Our ministry as well as Infrastructure Ontario have been doing a lot of consultations with municipalities, with all of the players involved, anyone that is involved in building high-speed Internet infrastructure. I, myself, certainly when I was first appointed in the role, too made it my effort to speak to as many people as possible, because I knew we need to make sure we connect everyone by the end of 2025. One of the major issues that was raised constantly and frequently, be it by Internet service providers or people that are involved in building this infrastructure, was to establish a better process when it came to identifying infrastructure underground.

This is a very practical measure that we can put in place, a best practice with timelines and responses, so that when Internet service providers are awarded contracts to build high-speed Internet and connect homes, the process is easier and more efficient so that we can get everyone connected as quickly as possible. This is a very big key of the legislation that is before all the members in the House that,

if passed, would certainly expedite the deployment of high-speed Internet infrastructure across the province.

The Chair (Mr. Logan Kanapathi): MPP Bailey?

Mr. Robert Bailey: Yes. How much time do I have, Chair?

The Chair (Mr. Logan Kanapathi): You have two minutes and—

Mr. Robert Bailey: Okay, well, it takes me that long to clear my throat, but anyway, we’ll start with that.

I wanted to just comment, probably more than a question. But I wanted to commend both ministers for being here today—the importance of broadband, that we stress that. I got involved with One Call and this bill originally over sewer and water main and gas line installations, never really thinking about broadband and the importance of this bill a number of years ago when myself and MPP Paul Miller co-sponsored a bill. I’m very proud to say that it’s here today and being improved upon.

I’ll go to Minister Romano first, my boss, and ask him if he could comment. We’ve talked about the importance of broadband to the rural community and to the business community. Could you talk about—it’s something that I like to deal with—the impact this will have on the infrastructure owners, like the Enbridges, like the Bells of the world?

Hon. Ross Romano: Thank you, MPP Bailey, for the question and for all the work that you’ve already put into this. Obviously, for the infrastructure owners themselves, timely delivery is so vital to the success of their overall construction activities. Clearly, in order for us to be successful in this endeavour, we have to be working in co-operation and conjunction with all of our infrastructure owners, operators, locate service providers, excavators and One Call. It’s very, very important that there’s a good, strong collaboration between all of those parties or else the system just, simply put, wouldn’t work.

0930

The proposed changes, if passed, are going to establish a very firm five-day time frame to deliver location information of underground infrastructure for standard locate requests, and this goes along with several other improvements in the next major steps that our government is taking to make up for the real lack of investments that have existed—

The Chair (Mr. Logan Kanapathi): Thank you, Minister. Sorry to cut you off. Moving to the official opposition, MPP Chris Glover.

Mr. Chris Glover: Thank you for being here and for your comments this morning. The questions that I have are: How is this going to be paid for? Who’s going to be paying for it? And who’s going to ultimately own it? Because I’ve heard many government members say that they’re going to be investing \$4 billion in broadband rollout, but there’s nothing like that at all in any budget that I’ve seen. So my question is, is this going to be funded through a P3?

Hon. Kinga Surma: Thank you very much to the member for the question. Well, the government has released multiple budgets speaking to the investments that our

government is making to make sure every single home is connected, and the \$4 billion has been referenced there quite a few times. Nonetheless, \$900 million of that \$4 billion has been allocated to 180 projects, and this includes ICON and all of the proposals that were approved, and funding provided for to Internet service providers. This includes our partnership with the federal government—UBF, \$1.2 billion—and it includes many other projects such as northern and projects in Matawa and our investments in SWIFT and EORN.

Right now, currently, today—and I've spoken about this in the House and to any member who has come up to me with questions—we have, most recently, completed our reverse auction. This was a process in which Infrastructure Ontario identified lots across the province, areas of unserved and underserved communities, and went out to the market—

Mr. Chris Glover: Actually, I want to come back to my question. Yes or no, is it going to be funded through a P3?

Hon. Kinga Surma: The government is offering a subsidy for Internet service providers to connect homes in approximately 93 lots in the province of Ontario.

Mr. Chris Glover: Okay. So it is going to be funded largely through a P3. It will be a public-private partnership.

Hon. Kinga Surma: It's a partnership with Internet service providers, and the government is providing a subsidy to connect homes within identified lots in the province of Ontario.

Mr. Chris Glover: Okay. That's fine. I'll pass it to my colleague MPP French.

The Chair (Mr. Logan Kanapathi): MPP French, please go ahead.

Ms. Jennifer K. French: Good morning, Ministers. We have asked questions, through a few different ways, of Infrastructure Ontario regarding the procurement process, and I guess I'm still looking for some specifics. I appreciate that you just mentioned it will be 93 lots. We've sort of been chasing the mapping details and hoping that this project will indeed allow the small and medium ISPs to deliver the Internet to the last-milers, the rural folks. I haven't had any of those assurances.

I'd like to ask the Minister of Infrastructure a few questions. One of them is about the quality of service that is coming. Folks, we all remember dial-up. But the wireless of today is the dial-up of tomorrow, really. The 50/10 won't cut it. The ideal target should be that one gigabyte symmetrical, with the capacity and bandwidth needs. The future is coming, and I think future-proof Internet is fibre. So will the Ontario Connects program specify the use of fibre optic cable instead of less reliable technologies? Will it be wired as opposed to wireless? That's my first question. I'll start there.

Hon. Kinga Surma: Sure. It's the federal government that sets the standards when it comes to high-speed Internet standards, and 50/10 was the agreed upon standard for the federal government and the provincial government. That is the standard that we believe will provide people

with the ability to learn from home, to work from home, to access services from home and connect with family and friends.

Ms. Jennifer K. French: Okay. Was that specified, then, in the procurement process? Because we were wondering if it would be higher than that.

Hon. Kinga Surma: Yes, to the member. That has been specified in all of our programming, whether it be application-based or through the reverse auction.

Ms. Jennifer K. French: Okay. Thank you. The other question that we had—we put in an FOI about the service area maps. These lots that we're talking about, we were concerned that the size of them, the expansive nature or the expensive nature would preclude the small and medium-sized ISPs from even getting in the game. If it's too expensive or they don't have the fleet of infrastructure vehicles or whatnot to service the area, then they couldn't even get in.

The problem was that Infrastructure Ontario made them all sign. Every single ISP had to sign a non-disclosure agreement, which, I think, is fundamentally problematic. I would like to know how the ministry feels about this. The need for all of them to sign non-disclosure agreements, first of all, is a problem. But also, what have we done to ensure that the small and medium-sized ISPs can even get in the game? Because we couldn't find out about the lot specifics.

I copied the minister on a letter that I wrote—not to the minister, but to Infrastructure Ontario—about the approximate dollar value of each of the lots. Are they going to be about \$10 million or \$20 million? That's obviously out of reach for the small and medium-sized folks—the specifics of whether or not they could even have the liability insurance or, like I said, get in the game.

My question to the minister is: Have we ensured that small and medium-sized ISPs were even able to get anywhere near this so that they could provide that Internet to their communities?

Hon. Kinga Surma: Okay, I hope you're—

The Chair (Mr. Logan Kanapathi): One minute and 14 seconds.

Hon. Kinga Surma: One minute and 14 seconds. Well, first of all, I wish I had more time. Perhaps I'll try to address it. But the federal government is the government that documents where and which homes are connected, and they have various tools to make sure that that information is accurate. The provincial government relies on the federal government for the timely sharing of information, and we use information from the federal government in order to connect homes and run whatever program it is, application-based or reverse auction, through Infrastructure Ontario.

In terms of the question about non-disclosure agreements, this is a competitive process. It is a procurement. It is an active procurement that is nearing its end. It's a very standard practice that anyone participating in any procurement that has commercially sensitive information participates in signing a non-disclosure agreement. So there is nothing abnormal or irregular about that practice.

The Chair (Mr. Logan Kanapathi): Thank you. Now we are moving to the independent member. MPP Schreiner, please go ahead.

Mr. Mike Schreiner: Thank you to both ministers for joining us this morning to be a part of this important conversation. I absolutely think we need to address the digital divide, especially in rural and remote communities. That's why I believe that broadband should be an essential service.

When I meet with municipal leaders, particularly at ROMA and AMO, but especially at ROMA, I ask them, "How do we get broadband to rural communities?"

They say: "You know what? When you have a chance to talk to the minister, can you ask that the money flow faster? We're not getting money flowing fast enough to get these projects built in a timely way."

So I have an opportunity to ask the minister that question on behalf of rural municipal leaders this morning.

Hon. Kinga Surma: Thank you very much. I'm glad you're asking the question on behalf of your stakeholders and constituents. The government has a big responsibility here. We have the responsibility to connect 700,000 homes as quickly as possible, using the fastest timelines in Canada.

We want to make sure that everyone follows the standard of 50/10, but we also have an obligation to make sure that the project is complete and operational.

Now, whether it's through ICON or UBF or the reverse auction or partnerships with SWIFT and EORN, agreements are formed, take place and are signed. Within those agreements are project milestones, schedules, timelines, completion dates and operational dates. In order for the recipient proponent that is responsible for building high-speed Internet infrastructure that is receiving government dollars—they must adhere to the terms of the agreement and reach those milestones. That is incredibly important because these are taxpayer dollars, \$4 billion in taxpayer dollars, and it is our job, as ministers and legislators, to make sure that, yes, projects are awarded and, yes, funding is in place, but ultimately that the project reaches completion so that that person has that Internet connection at home.

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So in all cases, agreements will be followed and money will be flowed upon reaching milestones.

Mr. Mike Schreiner: Thank you for that. Can you just address the last Expenditure Monitor that the financial accountability officer put out, which showed that broadband was underfunded by \$207 million? Can you address why that cut happened?

Hon. Kinga Surma: So I will reference my first question: \$4 billion is allocated provincially, through our budgets, through public documentation; \$900 million has been allocated to specific projects—180 of them. Again, the provincial government makes payments and transfers funds when projects continue through various phases and reach specific milestones. The government has to be accountable. We don't just allocate dollars and then quickly release the money. We want to make sure that

these projects are built, because people are depending on us, and it would be a terrible situation if we allocated dollars and provided that funding and that project was not completed. Can you imagine the disappointment? So the funding will flow when the terms of the agreements are followed and milestones are followed as well.

Mr. Mike Schreiner: Thank you. A quick question about One Call: Do you think One Call has the capacity to deliver on the timeline changes that are outlined in the legislation?

Hon. Ross Romano: Certainly I do. That is why we've included it. I think the time frames that have been included are reasonable, and when you factor in the simplicity of the changes—some of these things, sometimes you don't necessarily need to reinvent the wheel. To think that you would have to call five different locators; now we're looking at it and saying, "Why can't we just have one?" The nature of the infrastructure that is underground is that it just needs to be located. We don't want to strike a gas line; we don't want to strike an electrical line or a sewer main or any of these things.

It's a good question. It's important to ensure that we are going to be able to meet the targets. But I think that because of the nature of the simplicity, these are very, very sensible options. We're not changing the way someone is going to do a locate; we're just making it a much simpler, more efficient process moving forward, where we don't need five hands doing the same job. We can just have one and have that information flowing and sharing between all parties to ensure that we're making the process faster and getting through it quicker.

The Chair (Mr. Logan Kanapathi): Thank you. Right on time.

Mr. Mike Schreiner: I'm probably out of time.

The Chair (Mr. Logan Kanapathi): Yes.

Moving on to the government members: MPP Wai, please go ahead.

Mrs. Daisy Wai: Thank you very much, both ministers, for being here today. I heard, actually, when I was attending AMO, a lot of the mayors from the north sharing with us how the younger generation moved downtown to study, to work and start a family, and the old folks were left behind. What are the things we can do to help those seniors or the older folks who stay behind with their health care?

Hon. Kinga Surma: Thank you very much, MPP Wai. That is a concern, obviously. Minister Piccini said it best when I was in Brighton: Young people want to go where there's availability of technology and high-speed Internet access because it's just such a big part of daily life. It's such a big part of studies and being an entrepreneur and running a business and starting a family.

Certainly, if there are constituents who do not have access to high-speed Internet, particularly seniors, it's much more difficult, especially throughout COVID, to be able to access online health care and online services, to access critical information that the government provides to the public about the status of COVID and certain measures and restrictions. So making sure that the government is

doing everything it can from a funding perspective, a program perspective—\$4 billion with legislation to make it more efficient for Internet service providers to be able to build that infrastructure—is absolutely critical so that anyone, no matter where they live, no matter how remote, no matter which part of the province, is able to access high-speed Internet so that they can communicate, they can be informed, they could access critical health care services and be able to contact their physician if they need to, so that ultimately they can all be safe and healthy and prosper.

Hon. Ross Romano: If I can maybe just add—because there was a component of the question that MPP Wai raised about the north. Just for a little bit of clarity, as a member from northern Ontario—and I know this is obviously more the Minister of Infrastructure’s portion, but just for perspective—right where I live, I referenced building a home and it didn’t have any Internet access. Recently, under the changes and the announcements, Bell has now started to provide service. It’s the 50/10 standard. It works; it’s great. My kids are excited to finally have that.

When I think about members, though, even further north and not far away from my own riding in particular—I’ve travelled into Matawa fly-in communities where we want to build the Ring of Fire—we’re talking no service, where you walk in and your phone doesn’t work at all and there is absolutely no connectivity other than a simple system that exists only within that area that you wouldn’t have access to usually.

To think about some of the new services that we’ve learned and provided, there are so many things you could do with your doctor now online. For people in parts of the province that are very remote, that have a very real shortage when it comes to health care services, whether it be a fly-in community where a doctor only comes into the community once a week or maybe even less than that, the importance of the Telehealth system is so critical to ensuring that people can get care. Without Internet, reliable Internet and affordable Internet, it would be impossible.

It can’t be underscored how critical these services are, something as simple as Internet now, how critical that’s become to the delivery of just about every service we provide, whether it be health care or financial in nature.

Mrs. Daisy Wai: Thank you very much.

The Chair (Mr. Logan Kanapathi): MPP Randy Pettapiece, please go ahead.

Mr. Randy Pettapiece: Thank you. A couple of comments, Minister Romano, on the Ontario One Call for services: I worked for a tile drainage company years ago and they hit a gas line, and that can be very dangerous. Fortunately, nobody was hurt. About a couple of weeks later, somebody else did the same thing and they’re dead. So it’s a very terrible thing when it happens. Also, it would be nice to have one person doing the locates because a lot of the time, if you have more than one, they don’t all show up the same day. You’re still fooling around with locates, so that’s incredible.

I want to share a story, too, that I think is common in a lot of our ridings. I have a person who lives just outside of Stratford who has dial-up yet. You would think that, living where I live, that wouldn’t be a common thing, but this person is just a quarter of a mile outside of Stratford and has dial-up. I think those stories are common in a lot of ridings.

Certainly, the agriculture community is very important to not only myself but all of us. Farmers rely on Internet because marketing is so critical to their operations, so they need to be on the Internet to help sell their foods or their crops. A lot of them use that every day. As we see what’s going on in Ukraine right now, it’s going to be even more critical that we know what we’re growing, because we don’t know how the outcome of that’s going to—you know, what’s going to happen there because they supply a lot of agriculture products throughout the world.

I just wonder what the government is doing, Minister Surma, to help farmers and others across the agriculture sector access reliable, high-speed Internet services in their communities.

Hon. Kinga Surma: Thank you very much to the member. I just want to say that I’m a big supporter of farmers. I studied at the University of Guelph with many, many farmers whom I know work extremely hard to feed us and make sure we have everything we need available in the grocery store. This is a challenge, obviously, in parts of the province—the rural-urban divide. Obviously, urban settings have had more access to high-speed Internet and various forms of technology.

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But it’s so important for folks in the agricultural sectors to be able to implement technology to run their farms and for the agricultural sector to thrive, which is why one of the very first investments that my predecessor, Minister Smith, made was in SWIFT, southwestern Ontario integrated fibre network, as well as EORN, so that we can get those connections happening. That is why my predecessor built the ICON program and started having conversations with the federal government.

This goes back to my remarks that when we were first elected, there were 700,000 homes, premises and businesses that did not have access to high-speed Internet. Now we are very much in a place where we are trying our best to connect the remaining 300,000 or so households and businesses and premises. This is why we acted so quickly in developing the reverse procurement—

The Chair (Mr. Logan Kanapathi): Thank you, Minister Surma.

The next round is going to the official opposition members. MPP Jennifer French, please go ahead.

Ms. Jennifer K. French: I really appreciate that the ministers are here today taking questions. Folks are very eager to have Internet around the world. We’ve all seen the importance of it and why it needs to be essential.

To that end, we’re facing construction challenges. Companies are booked up. The minister said that we simply cannot wait any longer; we all agree. Fibre is hard to get and procurement of the physical materials is going

to be a heck of a challenge when the whole world is looking to get connected.

The shortages, the challenges on that construction front: 2025 is going to be a really challenging timeline with those concerns. How is the government—not bracing for that, but planning for that?

Hon. Kinga Surma: Yes, thank you. That is an absolutely very fair question. As you know, the provincial government, through my ministry, is investing more in infrastructure than I think ever before, particularly in connecting every single home with high-speed Internet infrastructure.

When the pandemic hit and when I was given the responsibilities of being the Minister of Infrastructure, I worked with the ministry and with Infrastructure Ontario to make sure that we monitored the construction sector very, very closely. We're also working very closely with the Minister of Labour, Monte McNaughton, to make sure that we do everything we can so that we have that labour force here for us to be able to construct these projects.

Ms. Jennifer K. French: The fibre itself: How are we going to get it?

Hon. Kinga Surma: Well, Infrastructure Ontario consistently has conversations with industry participants. We have conversations with municipalities and various stakeholders. It's common knowledge out there that we want to build. We want to build this critical infrastructure and I think that also creates a lot of excitement in the field.

For example, Internet service providers, particularly smaller and regional and medium service providers, are so excited about our \$4-billion investment. They have been so excited about being able to make proposals through ICON, through UBF, to be able to participate in the reverse auction—

Ms. Jennifer K. French: Thank you. I'm actually going to jump on to that. I think the answer to how we are going to get the fibre is being determined, and I would encourage the government to work with whatever partners to get that fibre. But as you were just talking about the small and regional ISPs, I want to go back to that. I have limited time.

We've seen that successful folks like EORN and SWIFT have negotiated to get those service-level agreements to bridge that gap, to really serve the rural communities that we talk about, but they've been doing the work. Actually, that EORN Gig Project was rejected after four years of planning, which is too bad, now that we're hearing this is only a 50/10 endeavour.

I can't imagine that the big companies Infrastructure Ontario tends to do business with are interested in little, local deals for the last-mile folks. With SWIFT, 80% of their past contracts went to small and medium ISPs. Based on conversations with them, I would have expected about 500 lots. To the minister's comment about there being 93, that tells me that the small and medium-sized—I can't imagine that they have the capital or had the capacity to even get in on the game, which would tell me, then, that the end-of-the-line folks, I guess, are not going to become online folks. I'm sad about that, frankly. I'm actually disappointed right now to find this out.

The fibre optic trunk lines of the big telecoms don't invite the smaller ISPs to tap in, and they can't afford to. I'd like to ask the province specifically about those trunk lines of the big boys. How are we going to allow the smaller players, who likely aren't in on these 93 lots—how are they going to be able to tap in? Is the government going to ensure that they can actually provide service to our rural folks and neighbours?

Hon. Kinga Surma: Chair, may I ask how much time I have?

The Chair (Mr. Logan Kanapathi): You have three minutes and 19 seconds.

Hon. Kinga Surma: Thank you very much. I'll remind the member asking the question that it is the federal government that sets the standards of 50/10. In terms of the smaller and medium-sized Internet service providers, to the member, you just referenced projects that they participated in—SWIFT, EORN, ICON. Internet service providers of all sizes were able to make their proposals for the ICON program as well as the UBF program, for which we formed a partnership with the federal government to the tune of \$1.2 billion. To make any suggestion that smaller Internet service providers were not able to participate in connecting homes in the province is false. They have been key partners in delivering connections throughout the province of Ontario—

Ms. Jennifer K. French: I'm talking about the procurement, not past projects. The procurement for Ontario Connects, what's happening now.

Hon. Kinga Surma: I am getting to that. Thank you. In terms of the reverse auction that is in place, Infrastructure Ontario and the Ministry of Infrastructure worked very closely to have early conversations with our municipal partners, all stakeholders and Internet service providers to build a reverse auction process where all Internet service providers—small, medium and large—could participate.

I just want to remind all members in this committee that, like you referenced, we have the quickest timelines. We have set the quickest timelines: to connect every single Ontarian in Canada by the end of 2025. We wanted to make sure that, yes, small, medium and large providers—everyone—could participate. But ultimately we have to deliver on the results to connect every single home.

Now, that being said, the reverse auction is complete and Infrastructure Ontario is doing its good work. It's reviewing all of the submissions and doing its assessment. When that review is complete, I will be able to update the Legislature on the results of the reverse auction.

We are doing other things as well. One of the most recent announcements that I attended with Minister Piccini is about how we're working with the energy sector to connect homes in the province of Ontario as well. So we are looking at all options to make sure that we can reach our goal of 2025.

Ms. Jennifer K. French: And we hope that you achieve it.

Hon. Kinga Surma: Thank you.

Ms. Jennifer K. French: There's nobody who wants this to fail. We want this to be successful.

I appreciate that you mentioned energy. How is this government and Infrastructure Ontario going to ensure that rural broadband consumers won't eventually be exposed to unaffordable rate increases by big telecoms or monopolistic ISPs, like the unaffordable rate increases that rural electricity consumers have been exposed to? I appreciate that the reverse auction is complete. We'll be glad to have the information. I just worry that if the lot sizes were too big, the little guys couldn't even get in that first part of the procurement, and then they won't be able to go on to the next phase of this.

In case I'm right—and I hope I'm not—will the province ensure smaller ISPs can access the trunk lines at major intersections and make them points of interconnection?

The Chair (Mr. Logan Kanapathi): Thank you. Sorry to cut you off.

This time we're going to the independent member. MPP Schreiner, please go ahead.

Mr. Mike Schreiner: I'll follow up on that question, mostly from the consumer protection angle. Public money is going in to support the rollout of broadband. What's the government doing to ensure that consumers will have affordable access to this broadband, moving forward?

Hon. Kinga Surma: Thank you to the independent member for agreeing with me. You're right. This is public money and, therefore, we must make sure that anyone whose proposal was accepted must meet the milestones that both parties agreed upon.

In terms of my remarks, I mentioned that it's very important for all levels of government to work together to make this happen, because this is a massive endeavour and the federal government has its role to play. Through the CRTC, they are responsible for regulating telecommunications companies in Canada. So I would just encourage the member to continue to advocate and continue to speak to the federal government about those regulations and about affordability, because they also have a role to play here.

In terms of the municipalities, their role is more so on the ground throughout construction, which is why permitting and including timelines for accessing permits for Internet service providers is included in the legislation, so that, if passed, we can expedite construction.

Mr. Mike Schreiner: To reiterate, public money is being used to help fund this. What guarantee is the province providing to ensure a level and fair playing field for all businesses to be able to access this money and provide services to consumers?

Hon. Kinga Surma: Are you speaking about Internet service providers?

Mr. Mike Schreiner: Yes. What are you doing to ensure that everyone has a level playing field to be able to compete and bid on these projects?

Hon. Kinga Surma: Well, whenever developing a program or procurement, there are a certain amount of criteria. The criteria are established reflective of government

priorities. Our government priority is to connect everybody; no one is left behind. Our government priority is to follow connectivity standards set by the federal government, 50/10. And our government priority is to make sure that these projects can be completed, so anyone that is awarded, whether it's a proposal or through the reverse auction, if they are receiving government dollars or a subsidy, they complete and build the infrastructure that we are speaking of. For anyone making a submission, whether it be through application-based, government programming or through the reverse auction, there is a set of criteria: technical feasibility, financial feasibility, feasibility of delivering on time, meeting the standards priorities by provincial and federal government of 50/10 connectivity and the timelines associated with that.

Any Internet service provider, no matter what size, can make a submission, can participate in the reverse auction. But they ultimately have to meet criteria because, like you said, these are public dollars. We need to be accountable for those dollars, and we need to make sure that anyone who receives those dollars sticks to the agreements in place and can complete the project and everyone can be connected.

Mr. Mike Schreiner: I probably have limited time, but really quickly, on municipal timelines—

The Chair (Mr. Logan Kanapathi): You have a minute and seven seconds.

Mr. Mike Schreiner: Okay. Delays slow things down and cost money, whether it's One Call or at the municipal level. Because of the pandemic, municipal budgets are under extreme stress. If municipalities don't have the capacity to meet the timelines outlined here, is the government open to providing them with some additional fiscal support to be able to have the staff capacity to meet the deadlines outlined in legislation?

Hon. Kinga Surma: Thank you very much. That, too, is a very fair question. That's something that my ministry took very, very seriously. That's something that we worked with Infrastructure Ontario on, which is why we are building technical assistance teams.

The role of the technical assistance teams will be to be in constant communication with municipalities to make sure that they are getting the support they need from a technical perspective, and also the Broadband One Window, which will essentially be a place where everyone submits, whether it's permit information or anything else, so that everyone that is involved in building this infrastructure has access to that information in a timely manner—

The Chair (Mr. Logan Kanapathi): Thank you, Minister.

Thank you to the ministers for coming out and thank you to all the committee members for being here. That concludes our business for this morning. The committee is now recessed until 1 p.m.

The committee recessed from 1004 to 1301.

The Chair (Mr. Logan Kanapathi): Good afternoon, everyone. The Standing Committee on General Government will now come to order. We are here to resume public

hearings on Bill 93, An Act to amend the Building Broadband Faster Act, 2021 and the Ontario Underground Infrastructure Notification System Act, 2012.

Our remaining presenters have been scheduled in groups of three for each one-hour time slot, with each presenter allowed seven minutes for an opening statement followed by 39 minutes of questions for all three witnesses divided into two rounds of 7.5 minutes for government members, two rounds of 7.5 minutes for the official opposition members, and two rounds of 4.5 minutes for the independent members of the committee.

Are there any questions from the committee members?

ENBRIDGE
ASSOCIATION OF MUNICIPALITIES
OF ONTARIO
MR. YAWAR QUADIR AMIN

The Chair (Mr. Logan Kanapathi): Seeing none, I will now call on Enbridge. You will have seven minutes for your presentation. Please state your name for Hansard. You may begin now, please.

Mr. Mike McGivery: Mike McGivery, here to speak on behalf of Enbridge.

Good afternoon. I'm Mike McGivery, manager of damage prevention for Enbridge Gas. I lead teams responsible for safely operating a network of critical infrastructure that over 3.8 million homes and businesses in Ontario rely on every day.

My remarks today aim to provide constructive feedback on Bill 93, including two recommendations to ensure safety remains top of mind: first, to establish clear criteria for using and selecting dedicated locators; and second, to amend the excavator recourse provisions to provide for equitable treatment of both infrastructure owners and excavators.

As you may know, Enbridge is North America's premier energy infrastructure company. We transport 30% of the crude oil produced in North America and move roughly one fifth of natural gas consumed in the US. Our gas utilities serve approximately 3.9 million customers in Ontario and Quebec, and we own over 1,700 megawatts in renewable power across North America and Europe.

In 2021, Enbridge invested \$2.3 billion in Ontario, including approximately \$1.1 billion in capital and \$1.2 billion in operations, and we complete over one million locates and hundreds of excavations annually.

Enbridge supports the government's intent to modernize Ontario's One Call system, and we are working closely with the government to help deliver priority projects, including the natural gas expansion program, broadband and priority transit projects.

In delivering the energy that Ontarians need and want, safety remains our top priority. This brings me to my first point. While Enbridge supports the use of dedicated locators, Bill 93 should include additional considerations to avoid unintended safety risks for critical oil and gas transmission assets. These are very unique assets with unique risk profiles.

Specifically, Enbridge is looking to see the bill exclude transmission pipelines, including liquids pipelines and natural gas transmission pipelines, from the dedicated locator project stream; and ensure that when a dedicated locator is used, these locators meet minimum qualifications to ensure they are competent and equipped to provide locates on behalf of infrastructure owners.

Damages to oil or natural gas transmission pipelines have the potential for significant consequences to both public safety and the environment and could also impact the delivery of critical energy across North America. For these reasons, anyone locating these assets must be familiar with the pipeline system to ensure locates are accurate and safe excavation practices are employed.

While a dedicated locator model is most effective when a single entity provides all locates for a particular dig project, locate requests for Enbridge's transmission assets make up only 1.25% of the 1.2 million tickets that Enbridge receives on an annual basis.

Also, some of these assets are subject to federal regulation and more stringent locate timelines than required by this bill. Excluding transmission assets from the dedicated locator model will allow Enbridge to ensure that these pipelines are located safely by our specialized staff while meeting the timelines required in the act.

In addition, Enbridge has concerns with allowing dedicated locators to mark our assets without meeting minimum standards or criteria. It is in the interest of all parties that dedicated locators are trained, competent and have safeguards in place to protect sensitive pipeline information. In order to maintain the safety and security of our assets, Enbridge is seeking to ensure that the bill provides infrastructure owners with the ability to set standards or minimum criteria for anyone locating our assets.

My second recommendation relates to the excavator recourse provisions. As drafted, Bill 93 would provide excavators a legislated right to compensation for inaccurate and late locates. Excavators who suffer losses from inaccurate, late locates are already able to seek remedy through the courts. This is the same process infrastructure owners currently follow to recover their costs to repair assets damaged by excavators.

The recourse provisions in this bill create an unbalanced, two-tiered cost recovery system that favours excavators. If these provisions are to remain, Enbridge would like to see reciprocal language added that provides recourse to infrastructure owners when seeking compensation for pipeline damages and locate abuse caused by excavators. This change will further incentivize safe excavation in the province.

Finally, since Ontario One Call does not limit the number, size or scope of standard locate requests that an excavator can submit, asset owners have difficulties predicting, forecasting and accommodating industry demands for locates. For this reason, any recourse provisions should only apply to locates proceeding under the dedicated locator stream to ensure that infrastructure owners are provided advanced notice of projects and can plan and allocate resources accordingly.

Having excavator recourse provisions apply to five-day, standard locate requests will require significant investment from infrastructure owners, which may result in impacts to their respective ratepayers. While the bill currently requires project owners to provide 90 days' notice for dedicated locator projects, we feel that a 180-day period is more appropriate and will minimize issues during the project execution.

In summary, Enbridge remains committed to delivering the energy that Ontario homes and business rely on, safely and affordably. We support the government's intent to modernize the Ontario One Call system, and we remain a helpful partner for government to deliver on priority infrastructure projects. We, too, see the opportunity to improve the industry, but we must get this right and ensure that safety remains a key principle while supporting customers' needs. We encourage the government to continue its important dialogue through the Ontario One Call working group to support next steps to implement this bill.

I just want to thank everyone for this opportunity. I look forward to your questions.

The Chair (Mr. Logan Kanapathi): Thank you for your presentation. Next, I will call on the Association of Municipalities of Ontario. You will have seven minutes for your presentation. Please state your name for Hansard. You may begin now.

Mr. Brian Rosborough: Good afternoon, everyone. My name is Brian Rosborough. I'm the executive director of the Association of Municipalities of Ontario. I have with me today my colleague Craig Reid, who is a senior adviser with the association as well.

First, allow me to thank you for the opportunity to speak with you regarding Bill 93, the Getting Ontario Connected Act. The Association of Municipalities of Ontario and municipal governments place critical importance on Internet and cellular connectivity for our residents and businesses.

To illustrate how important that is, I'd like to give you just a little bit of background. Fast and affordable Internet and cellular connectivity have long been identified by local governments as a priority for economic and social development and service delivery. Municipalities—through AMO and the Rural Ontario Municipal Association, or ROMA, and other municipal associations—have called for more investment to extend networks for over a decade.

Seeing the slow expansion of these networks, coupled with the growing demand of residents and local businesses, local governments and local leaders have jumped in to fill those gaps. Organizations in eastern Ontario and western Ontario and the north were created by municipal governments to analyze connectivity challenges and provide organizational capacity and financial capacity to close those gaps. Each of these organizations was developed to serve less populous communities, which telecommunications industry players and markets found too difficult or too costly to connect. They and organizations like them represent local ingenuity in Ontario's small communities to solve common problems.

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While we applaud these initiatives, we also must acknowledge that they jumped into this space because the market could not provide adequate services. They did what municipal governments always do: They saw a challenge, they listened to their residents and businesses, and they worked hard to fill a gap. The onset of the COVID-19 pandemic made everyone aware that these coverage gaps could really no longer be tolerated. As the world moved online by necessity, connectivity became a matter of access to work, to school, to medical services, to social connection and many other important aspects of life.

AMO and ROMA recognized the need to help members solve these challenges. At the onset of the pandemic, AMO identified significant investments in broadband coverage as necessary for Ontario to come out of the pandemic better than we began. ROMA developed materials and guidelines to help rural municipalities advocate for local solutions. As a result, AMO has strongly supported the province's broadband and cellular initiatives.

Ontario's \$4-billion connectivity investment will have a game-changing effect on underserved and unserved communities. This funding means guaranteed connectivity by the end of 2025 for our residents and businesses that have previously been left behind. While this investment means municipalities no longer need to front up funds, they still have important work to do in advocating for communities and managing access to public property to make these projects happen.

The bill in front of you today will require municipal approvals within tough timeline standards. AMO understands timely access approvals are necessary to meet program timelines. However, these projects will be built in mostly small, rural and northern communities, and it's important to recognize that these communities may find meeting timelines challenging due to more limited staff capacity. For this reason, AMO is very pleased that the Minister of Infrastructure has committed to strike a dedicated technical assistance team. While the exact functions and services of the team are still being developed, it should help our small, rural and northern members to meet their responsibilities.

Underground infrastructure mapping is another challenge that will be important to manage. Many municipalities have inherited maps in various formats since the infrastructure was originally built. In some cases, these were the responsibility of municipalities. In some other cases, those maps would have been inherited from a prior provincial jurisdiction. Others, maybe, have been assumed from private developers, if they were provided at all. Whatever the format, municipalities will provide whatever data they have to make projects happen, but it is important to recognize that not all communities will have the information readily available.

Finally, this legislation helps enable one of the most significant infrastructure builds in the 21st century. To ensure public support, Ontarians need transparent information on project investments, successful proponents, technology, anticipated speeds and exact areas serviced.

We hope that the ministry will make this information available as soon as possible.

Let me close by saying AMO fully supports better connectivity. Municipal governments have been calling for this investment and doing their part. We believe that this will be every bit as important to our future prosperity as railways and roadways and transit and water systems and other infrastructure continue to be.

With that, I'll conclude. Thank you again for the opportunity to be here. My colleague Craig and I will be happy to take questions in the question period.

The Chair (Mr. Logan Kanapathi): Thank you for your presentation. Now I will call on Yawar Quadir Amin. You will have seven minutes for your presentation. Please state your name for Hansard, and you may begin now.

Mr. Yawar Quadir Amin: My name is Yawar Quadir Amin. I thank the standing committee for the opportunity to speak to you today. I wanted to present a few points that I hope will be considered.

I'm a private citizen, and my main concern is that the model of this infrastructure spending is being done through an RFP public-private partnership model with big telecom providers. I am going to present that there are some risks associated with this model that might be considered, specifically with contract costs and other cost overruns that might come into play in later stages of the contract or the project that are not visible now.

I would recommend that the Ontario government consider using an owned and operated model instead, which would allow us to retain public ownership of broadband fibre, to treat it as a utility like hydro instead of as a private project that is undertaken by private corporations.

I would also recommend considering creating a provincial crown corporation to construct, own and operate the broadband infrastructure, to operate with a middle-mile strategy, to bring the rural broadband fibre into the municipalities and then let the municipalities and the local ISPs deliver the last mile to the consumers themselves, which would, I feel, be a more competitive model than the current consideration, which is for the larger ISPs to build and operate the system.

I would recommend creating a task force of specialists from small ISPs, the Ontario municipalities' association and the Canadian independent telecom providers' association to help advise and to provide guidance on where exactly these services should be provided and operated.

In closing, my main argument is to recommend that a more traditional, publicly owned and operated model be considered for this project. It could prove to be beneficial in terms of costs and other risks associated with operating with a public-private partnership model.

I wanted to thank the committee again, and I hope my points will be considered.

The Chair (Mr. Logan Kanapathi): Thank you for your presentation. This round of questions will start with the official opposition. MPP Bailey?

Interjection.

The Chair (Mr. Logan Kanapathi): Sorry. I started with the official opposition by going to the government side. My apologies.

The official opposition, starting with Chris Glover: MPP Glover, please go ahead.

Mr. Chris Glover: It would have been a promotion for you to move over here, Bob.

Interjections.

Mr. Chris Glover: Thank you all for presenting today and for being here and for your passion for getting broadband to people. It's an absolutely essential service, and it needs to be rolled out. That communities are still deprived of it in 2022 is just shameful, because it's a real drag on the economy, as you said, Brian, and it's a drag on our economic and social development in rural and remote communities.

My first question I'll address to Yawar. You suggested that we actually develop a crown corporation. You were talking about a middle-mile strategy. Can you go into a little bit more detail about what a middle-mile strategy would be? I'm assuming from what you said that the government would actually be creating its own crown corporation to complete this middle-mile strategy.

Mr. Yawar Quadir Amin: Yes, that's right. The strategy would be to provide the basic trunk line up until where the municipal authorities and the small ISPs advise would be—where they would take over and deliver the last mile. That is the actual fibre connection to the rural consumers' homes.

Mr. Chris Glover: Right—

Mr. Yawar Quadir Amin: The middle-mile strategy has the benefit that it lets the government do what it's best at, large infrastructure projects, as opposed to private corporations, and it lets the smaller ISPs be more competitive in delivering services on top of reinventing trunk infrastructure, as it were.

1320

Mr. Chris Glover: Okay. I'm going then to address a follow-up question to AMO, and either of you gentlemen can respond. My understanding is that one of the real challenges in delivering broadband to rural communities is accessing the trunk lines, because the trunk lines are owned by major players and they're reluctant to give access to their equipment. What is needed in order to get access to those trunk lines so that we can roll out fibre to rural communities?

Mr. Brian Rosborough: I'll ask Craig to answer the question.

Mr. Chris Glover: Okay.

Mr. Craig Reid: Thank you, MPP Glover. I think that you're absolutely right. A lot of those trunk lines are owned by private providers. In terms of the models suggested, I would suggest to you that AMO is relatively agnostic as to the delivery model, in terms of whether it is private or not. I would offer a few considerations, then let me refer back to your question.

The first thing I would suggest to you is that the policy for market competition is set by the federal government, within which AMO, our members, municipalities, the province and the private sector play and operate. The federal government has set that policy in place for some time. Telecommunications has traditionally been delivered by the private sector in Ontario, notwithstanding a

private monopoly at some point in the past when we had telephones.

The other consideration I would put forward is that municipalities, particularly smaller, rural and northern municipalities, have an awful lot of infrastructure assets that they need to manage, whether it's roads, bridges, stormwater or waste water systems, washer systems etc., and there is a relative scarcity of resources. The model in front of you that has been proposed by the province doesn't require resources put forward by the municipal sector beyond managing access to the right-of-way.

In terms of getting access—back to your question—to those trunk lines, I think it would require a negotiation between the province and the private utilities to either create access through a lease-or-loan scheme or to buy it outright. Why—

Mr. Chris Glover: Craig, can I just clarify there: to buy the trunk lines outright or to buy access outright?

Mr. Craig Reid: Either/or. You could probably negotiate for either, depending on the model that you are interested in and that the government went forward with.

That sounds costly. Now, there is a lot of money available through the up to \$4 billion the government has put on the table, which we appreciate. But one thing that I think is worth considering is how long those negotiations would take. Our residents and businesses, municipalities and our members have been telling us that they need this access and they needed it two years ago—frankly, 10 years ago. So one thing we would caution against is taking any longer on this access to be made.

Mr. Chris Glover: Let me just ask another question. You were talking about transparency. You're looking for transparency from the government, my understanding is, on how this \$4-billion investment is going to be made and who is going to actually own the assets. Will the taxpayers have a share of the ownership and management of that?

The other question around transparency I believe is, how much is it going to cost and what speed are the customers actually going to get? Is that accurate?

Mr. Craig Reid: I believe so. What we're calling for in terms of transparency is that those details be made available by the ministry and by Infrastructure Ontario once they are appropriate to release.

Mr. Chris Glover: Okay. So you're looking for that as soon you can, especially—I mean, the contracts are being negotiated now while we've got this reverse auction process. One of the concerns that we've heard is that a lot of small players are being left out of this reverse auction process. Is that something that you're hearing from your members?

Mr. Craig Reid: We have heard that that is a concern. We have also heard that there are many small players that were granted prequalification to the reverse auction. It is difficult for us to sort out what is actually happening at this point in time. We do know, if I may, that there has been an awful lot of capacity built up in small providers over the years and that our municipal members do not want to see that diminished in any way. But I have a sense that there is an awful lot of work to be done very quickly under this

regime or this scheme, and that those providers may actually be able to play a role.

Mr. Chris Glover: I'll go back to Yawar—

The Chair (Mr. Logan Kanapathi): Thank you.

Mr. Chris Glover: Oh, I'm out of time.

The Chair (Mr. Logan Kanapathi): Sorry to cut you off.

Moving on to the independent member: MPP Mike Schreiner.

Mr. Mike Schreiner: Thanks to all three presenters to be here for such an important conversation about how we can deliver an essential service like broadband across the province.

I'm going to direct my first round of questioning to AMO and building on the issue of transparency. You were clear about what you would like the government to be transparent about, but could you elaborate a bit more on why that transparency for those reasons is so important in municipal governments?

Mr. Brian Rosborough: Again, I'll ask Craig to respond. Thanks.

Mr. Craig Reid: Certainly. Thank you, MPP Schreiner. What we're asking for and why we're asking for it, most immediately, is that our members—municipalities, municipal governments, council members—have been put in the middle of this situation where their residents and businesses are requiring access to high-speed Internet and cellular services, and they have very few levers to deliver that. Many, as we said, have jumped into the gap and done their best to provide and try to make it work, and they've done a really great job. But the residents and businesses continue to be concerned about their ability to access services through the Internet and to do so affordably. We believe that the level of detail on successful proponents for projects, the amount of funding available, the speed with which it will be brought forward, the areas that will be serviced and when will help to make it crystal clear for municipalities and for their residents and businesses exactly who is responsible for providing that service to them and how much of the public taxpayers' dollar is going towards helping them to get it.

Mr. Mike Schreiner: If I could build on that, one of the concerns I've heard both at AMO and ROMA is just the slow rollout of the program. People are very, I think, thankful there's \$4 billion there and very concerned about the rollout. Part of the transparency challenge, from what I hear from you, is that if you're one of those municipalities that are going to be maybe towards the front of the queue, maybe you can just go to your residents and say, "Hey, it's happening," blah, blah, blah. If you're one of those municipalities that are, like, way down the queue, you might need to explore some other alternatives or advocate more or whatever. Is that one of the concerns driving the transparency discussion?

Mr. Craig Reid: Partly. Let me say, I think we are very pleased that there are projects that have actually been announced that are rolling out that are not part of the reverse auction piece. One thing I would point out is that in terms of a queue and where a municipality is at in that

queue may become less of an issue with the announcement of the reverse auction. My understanding is that all successful proponents are to be announced at once and the projects are to start immediately, with a time frame of up to the end of 2025 under this legislation. That should help to relieve some of the pressure as to where you are in the queue as a community going forward. Now we want to make sure that timely updates on status of a project are available through this information, and ideally it would be as easy as punching in a postal code to help residents and businesses understand when they will get that access.

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Mr. Mike Schreiner: My time is probably running out—

The Chair (Mr. Logan Kanapathi): Forty-six seconds.

Mr. Mike Schreiner: We had at least one written submission, but I've had some others raise concerns around municipal capacity, especially in rural municipalities, to meet the timeline outlined in the bill. Could you maybe address that in 30 seconds?

Mr. Craig Reid: That is certainly something that was raised in our comments that Brian mentioned. We share that concern, but we believe that the announcement of the technical assistance team to support those municipalities will help or go a long way to help them meet those time frames.

Mr. Mike Schreiner: Okay. I just have a couple of seconds. Just to be clear, you may run into concerns around that. The government needs to invest in making sure that technical team is available and can help address those concerns.

Mr. Craig Reid: That's correct.

The Chair (Mr. Logan Kanapathi): Thank you. Now we are moving on to the government members. MPP Bailey, please proceed.

Mr. Robert Bailey: Welcome to all the presenters who are here this afternoon. We've talked quite a bit about broadband so far, so I think I'll direct my questions to Enbridge, which has a big installation in my riding called the Hub at the Dawn gas plant. Some of those main transmission lines that I think you referred to in your opening remarks are certainly prevalent in my riding and across the province.

There's something I want to understand. A number of years ago, when we first brought in One Call, I was in Ottawa testifying before the Senate and they told me at that time—I just want to get that clear in a couple of minutes—that our provincial laws, which would be Ontario One Call, didn't apply in federal jurisdiction, like railroads, rights-of-way and major pipelines. Is that true?

Mr. Mike McGivery: A lot of our transmission lines are regulated by the Canadian Energy Regulator, CER pipelines. However, we are a proponent of safety, MPP Bailey. Safety is top of mind here at Enbridge. We support Ontario One Call and we, along with our industry peers who operate these critical and sensitive lines, being oil and natural gas transmission, are members of Ontario One Call. We want to be advised when excavators are going to

work within the vicinity of our assets and we want to make sure they're safe. We've participated in One Call since inception of that bill.

Mr. Robert Bailey: Okay. The other question I have is: I think I heard you say in your opening remarks—I couldn't find them here, but I thought I heard you say that only 1% to 2% of the locates that you'd be asked to do were on your main transmission lines where the high pressure would be. The bulk of the locates you do are on maybe street gas lines etc. Is that true?

And I'll get this on the record as well: With your concerns I see expressed in your presentation, because you believe in a dedicated locator that works for Enbridge, whatever happens here with this legislation, I get the impression—and I can understand why—that you would probably still have your own locator on any job where any contractor, whoever they were, was going to be working over any of your main transmission lines. Would that be fair to say?

Mr. Mike McGivery: Yes, that's correct, and I'll elaborate just for clarity. Enbridge does over 1.2 million locates annually in the last few years and we anticipate that will continue. The transmission and the sensitive critical assets we're referring to that we would like to seek exclusion out of the dedicated locator model represents 1.25% of that total load, a very small, insignificant amount of locates, but a very significant criticality in these assets poses significant risk to the energy supply in Ontario, as well as the safety of workers who will be working in the vicinity of those assets.

To your second point, you're correct as well. We will be maintaining our safety presence on those sites. It is mandated that we have standbys there. It's not just for locate safety, it's for excavation safety, PPE safety, understanding the procedures around those lines, mechanical equipment versus non-intrusive equipment. Therefore, we feel that for that small amount of locates—we're going to be on site regardless to ensure the safety of the workers and those assets so we can continue the safe and reliable energy supply of these assets to the residents of Ontario—that these be excluded. We will have our specialized staff, who are the experts in these assets, ensure that we do not hold up the broadband work. We'll be there and work very closely with Infrastructure Ontario and the proponents who are awarded in the reverse auction, and we are committed to not impeding that progress. We'll have our locates done on time; we're committed to that. You are correct that we will maintain that staff in-house.

Mr. Robert Bailey: Okay, so it would really be a duplication of those kinds of services, and that skill, to have your own people there. And people you don't know—I don't want to say you don't trust, but you've got concerns because you've got the responsibility at the end of the day for those pipelines.

Mr. Mike McGivery: Absolutely. It would be very ineffective.

Mr. Robert Bailey: Okay. I want to yield to some of my colleagues here.

The Chair (Mr. Logan Kanapathi): Mr. Sabawy, please go ahead.

Mr. Sheref Sabawy: My question will be to AMO. Do you think, by building this legislation, there could be some savings, not only in time but in cost, when we have centralized location services like One Call services? AMO?

Mr. Craig Reid: Thank you. Let me see if I can unpack that. I think you're talking about the dedicated locates model in terms of saving some costs. It's difficult to say. I don't know if I have a true sense of whether costs will go down in terms of locates. Municipalities, as you know, I'm sure, own more infrastructure than any other order of government in Ontario. We manage nearly half a trillion dollars' worth of assets.

A lot of the locates that will come in will obviously be pertinent to municipal infrastructure. A dedicated locator is likely to save some time, and as far as I can tell, time will help to generate some economic activity in this sector. I don't know, at this point, whether it will save municipalities money for that locator process, but it seems reasonable to me to suggest that the time element and the economic return of that time to get things built faster, if that is the outcome, would be something that has an economic impact.

Mr. Sheref Sabawy: Thank you. Can I maybe direct, in the few seconds I have left, the same question to Enbridge to see—

The Chair (Mr. Logan Kanapathi): You have one minute.

Mr. Sheref Sabawy: One minute. Okay. I would like to place the same question for Enbridge, because I understand every service provider, either pipelines or electrical, will currently have to call their own locator service, which is kind of duplicating the cost of finding maybe the exact same thing multiple times. As a service provider, do you think, by having a model like that, it could save you, because there will be some division on the cost of the locating for multiple services?

Mr. Mike McGivery: Enbridge's position on the bill—and it's very difficult to understand exactly how our industry will react, but we do anticipate that having a dedicated locator model will assist in bringing resources into the industry, as the industry, as well as a lot of industries in Ontario, is facing a labour shortage currently. It's very difficult to keep up with the supply and demand of locates, especially on the five-day turnaround. The dedicated locator model—

The Chair (Mr. Logan Kanapathi): Thank you. Sorry to cut you off.

Moving back the official opposition: MPP Jennifer French, please.

Ms. Jennifer K. French: Again, welcome, everyone. Thank you very much for your thoughtful comments.

I'm going to go ahead and start with Enbridge. From your presentation, you were talking about some of the federally regulated assets that have different timelines, or would have more challenging timelines, than would be allowed under this bill. How do we reconcile those challenges?

Mr. Mike McGivery: For those assets, the CER-regulated assets, the Canadian energy regulatory body,

there is a timeline that is stipulated with those assets that they're completed within three business days. Enbridge remains committed to completing those locates in three business days outside of the dedicated locator model and within the dedicated locator model. Given the bill right now states that we'll be provided notice of these projects in advance, we are committed to working with those excavators or those project proponent owners in ensuring that our locates do not impede any of the broadband projects.

1340

Ms. Jennifer K. French: Okay. I wasn't sure if there was—is that your responsibility, then, to do that, or is there a provincial piece there that they need to be hearing what you just said very definitely?

Mr. Mike McGivery: That is our responsibility as a licence holder of these lines by the CER. With those locates, we do those in advance; we do those in three days. And with the dedicated locator model, we will work closely with those excavators in understanding that.

We're hoping it will remain, to answer your question—that it will be our responsibility to deliver those locates and exclude them from the dedicated locator model.

Ms. Jennifer K. French: Okay. Thank you. And your comments about the dedicated locator model and about meeting minimum qualifications: Have you already submitted what those minimum qualifications might be to the government? We've heard that duplicative—I don't want to suggest that that's not needed. Is there a way for us to figure this out? Because I know that the point that you were just making prior to this one around labour challenges and potential shortages—do you have specific suggestions, then, on the minimum qualifications?

Mr. Mike McGivery: We do. Enbridge is a leader in this industry, as I stated earlier in my submission. We complete over 1.2 million locates as well as hundreds of excavations annually. We have extensive locator contracts and extensive training. We are confident in the training that we provide to our locators on the distribution exclusion of the transmission lines that are done with internal staff, and our suggestion would be to mimic what we have in place today, work closely with Ontario One Call and ensure that any participant in the dedicated locator model meet a certain threshold to ensure the safety of the workers, the public and the environment if these locates are going to be done by excavators.

Ms. Jennifer K. French: Thank you very much. I'm going to shift to AMO. I would like to raise something that you had mentioned in your presentation. We had the opportunity to talk to the ministers this morning at committee, and my mind was not put at ease around equitable access to quality Internet. By "quality Internet," I'm saying that the future is fibre as opposed to wireless—wired versus wireless, we have no idea. The FOIs that we've put in—everything is above my pay grade, but we're looking forward to finding out which of our rural communities or neighbours across the province will be excluded from wired Internet.

I'm sure that you're hearing it from your members and I know that you have already mentioned it, but how important is it that we have that equitable access to Internet across the province?

Mr. Craig Reid: Thank you, MPP French. If I may, equitable access is the cornerstone of what we've been after for a very long time, I would say. One of the ways of measuring that is the speeds that are available now. The government has put forward a guarantee that 50/10 upload-download speeds will be available to everyone, regardless of the technology that is used. I understand that the preference is for fibre through the government's program, but Ontario is a pretty big province with varied geography, and there's probably a case to be made for fibre in some cases as long as the speeds stay at an acceptable level.

What concerns us almost more, I think, is the plan to ensure continuous improvement in the service quality that's available to residents and the affordability—ensuring that it remains to be affordable to those residents and businesses so they can access those services.

Ms. Jennifer K. French: We had asked a question earlier about, unfortunately, what we've seen with electricity costs for folks, and I'm hoping that we don't find that especially our rural and remote and northern neighbours end up either without or footing a heck of a bill that they can't carry. However, that remains to be seen, I guess. Thank you.

I will shift to Mr. Amin. Do I have a bit of time?

The Chair (Mr. Logan Kanapathi): One minute and 35 seconds.

Ms. Jennifer K. French: I'll take it.

Thank you for coming. I appreciate private citizens joining us. We're very glad to hear from you. About the smaller ISPs, the larger ISPs, the need for that task force and local provider voices—unfortunately, in the reverse auction, they all had to sign NDAs. We will never know if those small and medium ISPs weren't able to get in on the game, if they were excluded. We'll never know the ins and outs of that because of an NDA.

How do you feel, as a member of the public, knowing that public procurement is now behind non-disclosures?

Mr. Yawar Quadir Amin: It's not great to see that government operations and procurement processes are hidden behind confidential agreements.

We already have a successful model, very similar to what I'm proposing, in Saskatchewan. They rolled out SaskTel and rural broadband in partnerships with smaller ISPs. It's a proven model. They have great broadband access there in rural communities, and they're continuing to improve it and announcing more improvements.

I believe that we can learn from that in Ontario and probably even be better, because we have a huge investment from the government and we have a great opportunity now to lay the foundations of a digital Ontario for the next 15 years into the future.

Ms. Jennifer K. French: Thank you.

The Chair (Mr. Logan Kanapathi): Right on time.

Now we are moving on to the independent member. MPP Mike Schreiner, please go ahead.

Mr. Mike Schreiner: Thanks again, all of you, for joining us today. Really quick, Mr. Amin, could you elaborate a bit more on the Saskatchewan model and why you think it works so well, especially for rural communities?

Mr. Yawar Quadir Amin: Sure. I'll cite a SaskTel announcement from just last September. They launched a rural broadband partnership program which brings advanced broadband connectivity to underserved areas and communities, especially Indigenous communities and farms, in hard-to-reach rural areas. They've been going through [*inaudible*] to reaching those areas in partnership with localized groups. That's the kind of model that I'm hoping to see in Ontario as well, because they have committed to beat the CRTC's minimum 50/10 download and upload speeds.

Mr. Mike Schreiner: Great. I appreciate that.

I'm going to switch directions quickly to Enbridge. You brought two primary concerns with the bill, with the suggestion of an amendment and some clarification. Did you express these concerns through the Ontario One Call working group? You are participants in that group, I assume?

Mr. Mike McGivery: Yes, that's correct. We were definitely a participant, and Enbridge remains a committed partner. Actually, Enbridge and myself were tasked with leading the locate solutions working group through many different stakeholders. We have expressed those concerns, with the understanding that the bill is in draft state. We continue to maintain that strong relationship with Ontario One Call and hope to drive this bill and make it right and not impede the broadband projects, make sure that we can get excavators the locates to continue these projects to build Ontario, but remain safe while doing so, as safety is top of mind and our priority.

Mr. Mike Schreiner: Okay. So you had expressed these concerns prior to committee.

Mr. Mike McGivery: That's correct.

Mr. Mike Schreiner: What would you think of the implications if the proposed changes to the bill do not happen and the bill passes without those changes?

Mr. Mike McGivery: We at Enbridge believe it will pose a significant safety risk on our first recommendation, in terms of not excluding the transmission lines and the oil pipelines. It would put a significant risk on the energy supply here in Ontario. We remain hopeful that those will be excluded and our voices will be heard here today.

Then, the second proposal, about ensuring that the tribunal allowed to excavators remains equitable to both infrastructures and excavators: Without that, it will create an unbalanced approach to this legislation. It will cause a divide between excavators and utility owners which will most likely impede the broadband success and getting these projects completed.

If it applies to five-day standard locates, we believe it will be a significant impact to the land tribunal. There will be lineups to use the land tribunal for these recourse

provisions—because when you think about dedicated locators, we are going to have advance notice of these projects. We will plan for those, we will resource, and we will ensure broadband does not get impeded. On the five-day standard locates, we will not get that advance notice. We will not be able to plan for these works. An excavator currently can put in 3,000 locates a day. We cannot turn that around in five days. I don't think any industry could turn that volume around. So our proposal is—hopefully, that will be heard today—that that land tribunal will only apply to the dedicated locator model, where we have that partnership and that notice with these project proponents.

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Mr. Mike Schreiner: And when you say it could delay, that's because there will be a number of Ontario Land Tribunal appeals, which will then delay project implementation.

Mr. Mike McGivery: We definitely anticipate a number of Ontario Land Tribunal appeals. These projects are very significant, very critical. They have many different moving parts. They may want to start on the west side and then hop over to the east side. They may want to install this fibre with trenchless technology. They may go overhead. They may use excavator equipment. Without having that partnership with the excavation community and the utilities, it will not be set up for success, and it will cause a divide.

The Chair (Mr. Logan Kanapathi): We will now go to the government side. We'll start with MPP Amarjot Sandhu.

Mr. Amarjot Sandhu: First of all, thank you to all three presenters for their wonderful presentations.

I will direct my question to AMO. I must acknowledge that AMO has been a critical partner in the province's journey to develop the right programs and initiatives to bring high-speed Internet to everyone by the end of 2025. As the parliamentary assistant to the Minister of Infrastructure, I had the opportunity and privilege to attend many meetings at AMO with the different municipalities, and I must say the municipalities were very pleased with this investment of government to ensure that every household in the province of Ontario will have access to this basic infrastructure by 2025.

I also must state that Minister Surma has been very passionate on this file, because this is the basic infrastructure that every Ontarian deserves. We live in the 21st century, and this pandemic has highlighted the importance of having a high-speed Internet connection, because our families are relying on a high-speed Internet connection—our education system, our health care system. So our government is taking action and making one of the largest investments by any province, by any government in the history of Canada. We're investing \$4 billion to ensure that every household has access to a high-speed Internet connection.

You also mentioned in your comments that you were very pleased about the technical assistance team. Do you feel the technical assistance team will help municipalities in achieving broadband access for their communities? And

are there any other supports that you would like to see developed to support municipalities?

Mr. Craig Reid: Thank you very much for the question.

I think the technical assistance team will be crucial to small, rural and northern municipalities in being able to meet the timelines that are required for these projects now. Let me say that many of these communities do have some capacity issues and don't necessarily have the staffing levels that larger communities do. It's common in larger communities to have rights-of-way access teams to manage rights-of-way and to negotiate agreements with private infrastructure owners.

I think that those municipalities that will be receiving these projects will be really motivated to meet those time frames and will do everything in their power to be able to do so. The technical assistance team, with the supports to help them navigate the process, where they don't have a lot of experience in dealing with ISPs and telecom providers—it will be helpful for them to have that sort of expertise available. I think that the more the technical assistance team can work to help municipalities facilitate that access, to break down those information barriers and to ensure that those relationships are well managed, the faster these projects will get delivered, generally speaking.

The only other area I would mention is mapping, which Brian mentioned in the comments. Mapping will be critical for this work to happen quickly. Maps exist in a variety of formats and a variety of ages, and if there's any possibility that the team can help municipalities to make that available in the necessary formats, that would be, I think, appreciated by many of our members.

Mr. Amarjot Sandhu: Thank you so much. My next question will be, do you believe that the government has consulted enough with AMO and their municipal partners to ensure that municipalities are able and ready to take on this work in our goal to achieve broadband Internet access in Ontario by 2025?

Mr. Craig Reid: Sure. I would say that AMO has a very good and close relationship with the Ministry of Infrastructure, generally speaking, in a number of areas, not just telecommunications and Internet. We've worked closely with the ministry to discuss some proposals and provide assessments where available.

In terms of the broader municipal membership, I think that they are looking for more information, but that is a matter of where the government is in terms of the reverse auction. It will be really, really helpful to make that information available on who has been successful, in which areas, what the project looks like, the times to connect and when they will be complete. I think the membership, the residents and businesses in those areas will really appreciate those details once available.

Mr. Amarjot Sandhu: Thank you so much. I certainly think that your invaluable feedback has always helped us make informed decisions at the Ministry of Infrastructure. I think that my colleague MPP Wai has something else.

The Chair (Mr. Logan Kanapathi): MPP Daisy Wai, you have one minute and 40 seconds left.

Mrs. Daisy Wai: Thank you, Chair. I'll be fast.

I would like to ask this question to Michael: How do you think the change for Bill 93 will impact your organization and also the industry at large?

Mr. Mike McGivery: We are very supportive of the bill. It will be a significant change, a positive change to ensure that excavation and projects—not only our own, but in the industry—move forward. As stated in our submission, safety needs to be balanced here in a well-balanced approach. We believe that with our two proposals, this bill would significantly improve the locate industry and locate delivery throughout the province of Ontario.

Mrs. Daisy Wai: Thank you very much. I have heard you talk about safety many times. Is there anything else that we have done that could improve on that as well, or do you think what we've done is good enough?

Mr. Mike McGivery: We believe this is the right step. We will obviously have to witness and experience how the industry adapts. We think it will adapt in a very positive way and that's why we also stated that it's important that we continue that locate working group at Ontario One Call with the key stakeholders, with us—being one of the leaders in the industry when it comes to locates and excavation—at the table, and continue the dialogue to improve legislation and the industry and ensure that these projects can continue to move forward.

Mrs. Daisy Wai: Thank you.

The Chair (Mr. Logan Kanapathi): Thank you. Right on time, Daisy Wai. Only 20 seconds left.

Thank you again for all of your presentations.

ONTARIO ONE CALL
RESIDENTIAL AND CIVIL
CONSTRUCTION ALLIANCE OF ONTARIO

The Chair (Mr. Logan Kanapathi): We are moving on to the next presenters. I will now call on Ontario One Call. You will have seven minutes for your presentation. Please state your name for Hansard. You may begin now. Please go ahead.

Mr. Ben Hamilton: Thank you. My name is Ben Hamilton. I'm the executive director of Ontario One Call. Thank you, Mr. Chairman and committee members, for the opportunity to present today on Bill 93, the Getting Ontario Connected Act.

Ontario One Call is a statutory company created under Bill 8, the Ontario Underground Infrastructure Notification System Act. This legislation was passed by the Legislature in 2012 with support from all parties and under the co-sponsorship of the MPP of the MPP for Sarnia-Lambton and the MPP for Hamilton East-Stoney Creek.

1400

From the acorn of Bill 8, a sophisticated organization has grown that currently handles over 1.1 million excavation requests every year. Ontario One Call currently has over 800 members, including all electricity and gas

utilities, municipalities and telecommunications companies. Our list of excavators includes thousands of excavating companies and hundreds of thousands of homeowners.

Other than very minor changes from the Building Broadband Faster Act, our legislation has been unchanged over these past 10 years. Ontario, however, is a very different place. The COVID-19 pandemic has underscored the massive importance of high-speed Internet connectivity to our province, and the government has responded with historic funding to connect all parts of Ontario to broadband Internet services. Major infrastructure projects are growing in number and complexity, as demonstrated by the recent groundbreaking for the Ontario Line transit project.

Bill 93 provides some solutions to modernize the locating system to meet these increasing demands. First, it dramatically expands the use of a dedicated locator, which means that excavators will be able to contract directly with locate service providers, or even train their own staff to become certified to provide locates. Ontario One Call supports this approach, because it would help expand the pool of qualified locators, and it gives excavators greater control over the timely completion of the projects. It is well-suited for major projects and can be utilized in a broad range of different models.

Bill 93 explicitly permits excavators to share their locate information with subcontractors, which will reduce unnecessary duplicate locate requests. Locate validity periods will now be set to a minimum of 60 days, whereas most members currently use 30 days. This will reduce the number of remark and relocate requests.

In terms of the governance of Ontario One Call, Bill 93 makes a number of enhancements. It mandates that our currently voluntary memorandum of understanding with the Ministry of Government and Consumer Services will become mandatory, along the same lines as delegated administrative authorities such as the Electrical Safety Authority and the Technical Standards and Safety Authority.

There are also important changes to the compliance framework of Ontario One Call. The existing model is very complex and has been a challenge for Ontario One Call members and excavators to utilize. Bill 93 creates a simplified compliance process that will allow for penalties to be applied directly upon members and excavators, while also allowing for an independent body to hear appeals. Excavators will also have a separate process with the Ontario Land Tribunal, where they could receive compensation from members for the commercial costs of non-compliance: for example, if they suffer late construction penalties caused by late locates.

The development of Bill 93 had significant stakeholder input. In late 2021, Ontario One Call initiated the locate solutions working group, a multi-stakeholder body focused on addressing the causes of late locates and determining both short-term and long-term solutions. This group had representatives from member and excavator groups, as well as Ontario One Call, the government of Ontario and Infrastructure Ontario.

As the committee evaluates Bill 93, there are two potential areas of improvement. First, many transmission companies have expressed concerns over dedicated locators completing locates on transmission infrastructure. Generally speaking, these are pipelines or wires that only appear in 2% to 3% of all locate requests made in Ontario and relate to high-risk, high-complexity infrastructure. Existing and potential dedicated locators are not trained or equipped to do locates on transmission infrastructure. Requiring them to do so could add significantly to their cost model and may even discourage much-needed locating resources from entering the field. For our part, Ontario One Call could easily facilitate routing these requests directly to the transmission companies for locates, while routing all other requests to the dedicated locator.

Second, creating a mandatory notice period is a welcome part of the dedicated locator model. For years, the locating industry has been negatively impacted by having no ability to anticipate major projects. With Bill 93, Ontario One Call is developing a portal where project owners will have to submit their high-level plans 90 days in advance. However, 90 days is not sufficient if locators need to acquire and train additional staff. Ontario One Call recommends moving 90 days to 180 days. This strengthened requirement will force more planning and predictability from project owners and will also have the benefit of helping excavators in their workload planning as well.

I'd be very pleased to answer any questions the committee may have. Thank you, Mr. Chair.

The Chair (Mr. Logan Kanapathi): Thank you for your presentation. Next, I will call on RCCAO. You will have seven minutes for your presentation. Please state your name for Hansard. You may begin now.

Ms. Nadia Todorova: Hi. Good afternoon, Chair Kanapathi and esteemed members of the general government committee. My name is Nadia Todorova. I am the executive director of the Residential and Civil Construction Alliance of Ontario, or RCCAO for short. I'm pleased to speak with you today about Bill 93, the Getting Ontario Connected Act. The bill proposes necessary and long-awaited regulatory reforms to the Ontario One Call utility locate system and processes. My comments will centre specifically on schedule 2 of the bill, which proposes amendments to the Ontario Underground Infrastructure Notification System Act.

As a unique labour management organization derived from the residential and civil construction sector, RCCAO welcomes the government of Ontario's commitment to building and expediting critical infrastructure, which is reflected in Bill 93. A primary focus for RCCAO since our inception has been the importance of investing in core public works, from transit and water systems to roads and bridges, and doing so smartly and efficiently for taxpayers and daily users of infrastructure. RCCAO applauds the government of Ontario for tabling this bill as it serves as an important step towards meaningful improvements to a system that has caused considerable difficulties for the infrastructure and construction industry.

We also thank the government and the Ministry of Government and Consumer Services for convening a

locate solution working group in late 2021. The working group included One Call representatives, government officials and industry and, through weekly meetings, served as a valuable solution forum on this issue.

The crucial reforms contained within schedule 2 of this bill will be an important element of addressing the current lack of timely locate responses, removing duplicative system requirements and alleviating the costly delays that hold up construction projects in Ontario. The timely delivery of underground utility locates is a key element of infrastructure and construction projects, particularly in the civil and residential sectors.

Locate requests are overseen through the Ontario One Call system, which is a mandatory system under the Ontario Underground Infrastructure Notification System Act. The system allows homeowners, construction contractors, developers, builders and other excavators to make one locate request to a call centre instead of the previous practice of separate calls to each of the utilities. While the current system legally mandates requests be responded to within five business days, as high as 85% of requests are late. One Call's own reported data shows that half of the call tickets for September 2021 took longer than 15 days across the province, with only 14% being completed within the legislated five-day timeline.

Buried underground, utility locates can be a bit of an out-of-sight, out-of-mind element to construction. However, the consequences of unpredictable and late utility locates information can cause significant and escalating havoc for critical infrastructure and construction projects. Contractors have regularly faced lengthy delays, which can have serious and multifaceted repercussions, including work stoppages, significant delays in project completion and increased project costs. These costs can amount very quickly. For example, each hour of idle time in the sewer and water main sector incurs \$1,000 in additional costs, while that figure is \$10,000 per day in the road sector.

Under schedule 2 of the bill, which amends the Ontario Underground Infrastructure Notification System Act, there are several elements that RCCAO supports, including:

(1) Extending the validity period of a locate to at least 60 days, up from the current 30 days, with the possibility of a longer validity period if so specified. Longer locate ticket validity periods will reduce the number of locate requests and likely the number and/or severity of late locates.

(2) Provisions allowing excavators to share locate information they receive with other excavators working on the same project. Frequently, right now, multiple contractors bidding on the same construction projects or already working on the same project have to have their own locates, which creates comprehensive duplication in the system. Therefore, allowing contractors on the same dig site to share locates will reduce the workload to One Call members and the locating industry, and thereby reduce locate response backlogs.

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(3) Introducing the concept of a dedicated locator, or a locator who will respond to all locate requests by a project

owner for a respective project. This model has the potential to eliminate the need to wait on several locators to service your infrastructure projects. This would streamline the locates work and reduce wait times.

RCCAO also supports the proposal to have One Call be required to make certain information about members' locate performance available publicly on their website. We would ask that, as part of that, information be made available differentiating between the service levels for single-address locates and construction project locates, because the bigger impacts are occurring on infrastructure projects. By sharing this information publicly on performances, it provides an additional layer of accountability and transparency, while making it easier to identify problem areas related to the late delivery of locates and to focus on enforcement efforts.

These proposed legislative changes come at a crucial time for industry with the beginning of this year's digging season. Thus, we urge the passing of this bill and, more importantly, look to One Call to implement the proposed regulatory changes quickly and efficiently.

RCCAO sees this legislation as an important step toward long-term and meaningful changes to a crucial part of building critical infrastructure in Ontario. We are going to remain involved in efforts to improve the locate system and will continue to work collaboratively with industry and government to make that happen.

I appreciate the opportunity to address you and will be happy to answer any questions.

The Chair (Mr. Logan Kanapathi): Thank you for your presentation. This round of questions will start with the official opposition.

MPP Jennifer French, please—

Ms. Jennifer K. French: Thank you. I was just confirming. I thought we started last time, but I will take it. Perfect.

Welcome to the presenters. Thank you very much for your thoughtful comments. I'm going to actually request of both of you, before I begin my questions: In your remarks, you gave us lots of good information, both Ben and Nadia. If those could be made available to the committee, I'd be very glad to have them. I took good notes but couldn't really keep up that fast.

Ben, I'll start with you. We just had a presentation from Enbridge. It was interesting to hear their presentation. You were saying some of the same numbers. The 90 days' notice for dedicated locator projects; they had said that 180 days is more appropriate. I heard you say, I think, the same thing. Is that correct?

Mr. Ben Hamilton: Correct.

Ms. Jennifer K. French: Okay. But one of the things that they had raised—again, I'm learning this as I go, and Nadia, you probably would also have opinions on this but I'll stick with Ben for a minute—was about the excavator process. It could create a traffic jam, effectively, at the tribunal. They were quite concerned about an equitable process there. Could you speak to that and to, in your experience, what you would recommend, or if you have concerns that are similar?

Mr. Ben Hamilton: Sure. If you look at the way Bill 8, the Ontario Underground Infrastructure Notification System Act, works now, Ontario One Call has the ability to discipline its members—the utilities, the municipalities etc. They don't have the ability to penalize excavators for violations of the act, and that's because of certain aspects of how Bill 8 is currently worded. Bill 93 would change that so both members and excavators could be subject to compliance by Ontario One Call. That creates equity under that umbrella of One Call's compliance.

Separate from that is the OLT process, and that doesn't include Ontario One Call.

Separate from the One Call compliance process—and this came from the broadband act, Bill 257, from last year. An excavator can take a member to the OLT for the demonstrated financial costs of late locates. So if an excavator suffered liquidated damages because they delivered a project late, they could see compensation on that basis.

There have been a number of proposals in the consultation period that maybe it should only apply to dedicated locator projects or maybe it shouldn't apply until next year. I would say the most compelling argument is that if we created equity between members and excavators under the One Call compliance system, we should create equity under the OLT process. So not only should excavators be allowed to take members to the OLT, members should be able to take excavators to the OLT. In that way, both parties have the same opportunity and both parties have the same risk.

Ms. Jennifer K. French: Okay. I have some homework to do on this, because we're getting into technical pieces. I'm hoping that the government is listening and nodding. I see a few of them nodding—not nodding off, just nodding. Okay. Just checking.

Laughter.

Mr. Robert Bailey: She was looking at me when she said that, Mr. Chair.

Ms. Jennifer K. French: I was looking right at you, Mr. Bailey, and I know you were listening with rapt attention.

I'm going to ask the same thing of Nadia, in terms of that process with the tribunal. I know that with our tribunals being merged in Ontario, there's a lot of change. Do you anticipate a concern that would hamper the speed with which we could actually get this done, that we can see these projects be successful and have Internet and broadband get to folks? Do you see this being a tripwire that we need to consider carefully?

Ms. Nadia Todorova: Thank you for the question, MPP French. I agree with Ben in terms of there should be an equitable and consistent way for compliance and, more importantly, for the way the penalties are doled out in a fair and equitable way. I think you can have the best policies on record, but if there's no way for you to enforce those policies or enforce those penalties and have a very consistent and clear way to deal with any issues that may come from any damages that are occurring, then the system can really be in danger of not being effective, and

for those delays that we're seeing right now with projects to continue. So I think this is a step in the right direction, and I'm hoping that the nuts and bolts of this legislation are worked out in follow-up regulation and implementation methods over the coming weeks and months.

Ms. Jennifer K. French: Thank you. How am I for time?

The Chair (Mr. Logan Kanapathi): You have two minutes and 15 seconds.

Ms. Jennifer K. French: All right. Thank you.

Nadia, it's nice to see you again. I feel like we were just here, although I was also on Zoom.

Ms. Nadia Todorova: It's a bit of déjà vu, I agree.

Ms. Jennifer K. French: I know, on the pre-budget consultation. I was actually just looking back at my notes from that about the need to improve delivery time frames on locates through the One Call system and your comments from before, and you've made them again—or you've reinforced them again.

With some of those concerns, and with hopefully the construction season upon us, has that task force and the solutions that it yielded—have we seen anything positive come from that that is going to actually affect this season?

Ms. Nadia Todorova: Yes, absolutely. As I mentioned in my remarks, the locate solution working group, which I also referenced in my pre-budget submission in January, was really the forum where a lot of the elements of the legislation in front of you have come from. In terms of lengthening the validity of locates, that was one of our biggest asks, and also making sure that contractors and subcontractors working on the same projects are able to share locates, because they're really asking for the same information but they're asking for it separately, so for the ability for that to take place.

We're also very happy to see that there will be more data being published in terms of how often and how quickly locates are being processed, with the one caveat, as I mentioned, being that we'd like to see that data differentiate between single-family home projects and infrastructure projects. The way the system is set up right now, a lot of the locators prefer the single-family projects—you know, the pool in your backyard—because it's a much more contained geographical area. It's much easier to do, versus an infrastructure project that is potentially three to four blocks long and you have to have a lot of underground buried locates. So we would like to see that data be published, because the more information and the more data that we have, the more targeted we could be with any follow-up regulation or with enforcement and, if need be, penalties.

The Chair (Mr. Logan Kanapathi): Thank you. You are right on time.

This time, we are moving on to the independent member. MPP Mike Schreiner, please go ahead.

Mr. Mike Schreiner: Thanks to both presenters for being here today.

I'm going to direct my opening questions to One Call. Ben, first of all, I appreciate that you've always gotten

back to me. I know when people come with their complaints about late locates—I don't know if they come to me because One Call is located in Guelph, or they come to me for some other reason. But, anyway, I've always appreciated your quick response.

In your last correspondence with me, you had mentioned the working group that was working on this particular bill that you were hoping would provide the sort of regulatory framework that would enable One Call to address concerns around late locates. Do you feel like the bill has addressed that, and if not, are there changes that could be made to the bill to help address those concerns?

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Mr. Ben Hamilton: Thank you for the question, and we'll put in our pitch for praising Guelph, Ontario, of course, which is the home of Ontario One Call, right off the Hanlon Parkway.

I think we're very satisfied, at least from the One Call perspective, with how the locate solutions working group went. I think we generated 27 recommendations from the group that Nadia and I were involved with. That was actually chaired by Michael McGivery, from Enbridge, who was on the previous panel.

Of those 27 recommendations, the majority of them are included in Bill 93, everything from the dedicated locator model to improved compliance to sharing of locates to 60-day validity periods. It's a pretty long list, and I think we have to give a lot of credit to the Ministry of Government and Consumer Services and the Ministry of Infrastructure, which participated in that group. It's really pleasing to see how well this issue has been discussed amongst the stakeholders and how a lot of their shared feedback and shared consensus ended up in Bill 93.

Mr. Mike Schreiner: Okay. Both you and Enbridge, in the previous delegation, raised safety concerns around transmission lines. Do you want to elaborate a bit more on that and maybe what the bill could do to address those concerns, if amended?

Mr. Ben Hamilton: Sure. I'll approach it slightly differently. I'm not really positioned to talk about the safety aspects of Enbridge or Hydro One or other utilities. But from the One Call perspective, and I think this is shared widely among stakeholders, there's an enormous concern about the lack of locators in Ontario. Very explicitly, we want Bill 93 and the dedicated locator model to be a platform to expand the number and variety of locating resources in Ontario.

When we look at something like transmission infrastructure—which, again, only appears in maybe 2% of the tickets—there is one argument to say that we shouldn't exempt this because we don't want a lot of exemptions; that makes things a little more tricky. That's possible, and that's a rational argument. I would say, too, that we also don't want to discourage new participants or new companies or companies certifying their own staff because they're required to do this very narrow group of locates. Some of these locates require different types of equipment, a different understanding of records, and is the type, dimension and risk profile of infrastructure that doesn't appear anywhere else in Ontario.

If I had to choose between saying, “Let’s keep the dedicated locator model as complete as possible and not exclude these 2%,” or, “Let’s risk discouraging new participants,” I would err on the side of making sure that we maximize the number of new participants. In any case, with this transmission infrastructure, most of those companies that provide those locates have to show up on-site anyways to monitor the construction. So those people will be there anyways. They have to be there. You may as well get them to do the locate.

Mr. Mike Schreiner: Okay. I’m going to shift to Nadia for a second. Nadia—

The Chair (Mr. Logan Kanapathi): Thirty-six seconds left.

Mr. Mike Schreiner: How much, sorry?

The Chair (Mr. Logan Kanapathi): Thirty-six seconds.

Mr. Mike Schreiner: Okay. We’ll probably have to do this in the second round a bit more, but you represent the folks who have more concerns around late locates. Do you feel like the bill has adequately addressed those concerns—you can think about this for round two of my questioning—or do you have suggestions on the way in which the bill could be improved through amendment that would enable addressing those concerns that you might have?

Ms. Nadia Todorova: Yes—

The Chair (Mr. Logan Kanapathi): Thank you.

Mr. Mike Schreiner: We’ll get it through the second round, but at least I got the question out.

The Chair (Mr. Logan Kanapathi): Sorry to cut you off. We are moving on to the government members. MPP Daisy Wai, please go ahead.

Mrs. Daisy Wai: Thank you to both presenters for coming here today. This is a very important initiative for us. Specifically, I want to appreciate, especially, Ben and Ontario One Call for your partnership with us for all this time. We look forward, once this bill is passed, to continue working with you.

I was about to ask about the safety question, which MPP Schreiner just asked. But I would still like to ask, are there any other suggestions that you would suggest to us that can enhance what we have already discussed? How can you improve the efforts that we have in the broadband project?

Mr. Ben Hamilton: Certainly, we appreciated the involvement of Infrastructure Ontario and the Ministry of Government and Consumer Services as part of the locate solutions working group and their continued participation in looking forward to the implementation of this bill, if passed.

Of the two areas I focused on, one is moving the 90-day notice period to 180 days. One benefit of that will be that all participants in projects will have a greater understanding of what’s coming forward. Thinking of the broadband project, which is of enormous importance to all parties, if we have a 90-day window, then each quarter the project owner—in this case, the company is contracted by Ontario One Call—will tell us what they’re doing for the next three

months, which should help with resource planning for locators but doesn’t really allow them the window to train new people.

The training of new locators is a long process, not only in terms of recruitment. Training them and giving them field experience is a very complicated job with multi-faceted requirements. So 90 days is a nice notice period, but it’s not sufficient to train new people. At 180 days, it’s actually much more practical to train new people. I would say that it’s in the interest of all parties—not just Ontario One Call or the dedicated locators, but of the construction industry as a whole—to have 180 days and build more rigour and discipline into that system.

Mrs. Daisy Wai: Thank you very much. I heard that just now from MPP French as well, but I also hear it from the minister, about the deadline and why she’s pushing everything so quickly.

Other than on the one that is for the 90 days, the 180 days and safety, are there any other suggestions you want to give us?

Mr. Ben Hamilton: Sure. I can give two. One is the transmission issue. I think that’s one that requires some more thought. I won’t be prescriptive in what I think the law should say, but there are some serious implications to putting the transmission into a dedicated locator, and that’s something that the government and this committee will have to give further thought to.

The other one, which I think is more of a general comment: Bill 93 is important, but as I would say and I’m sure Nadia would say as well, there’s still an enormous amount of work to come. We’ve been very fortunate to have a good partnership with the government, with IO, with government and consumer services, and we’ll definitely need to continue that.

Bill 93 foresees a number of regulatory powers for the minister. Many of them are around compliance, but there are also a number around a dedicated locator. The minister would have the ability to, for example, require entire projects or classes of work types to join a dedicated locator. That’s a really big idea, but it’s also very exciting, because a dedicated locator has very broad applicability. You should be thinking about taking entire types of work and moving them to a dedicated locator to give those contractors and those excavators greater control over their important work.

Another recommendation is to say that there is still much work to do after Bill 93 as well.

Mrs. Daisy Wai: Thank you very much. We’ll pass that along. I’ll pass the rest of my time to other members.

Mr. Robert Bailey: Can I have some time?

The Chair (Mr. Logan Kanapathi): MPP Bailey, please go ahead. You have three minutes left.

Mr. Robert Bailey: Thank you. I didn’t hear what you said, but thank you. Here, I’ll speak into this one here.

Thank you very much, Mr. Hamilton. It’s good to see you here today. Ontario One Call is a very important organization and administrative authority in the province of Ontario. I can’t believe it’s been 10 years since we started and went down this road. I never dreamt that we’d

be talking about all this broadband and all the work that's going on. But hey, that's great.

I want to commend the work that you led with the technical team and all of the co-operation. I see that Enbridge is here today and RCCAO—Nadine? Nadia; sorry—and the work and the input that had as well, and AMO, if they were there. I'm sure they were there as well. But I wanted to commend the work that's been going on.

I've got a lot of time for everything I heard here today. As MPP French said, I was nodding in agreement most of the time, not nodding off but nodding in agreement, because I agree with most of what came up here today from all sides, especially to do with the dedicated locator—I've got a lot of time for that—especially on the high transmission lines, whether it's Hydro One or the main transmission lines. I'll certainly be looking into that in further detail and maybe looking for input before we get into this final clause-by-clause.

Other than that, I'll pass it on. Maybe MPP Bouma would like to say something here or make a comment.

The Chair (Mr. Logan Kanapathi): MPP Bouma, one minute and 38 seconds.

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Mr. Will Bouma: Oh, that's all the time in the world, Mr. Chair. Thank you.

I was wondering if I could just ask, Ben—it's just a layman's confusion, because I'm not into this and not nearly as experienced as MPP Bailey on these things, but we've heard today about delays in getting a response back. It's supposed to be five days or 15 days. We've also heard about wanting a 180-day notice period for a large project. I'm curious: What's the difference between those two? And I'm also curious in what way we could help you get to jobs, so that we help Nadia get the five days. And how is that different? Because is that 180 days, or five days? What does that mean? If you could just explain that, for everyone listening in.

Mr. Ben Hamilton: Sure. Under the current legislation, it's kind of one size fits all. So if someone is building a pool in Brantford, they put in a locate request and they get their locates in five days. If you're building the start of the Ontario Line transit system, you put in your locate and your locate is supposed to come in five days.

With dedicated locators, with that group of projects—which is starting with the designated broadband projects from Infrastructure Ontario, but can expand by regulation or if an excavator chooses to use a dedicated locator—you're creating a special group of projects where the excavator will have greater control over the locates, and they will also have greater responsibilities. They'll provide 180 days' notice, or what we hope is 180 days' notice, and with that information—

The Chair (Mr. Logan Kanapathi): Thank you. Sorry to cut you off.

Going back to the official opposition: MPP French.

Ms. Jennifer K. French: I'm going to do something I don't normally do. I'm going to give you the chance to finish your response to a government member, because I was listening with rapt attention.

Interjection.

Ms. Jennifer K. French: I'm not giving you more time.

Interjections.

Ms. Jennifer K. French: Okay. If you could finish that thought, Mr. Hamilton.

The Chair (Mr. Logan Kanapathi): Please go ahead.

Mr. Ben Hamilton: To continue: The current system is one size fits all. You put in your request and five business days is the standard, no matter what type of work it is. With a dedicated locator, you provide the 180 days' notice, but your projects are going to be of such significant size and importance where it makes sense. Even as the government considers what other types of projects or what other types of work could be included, you're also talking about major types of projects too.

Under Bill 93, they talk about 10 business days for locate delivery. That's the time between when the locate request is put in and when the locate should be provided. Practically speaking, the 180 days' notice will have happened long before that time. If you have a dedicated locator who is paid for by the excavator, who is very closely working at the hip with the excavator, all that's going to happen is that the dedicated locator is going to put the request in to Ontario One Call through the normal process, and through our IT system, it will just route back to the dedicated locator within a few seconds. That dedicated locator will already have the maps and all the records that they need, and they can pretty much do the locate immediately.

So I anticipate that because we have a system with 180 days' notice and a lot of discipline, most dedicated locator requests will be created and completed on the same day.

Ms. Jennifer K. French: Thank you. I appreciate having that understanding. Thank you, Mr. Bouma, for asking the question.

Okay. But the dedicated locators—we had started a conversation earlier today about the human resources, about the training, about the human infrastructure. What are your recommendations? And I'd like to ask, in a similar vein, to Nadia: What do we need to be able to meet the needs of these projects, from that jobs and technical skill set? What do we need to be able to do in that regard?

Mr. Ben Hamilton: Maybe I could defer to Nadia first on this one.

Ms. Jennifer K. French: Okay. Nadia, take it away.

Ms. Nadia Todorova: Sure, absolutely. You know, this is actually something that we discussed in our locate solutions working group. I think we had a stand-alone session just on the resources, the human resources, that are needed for that.

Some of the things that we talked about were advertising the job of utility locator a little bit more prominently, because right now it's a niche issue that is maybe not that widely known; making the salaries more competitive; and making sure that there is just more of a pipeline of workers for that kind of work, potentially looking at unionizing it or having kind of a separate skilled-trades line for these jobs, because that is really a huge component of that, and making sure that we have enough people ready to do this work.

Really, it is more of a long-term issue that we have to work on. But we're definitely happy to continue collaborating with Ben and the government to make sure that there are enough people ready to take on those jobs and give us those locates in a timely manner.

Mr. Ben Hamilton: Yes, I think the locates industry needs to change and reform in a lot of different ways. I think, whether it's One Call sitting before you or a member or an excavator, we would all say the same thing, which is that the locate system that has evolved in Ontario is one size fits all. It's a model that's based on piecemeal work, on driving costs as low as possible and salaries that are relatively low, especially considering the complexity of the work and also the risk profile of the work.

Being a locator is a very stressful job. If you make a mistake, you can put lives at risk. It also tends to be a very seasonal job too. Locate demand in the winter is about one quarter of what it is during the peak season, so a lot of locators get laid off. We need to do so much as an industry—excavators, regulators, governments, members—to change the very nature of the locate employment to make it much more lucrative, much more secure to create a real vocation out of it, as opposed to just a seasonal job.

Ms. Jennifer K. French: Well, I think of what you had been saying earlier, too, about using this bill or this initiative not as a jumping-off point, but as a way to expand the resources, and not just the human resources but the equipment and stuff.

There was a conversation earlier, and I don't know if either one of you would be interested in answering this. Anyway, I'll ask it. Earlier, we had been talking about the construction backlog, or the inability to get materials, the challenges of getting materials. You know, we're laying a whole bunch of fibre and we can't get it because we're in competition with the whole planet right now for the physical resources. Looking at this project and through your own lenses, do you have any thoughts on good advice for the government in terms of procuring the physical infrastructure?

Mr. Ben Hamilton: Nadia?

Ms. Nadia Todorova: I think the government has done a good job in terms of addressing the supply chain issues, which have unfortunately not been isolated to Ontario. I don't want to speak too much on the broadband issue—that's not really within my purview—but I think this is a challenge that is shared across the country, across the world right now.

I think it's important to keep up with our procurement practices and make sure that we're staying competitive as much as possible on them. I think the pandemic has really taught us a lot that we need to learn in terms of how to make sure that we have a procurement pipeline that can adapt quickly to the changing world environment and the uncertainty that continues to be present and, I think, is going to be kind of staying with us for the next little while.

Ms. Jennifer K. French: Thank you. I'm learning a lot about locates and the empire that is locates, and I'm wondering if there is a physical infrastructure piece there that I'm not familiar with. Whether equipment or whatnot,

do we have what we need to do something at this scale, or do we have to start picking up the phone and ordering parts ahead of time? Who does that, and how do we make those recommendations? I'm looking at you, Ben.

Mr. Ben Hamilton: I mean, it's remarkable to think the major constraint is human resources. One thing that government and government agencies will need to be very mindful of is that when it comes to contracts, they'll need to include the cost of a dedicated locator as one of those aspects they buy. Just like gravel or wire or copper, the dedicated locator is something that's going to have to be included in those contracts.

Interjections.

The Chair (Mr. Logan Kanapathi): MPP Sabawy, please—

Ms. Jennifer K. French: Guys, I can't hear his answers.

The Chair (Mr. Logan Kanapathi): Go ahead, please.

Mr. Ben Hamilton: And even to give you a sense about how much—we all have a sense that there is increasing construction and all this work going on in Ontario. In our industry, it's to such an—

The Chair (Mr. Logan Kanapathi): Thank you. Sorry to cut you off. At this time, we are moving on to independent member MPP Mike Schreiner.

Mr. Mike Schreiner: I may let you finish that, but I want to go back to Nadia to answer my question that we ended the last round with, just around if you had any recommendations coming from your perspective of how we could improve the speed of getting locates done and moving forward with projects.

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Ms. Nadia Todorova: Yes, absolutely. Thank you for that question, MPP Schreiner. This bill, as I mentioned in my remarks, is very much welcomed by our industry. These are changes that we have been seeking for quite some time, so we're very pleased with it and we do think it's going to make positive impacts to those critical infrastructure timeline projects.

I would say that it also provides a very strong framework in terms of any future changes that may need to be made from a regulatory perspective. It does give regulatory powers to the Minister of Government and Consumer Services to improve upon what is being proposed today, further down the line.

As I mentioned, one of the things that we would look for is to get more data around the servicing timelines for single-family projects versus construction projects.

Another item that we have spoken about in the locate solutions working group and brought to the government and to One Call for quite some time is the ask around eliminating the need for relocates on non-linear excavation construction once all the utilities have been exposed. What I mean by that is that if you are building a high-rise condo and you're going several hundred metres underground, at a certain point there are no utilities down there. You're going so far below ground that you just don't need to get relocates every 30 days. We've had some productive con-

versations on that because it really will speed up construction, especially of a high-rise development, when you don't have to get relocated when there's simply nothing there. That's something that we're going to be working towards in the near future.

Also, making sure that the dedicated locator model is executed well: It is a new concept, so making sure that we're all on the same page in terms of what is required from an industry perspective and what the timelines are. If there are any changes to the proposed bill, Ben and Enbridge are asking for that extension of the timeline.

I think this bill is a great first step. It's going to give us some really meaningful, hopefully short-term improvements to the locate delivery process, and it also does build quite a lot of room for improvements further down the line as we take stock of how the current proposal is implemented.

Mr. Mike Schreiner: Thanks for that.

Ben, I'd like a chance to go back to you. One of the things I've been wanting to ask you is about capacity restraints. You were starting to talk about that when it comes to locators, but maybe just generally in the system as a whole. Does One Call have the capacity to do it? Does the sector as a whole have the capacity to deliver?

Mr. Ben Hamilton: I'll answer it this way. Certainly, as locate demand has grown over time—to give you an example, the requests for locates are increasing about 5% to 10% every year. With each locate, your average locate is becoming more and more complex. It's not only increasing in number, but increasing in complexity as well.

One Call, as an organization, what you see down on Cooper Drive—we're certainly very stressed by the volume of work coming in. We've done a lot to automate our system, introduce Google-style mapping and improve how we clear and filter requests. We've done an enormous job, but still people calling during peak seasons face long wait times just because at any given moment there can be 400 people trying to get through the phone lines. Even if we had four times as many people and four times as much office space, it would be hard to keep up with peak demand.

But we're only a small subset of it. We're only the middleman between the excavator and the member. An average request, we might deal with in five minutes, and then in a fraction of a second, it gets dispatched to the members. The members are the ones who have to go out and physically attend a site and go through all the records and do a series of markings. So the system is enormously constrained. We need a huge increase in the number of locators, in every way possible. We need more locating companies. We need more people hired in the existing locating companies and—

The Chair (Mr. Logan Kanapathi): Thank you. Sorry to cut you off.

The last round of questions will go to the government members, starting with MPP Sabawy. Please go ahead.

Mr. Sheref Sabawy: Thank you very much. I would like to ask about how you choose the contractors for your contractors list. Are you making sure that there's fair equity and fair equality in making that kind of work

available for those inspectors or field locators? Being the biggest now, what would be the process to choose who can do the job?

Mr. Ben Hamilton: In terms of who chooses locates, that's done by the members. Most of the large members enter into buying consortiums, and so they will hire large locating companies. Some common names are G-Tel, PVS, Promark. You will see vehicles with that branding on their sides doing locates all over Ontario. For the most part, it's the large members who get together and who hire these contractors.

You will see someone from G-Tel, for example: They will be doing the local gas locate and the local electric locate. They might do the municipal locate as well. That's the way the model works currently. You have large members outsourcing to these specialized providers who do a variety of locates for a variety of different members.

Mr. Sheref Sabawy: And how can you make sure that this information or locate services are available to different providers? How do you make sure that they share that? Are you part of that?

Mr. Ben Hamilton: That's one of the challenges. One Call is not involved in how the resources are done, but that is a real issue. There is a finite number of locators in Ontario and there's almost infinite demand for them. We'll have an instance that we can foresee this year and into next year where certain excavators—for example, represented by RCCAO—will want to use the dedicated locator model. They will say, "Okay, we want to use a dedicated locator. Let's go out and hire a locating company or hire locators." And they'll go approach some of the market incumbents and they'll say, "Let's hire these existing companies." But then those existing companies will have obligations to other people that they're already contracted with. Then, "Well, what if we gave you more money?"

There are a lot of market dynamics that are going to take place, so there is a risk of there being scarce resources and a risk that there will be a lot of competition over that scarce resource. That's why we need to grow the number of locators and develop some real market solutions to that.

Mr. Sheref Sabawy: My final question would be, as a normal user, if I'm doing some work like paving my driveway and I'd like to locate all the utilities in my driveway, can I, as a single resident, benefit? How can I benefit from that?

Mr. Ben Hamilton: It's really going to be sort of a two-part system. A dedicated locator really exists for major projects like transit or broadband Internet. Everyday homeowners like the ones you serve in your constituencies—their requests are simple. They're redoing a driveway. They're building a deck. They're doing a pool. Members are quite happy to use the existing system. So you can call or file online, put in your request, and someone should come out within five business days, at the member's expense, to mark those locates.

Quite consciously, the industry is saying that for these major projects, for dedicated locator projects, excavators will pay. For homeowners or landscapers or smaller entities doing one-off locates, the members are happy to pay for that and use the existing system as is.

The Chair (Mr. Logan Kanapathi): MPP Bouma, you have four minutes. Sorry, I was confused between you and Mr. Sabawy. Go ahead.

Mr. Will Bouma: Well, we look so much alike, I understand that, yes.

Through you, Mr. Chair: I did want to let you finish up, Ben, on the question of specifically what kind of human resources challenges are being faced with that. Obviously, we are dreaming of an Ontario that is seeing a lot of building going on. What does that look like? If you could just finish that up.

Mr. Ben Hamilton: Yes. I mean, I look at it this way. I've worked in the utility industry before, on the construction side, on the damage prevention side. Certainly, Nadia can talk about some of the challenges that her members face. There are enormous challenges with just hiring people to do construction, ensuring that you have a good supply chain of the infrastructure, ensuring that you can get the raw materials to do the construction. Locates are a part of that process. Locates should not be what holds up the important work that's going on to connect Ontario residents to broadband Internet or to build greater transportation links in Ontario.

As a group of stakeholders—One Call, the members, excavators—we want ensure that the locates part of the front end doesn't become a weak link. We want to ensure that it's appropriately staffed and that this important work will not be held up because of a lack of locating resources. That's really what a dedicated locator is focused on doing, to increase the variety of business models and increasing the supply of locators.

But it is challenging. There's an overall shortage of labour in Ontario. The current models used tend to push wages down, and they're set up in a way that they don't really encourage long-term employment or a real career path in locating. That's one thing the members want to change as well.

I think that, across the board, members are coming to terms with how they need to change the locate industry. The regulators and the government are doing the same as well, through many of the changes in Bill 93. Excavators, too, are playing a very constructive role, as Nadia has outlined, in terms of bringing forward solutions. We're all

working together because we don't want the locate process to be the one thing that holds up this important work.

Mr. Will Bouma: I think that's a really, really good point. Next, I wanted to go to visioning a little bit, because it's a question that's been kind of percolating around as we've talked about all these things and locates. How is the GIS system coming along with all this?

What made me think of that was a friend of mine who was building a facility—large rental construction equipment, everything else—and it was going to cost him hundreds of thousands of dollars to run the gas line to his facility that he was constructing. He happened to be talking to someone from the gas company—it has a representative right here in the room today—and they said, "Oh, no. There's a line that runs right through here." It was nowhere on any locates. They were already in the construction phase. Sure enough, there was a major gas line running right in front of his property that even the gas company didn't know about. That obviously decreased his costs a whole lot.

But I was just wondering—big-picture stuff, government-of-Ontario stuff—what we should be thinking about, looking into the future, as far as the entire asset structure and locates. We have the capabilities today that once this thing has actually been located and put onto a GIS map, it's not moving, barring an earthquake.

So what's One Call doing, long-term-vision-wise, as far as that piece goes, so that when a new piece of infrastructure goes into the ground, it is GPS-located within a couple of feet, making that whole system work that much better so that into the future we can actually, hopefully stabilise the 5% increase that we're getting every year?

The Chair (Mr. Logan Kanapathi): Thank you, Mr. Bouma.

Mr. Will Bouma: Oh, no. I talk too much.

The Chair (Mr. Logan Kanapathi): Sorry to cut you off.

Thank you for your presentations. As a reminder, the deadline for a written submission is 7 p.m. on March 31, 2022. The deadline for filing an amendment to Bill 93 is 12 noon on Monday, April 4, 2022.

The committee is now adjourned until 9 a.m. on Wednesday, April 6, 2022. Thank you.

The committee adjourned at 1453.

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