

1985 BILL 70

Third Session, 20th Legislature, 34 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 70

**TELECOMMUNICATION STATUTES
AMENDMENT ACT, 1985**

THE MINISTER OF UTILITIES AND
TELECOMMUNICATIONS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 70

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1985

TELECOMMUNICATION STATUTES AMENDMENT ACT, 1985

(Assented to , 1985)

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

The AGT-Edmonton Telephones Act

1(1) The AGT-Edmonton Telephones Act is amended by this section.

(2) Sections 7 and 8 are repealed and the following is substituted:

7(1) AGT and the City are entitled to a share of the toll revenue generated based on usage.

(2) AGT and the City shall accept the obligation to provide funds to finance telephone services that are not self-supporting.

Explanatory Notes

The AGT-Edmonton Telephones Act

1(1) This section will amend chapter 99 of the Statutes of Alberta, 1972.

(2) Sections 7 and 8 presently read:

7(1) AGT has no power to enter into any agreement or arrangement with the City whereby any part of AGT's toll revenues from telephone calls originating or terminating in Edmonton may be paid to the City.

(2) The City is not liable to pay to AGT any moneys as a contribution towards the costs of AGT's rural distribution system.

8(1) AGT shall, at the request of the City, provide any additional equipment to AGT's system as the City may require and the City shall, at the request of AGT, provide any additional equipment to the City's telephone system as AGT may require.

(2) The person requesting the provision of additional equipment pursuant to subsection (1) shall pay to the person providing it reasonable compensation for the cost of that equipment, or, where the equipment's use is shared, for its proportionate share of the use of that equipment.

(3) In the absence of agreement between the City and AGT as to

(a) the compensation to be paid under subsection (2), or

(b) the compensation to be paid for any additional equipment provided by AGT to the City or by the City to AGT prior to the commencement of this Act and in respect of which compensation is in dispute,

the Public Utilities Board shall, on the application of AGT or the City, determine the compensation, which shall be sufficient to recover the costs of the additional equipment over its estimated useful life plus a fair return on the investment, and the manner in which the compensation is to be paid.

(4) Part 1 of The Public Utilities Board Act applies to proceedings before the Public Utilities Board under subsection (3), notwithstanding anything in that Act.

Public Utilities Board Act

2(1) The Public Utilities Board Act is amended by this section.

(2) The following is added after section 119:

PART 4

TELECOMMUNICATIONS

120 In this Part,

- (a) “AGT” means The Alberta Government Telephones Commission;
- (b) “City” means the City of Edmonton;
- (c) “tribunal” means the special telecommunication tribunal established under this Part.

121(1) There is hereby established a special telecommunication tribunal consisting of the following:

- (a) 1 member appointed by the City;
- (b) 1 member appointed by AGT;
- (c) 3 members appointed by the chairman of the Board from among the members of the Board.

(2) A member of the tribunal shall be appointed for a period of not more than 5 years.

(3) The chairman of the Board shall designate one of the members appointed under subsection (1)(c) as chairman of the tribunal.

(4) The chairman of the tribunal is entitled to hold the position of chairman as long as he continues to be a member of the Board and of the tribunal.

(5) Three members of the tribunal constitutes a quorum of the tribunal.

(6) A vacancy in the membership of the tribunal does not invalidate the constitution of the tribunal or impair the power of the members of the tribunal to act, if the number of members is not less than a quorum.

122 Part 1 applies to the tribunal and proceedings before the tribunal as if the tribunal were a division of the Board and the members of the tribunal appointed under section 121(1)(a) and (b) were acting members of the Board.

123(1) If a dispute arises between the City and AGT in respect of the interrelationship, either direct or indirect, of the telecommunication systems owned by them, the tribunal, on the application of the City or AGT, may settle the dispute after hearing the parties.

(2) The tribunal has all the jurisdiction and power it requires to make any order it considers necessary to settle a dispute under subsection (1).

Public Utilities Board Act

2(1) This section will amend chapter P-37 of the Revised Statutes of Alberta 1980.

(2) Special telecommunication tribunal.

(3) An order made by the tribunal under this section is binding on the City and AGT.

(4) Subsection (1) shall not be interpreted in such a way as to permit the tribunal to decide a matter respecting the mandate of the City or AGT as provided by any other Act of the Legislature.

*In accordance with section 4(1) of the Interpretation Act,
this Bill comes into force on the date it receives Royal
Assent.*