

1971 Bill 49

Fourth Session, 16th Legislature, 20 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 49

**An Act to amend
The Alberta Government Telephones Act**

THE MINISTER OF TELEPHONES

First Reading

Second Reading

Third Reading

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1971

AN ACT TO AMEND THE ALBERTA GOVERNMENT TELEPHONES ACT

(Assented to _____, 1971)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. *The Alberta Government Telephones Act is hereby amended.*

2. *The following section is added after section 3:*

3.1 The Minister may control all telecommunication services subject to the jurisdiction of the Province and may provide or direct provision of all such services.

3. *Section 26 is amended*

(a) *by adding the following subsections after subsection (1):*

(1.1) Subject to any agreement to which the commission is a party, the commission may place wires and other components of the commission's system on the poles and in the communication space used or intended for use in the supply, transmission or distribution of electric power.

(1.2) The commission shall pay the owner of any poles so used for the use thereof in such amount as may be agreed upon or, in the absence of agreement, in such amount as may be set by the Public Utilities Board on the application of the commission or the owner.

(b) *by adding the following subsection after subsection (4):*

(5) The provisions of Part 1 of the Public Utilities Board Act apply to proceedings and orders of the Public Utilities Board under this section.

Explanatory Notes

1. This Bill will amend chapter 12 of the Revised Statutes of Alberta 1970.

2. Jurisdiction of the Minister of Telephones.

3. Use of electric power poles.

4. The following section is added after section 26:

26.1 (1) In this section “buried facilities” means tele-communications facilities buried below ground surface and which are not encased in cement, wood or some other enclosure.

(2) Except for the commission and its agents no person may install buried facilities wherever the commission has constructed or intends to construct any part of its system without the permission and subject to the conditions of the Minister.

5. Section 28 is amended by striking out subsection (1) and by substituting the following:

28. (1) No person shall fix to any telecommunication equipment of the commission any equipment, attachment, device, apparatus or contrivance capable of transmitting or receiving messages passing through a telecommunication system of the commission that is not approved or authorized in writing from the commission or supplied by the commission.

6. Section 41, subsection (1) is amended by striking out the words “, other than frontage taxes,”.

7. This Act comes into force on the day upon which it is assented to.

4. Buried facilities.

5. Section 28 (1) presently reads:

28. (1) No person shall fix to any telecommunication equipment of the commission any attachment or device intended to be used therewith, that will injuriously affect the telecommunication equipment or the operating efficiency of the telecommunication lines or equipment or endanger the safety of workmen.

6. Section 41 (1) reads:

41. (1) The commission may each year pay to any municipality within which any of its property is situated, a grant not exceeding the amount that would be recoverable by the municipality if the property, as valued under sections 4 and 6 of The Municipal and Provincial Properties Valuation Act, was subject to the ordinary taxes, other than frontage taxes, levied by the municipality in that year.