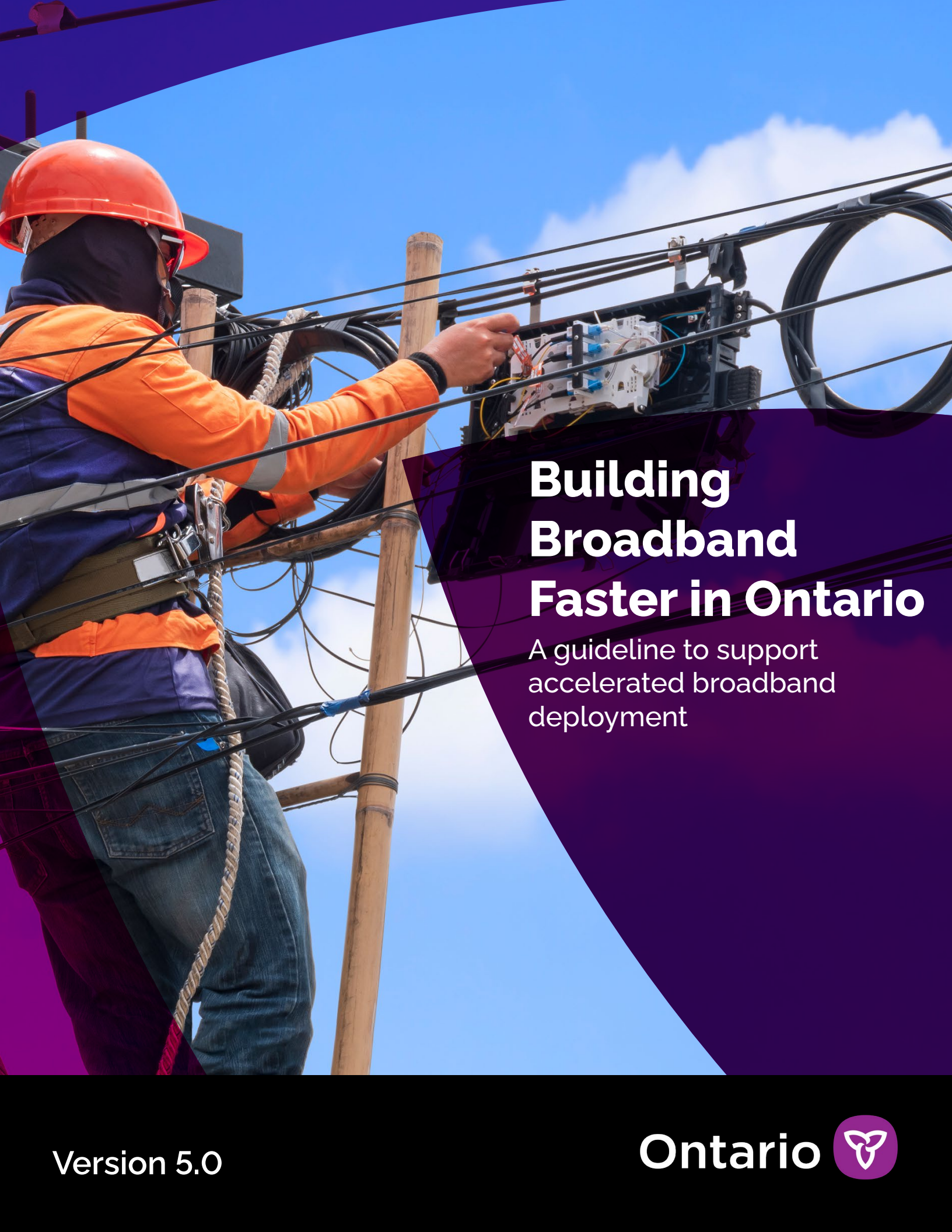




Building Broadband Faster in Ontario

A guideline to support
accelerated broadband
deployment

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A guideline to support accelerated broadband deployment

Version 5.0

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Part 1: Introduction

A. Guideline 5.0

Introduction

The Government of Ontario has committed almost \$4B to provide access to reliable, high-speed internet in every region of Ontario by the end of 2028.

The [Building Broadband Faster Act, 2021](#) (BBFA) and the [Ontario Energy Board Act, 1998](#) (OEBA) amendments were introduced to expedite the delivery of provincially Designated Broadband Projects by removing deployment barriers. Further amendments through the [Getting Ontario Connected Act, 2022](#) streamlined processes for Designated Broadband Projects and mandated Dedicated Locators under the [Ontario Underground Infrastructure Notification System Act, 2012 \(One Call Act\)](#).

Since the introduction of the BBFA, the Province has consistently identified the expectation that all partners involved in broadband deployment would work collaboratively to further reduce administrative barriers, support timely broadband deployment, and contain costs.

Version History

Table 1.1: Overview of the key updates for each version of the Guideline to date.

Version 1.0 November 2021	The Building Broadband Faster in Ontario Guideline (Version 1.0) provided best practices, processes, and timelines for broadband stakeholders to support faster deployment. Version 1.0 included a Statement of Intent that signaled the province's plan to introduce a suite of additional measures to support broadband deployment, including new legislative and regulatory requirements.
Version 2.0 August 2022	The Guideline (Version 2.0) reflected the new legislative and regulatory requirements that came into effect after the release of Guideline 1.0. These included BBFA amendments to further address barriers related to municipal permitting timelines and data sharing, One Call Act requirements related to the dedicated locator model, and OEBA regulations on timelines and processes for pole attachments and make-ready work.
Version 3.0 August 2023	The Guideline (Version 3.0) reflected additional legislative and regulatory guidance changes as well as, including a process for resolving disputes resolution process between broadband stakeholders, and a framework to support for cost-sharing for pole attachments and update make-ready work.
Version 4.0 January 2025	The Guideline (Version 4.0) was updated to provide additional guidance to support successful implementation of legislative and regulatory requirements including enhanced instructions on expediting municipal right of way access, adjustments to the dedicated locator model to support ISPs in obtaining locates, and updates on available tools and resources to reduce make-ready work to optimize aerial deployment.
Version 5.0 August 2026	The Guideline (Version 5.0) provides guidance on new regulatory requirements from amendments to O. Reg. 410/22 under the OEBA. These amendments aim to reduce make-ready work obstacles by simplifying service level requirements for LDCs; supporting fair cost sharing between ISPs and LDCs; and enabling greater operational flexibility and accountability for LDCs. Version 5.0 also includes updated guidance on make-ready performance timelines and cost apportionment. New guidance on navigating the Conservation Authorities permitting process is also included.

Guideline 5.0

Guideline 5.0 provides updated guidance to reduce deployment barriers, align with current legislative and regulatory requirements, and support implementation of the [BBFA](#).

In summary, Guideline 5.0, aligning with legislation and regulations, includes the following updates:

- Expanded guidance on underground deployment techniques to accelerate program delivery.
- Revised Aerial Route Performance Timelines (PTs) under [O. Reg. 410/22](#).
- Hydro One's updated make-ready operational model, capacity requirements, and material-deficiency rules on Hydro One's owned poles.
- New cost-apportionment rules for make-ready work on Internet Service Provider (ISP)-owned poles.
- Guidance on navigating the Conservation Authorities (CAs) permitting.
- Describes Duty to Consult (DTC) requirements.
- Reflects that the Ministry of Energy and Mines (MEM) is now responsible for provincial broadband programs.

B. Key Regulatory Updates

The Province amended Ontario Regulation 410/22 under the OEBA in Fall 2025 to:

- Set out requirements for Hydro One to provide ISPs with access to a fixed number of distribution poles on a schedule until the overall program completion deadline and to report monthly on its progress,
- Require Hydro One to provide quarterly forecasts setting out the number of distribution poles it intends to complete make-ready work per quarter until the work required to respond notices is completed,
- Adjust the application of material deficiency provision for Hydro One so that they only apply after a certain amount of make-ready work has been completed, ensuring timely pole access,
- Require all LDCs, except for Hydro One, to provide ISPs with access to a distribution pole within 180 days from the day it receives a notice,
- Change the cost apportionment rules to prohibit LDCs from charging ISPs to recover a contribution towards its costs for make-ready work on distribution equipment that is located on or attached to ISP-owned poles, and
- Clarify that the regulation applies to LDC make-ready work on any part of the LDC's distribution system, including distribution infrastructure located on poles owned by third parties (i.e., an infrastructure owner other than an LDC, such as an ISP) and require LDCs to bear the costs of any make-ready work on these poles related to the distribution system.

The amendments to [O. Reg. 410/22](#) went into effect November 1, 2025 to promote efficiency by allowing ISPs and LDCs to better collaborate on deployment. The amendments to [O. Reg. 410/22](#) impacting LDCs are summarized in Table 1.2 below:

Ramp Up November 2025 - May 2026	Regular Period June 2026 - November 2027	Close-Out Period November 2027 - End of June 2028	Other LDCs
Performance Target: Hydro One must make reasonable efforts to provide access to 30,000 poles by May 31, 2026. If Hydro One does not meet the ramp-up	Performance Target: Starting June 1, 2026, Hydro One must provide access at a rate of 10,000 poles per month until the end of the program. * If Hydro One exceeds the required rate for poles, the excess may be	Performance Target: Continue to provide access at a rate of 10,000 poles per month. From December 2027 to June 2028, Hydro One may make up missed monthly targets and has until July 1, 2028, to clear	Access Requirements Performance Target: All LDCs, excluding Hydro One, are to provide ISPs with pole access within 180 days from the day it receives a

performance target for any reason, they must address the deficit by the end of June 2026.	applied to rates in subsequent months.	any remaining deficits. Hydro One may issue material deficiency notices starting Jan 1, 2028.	notice.
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** There are two exceptions to Hydro One meeting monthly performance targets: (1) 'force majeure' event, for which deficits must be cleared within a 6-month period; or (2) if one or more Proponents fail to contribute their share of make-ready costs, impacting more than 50% of poles across projects.*

Note: Permits submitted on or after November 1, 2025 are also subject to 10,000 poles per month until the end of the program.

Application for Utility Infrastructure Poles

- The Regulation applies to make-ready work on any part of the LDCs distribution system, including distribution infrastructure on third-party-owned poles.
- LDCs must bear costs for any make-ready work on these poles related to the distribution system.

Additional Make-Ready Investment

In 2024, the Government of Ontario made a significant investment to address rising make-ready costs. In 2026, the investment was updated to support Hydro One's new regional operational model, providing more funds for make-ready work on ISP-owned poles, and align with amended O. Reg. 410/22 through O. Reg. 248/25.

O. Reg. 248/25 is a regulation under the OEBA amending O. Reg. 410/22 to streamline the LDC-owned pole attachment process, most notably by updating performance timelines for LDCs such as Hydro One, including monthly throughput targets, refining material deficiency requirements, and adding clearer reporting expectations. Under amended O. Reg. 410/22 LDC's cannot charge Utility Infrastructure Owners for make-ready work involving distribution equipment on poles not owned by the LDC. As such, the Province introduced a new subsidy to support LDC make-ready work on ISP-owned poles.

The operational model to deliver the investment has been updated and now has three components:

1. Broadband Program Enablement Costs (BPEC): a full offset of the administrative cost line items excluding HST.
2. Make-ready Work:
 - a. A percentage (%) credit applied to the final invoice in respect of an Application for Joint Use based on the level of make-ready work required to facilitate attachment.
 - b. A fixed per-pole credit for ISPs enrolled in Hydro One's regional operational model.
3. Utility Infrastructure Owned Poles:
 - a. A percentage (%) subsidy covering costs of make-ready work on Utility Infrastructure Owner Poles.

To qualify for the make-ready work subsidy, ISPs must be conducting make-ready for aerial deployment on Hydro One poles as part of a Designated Broadband Project. These investments aim to reduce financial pressure on ISPs.

For any questions related to the make-ready investment subsidy, please contact the Technical Assistance Team at TAT@infrastructureontario.ca.

Administrative Changes

Effective April 17, 2025, [Order in Council 439/2025](#) transferred responsibility for broadband matters and programs from the Ministry of Infrastructure to the Ministry of Energy and Mines (MEM). All Provincially funded Designated Broadband Projects, along with associated legislation and regulations now fall under MEM.

Specific statutes, legislation and regulations transferred to the MEM include:

- [Building Broadband Faster Act, 2021](#); and
- [Ministry of Infrastructure Act, 2011](#) pertaining to broadband matters.
- [Ontario Infrastructure and Lands Corporation Act, 2011](#), paragraph 4 of s. 4(1) concerning the powers, duties and functions delegated to the Ontario Infrastructure and Lands Corporation under the [Ministry of Infrastructure Act, 2011](#) in respect of broadband matters and the [BBFA, 2021](#).

Part 2: General and Administrative Provisions

A. Purpose, Background & Target Audience of the Guideline

Purpose of the Guideline

This Guideline is a companion to the [BBFA](#) and supports provincially funded broadband projects, including the Accelerated High-Speed Internet Program (AHSIP), Improving Connectivity for Ontarians (ICON), and other Designated Broadband Projects, with the objective of delivering high-speed internet to all communities by the end of 2028.

The Guideline is designed to improve coordination and engagement among project delivery partners by streamlining processes for attaching wireline infrastructure to LDC-owned poles and securing timely access to municipal and provincial rights-of-way (ROWs). Timely access to LDC poles and ROWs is critical for ISPs, and the efficiencies set out in this Guideline support reduced costs, complexity, and deployment timelines.

The Guideline may be used by LDCs, ISPs, their contractors, Government of Ontario ministries, Infrastructure Ontario (IO), municipalities, Indigenous communities, and partner agencies, including the Electrical Safety Authority (ESA), Ontario One Call and the OEB.

Consistent with applicable legislation and regulations, the Guideline aims to:

- Encourage early, good-faith collaboration.
- Support the safe, timely, and cost-effective delivery of Designated Broadband Projects.
- Advance the Ontario government's goal to connect every region in Ontario to reliable, high-speed internet by the end of 2028.
- Facilitate timely, reasonable access to municipal ROWs and LDC owned poles.

This Guideline also:

- Describes the BOW, an electronic system that supports the design, construction, and management of AHSIP and other Designated Broadband Projects, and enables improved information sharing through the provision of infrastructure data.
- Provides that IO will operate the BOW platform and help mediate informal disputes, establishes the role of TAT to provide practical support, and informal assistance to ISPs, LDCs, and municipalities in implementing the Guideline and Designated Broadband Projects.

Background

While the Government of Ontario has been working to expand access to high-speed internet throughout the Province for several years, the COVID-19 pandemic highlighted the essential role of reliable high-speed internet for participating fully in today's economy, including through the workplace, educational institutions, telemedicine, and online commerce.

To address this, Ontario has committed nearly \$4 billion to connect every region to high-speed internet by the end of 2028. This is the largest single investment in high-speed internet, in any province, by any government in Canadian history.

Broadband Data Coverage

Broadband coverage data is used to support planning, program design, and eligibility assessment for broadband initiatives; however, coverage data may not always fully reflect on-the-ground service availability or recent network changes. Discrepancies can arise due to differences in data sources,

reporting cycles, service quality assumptions, or recent construction activity not yet captured in published datasets.

For questions related to national broadband coverage data, methodology, or reported availability, Proponents and other Delivery Partners should refer to [Innovation, Science and Economic Development Canada \(ISED\)](#), which is responsible for the collection, validation, and publication of broadband availability data across Canada. ISED also provides mechanisms for Delivery Partners to raise concerns regarding potential data gaps or inaccuracies.

Where Proponents believe broadband coverage data does not accurately reflect service conditions in a project area, they are encouraged to engage directly with ISED, while continuing to coordinate with delivery partners on project-specific planning and deployment considerations.

B. Roles and Responsibilities

To Whom this Guideline Applies

This Guideline is intended to apply to:

- Proponents, that have entered into a Transfer Payment Agreement with the Government of Ontario for Designated Broadband Projects.
- LDCs operating in areas with Designated Broadband Projects or otherwise anticipate performing or supporting high-speed internet projects and wish to adopt leading practices.
- Ontario municipalities whose boundaries include Designated Broadband Projects.
- Members of Ontario One Call (i.e., owners/operators of underground infrastructure) in submitting and responding to locate requests relating to underground infrastructure.
- Dedicated Locators / Dedicated Locate Service Providers (DLSPs) carrying out locates relating to underground infrastructure for Designated Broadband Projects.
- Other infrastructure owners or parties whose assets or cooperation are within a ROW required to carry out a Designated Broadband Project.
- Indigenous communities and organizations.

This Guideline may also be beneficial to construction contractors, engineering providers, GIS providers, and surveyors.

Roles of the Ministry of Energy and Mines (MEM)

MEM is responsible for implementing and enforcing the regulatory and legislative framework to ensure timely delivery of Designated Broadband Projects. In this role, it may:

- Provide clarification of legislative or regulatory requirements, if needed, to TAT.
- Support engagement with partner ministries and government agencies, including oversight and implementation of engagement strategies to ensure readiness of project delivery partners.
- Assess and address complaints brought to the Ministry directly or indirectly through TAT.
- Execute and oversee all legal funding agreements for Designated Broadband Projects as part of its obligations under the [Financial Administration Act, 1990](#) and associated policies and directives.
- Update the Guideline to provide transparency and set Delivery Partner expectations.

Additionally, if needed, the Minister of Energy and Mines may use their authorities under the [BBFA](#).

Roles of Infrastructure Ontario (IO)

- Oversee the Broadband One Window (BOW), including platform development, maintenance, user training and use, as well as support project reporting, municipal and 3rd party pole attachment permitting, and support resolution requests on a common platform.
- Oversee TAT to monitor ISP project progress on AHSIP and support ISPs, municipalities, LDCs and other infrastructure owners through permit coordination, technical and administrative support, and informal dispute resolution.
- Develop processes to establish means and methods to support AHSIP Projects and as may be determined, other activities of Designated Broadband Projects.
- Assess risk and mitigation options across AHSIP through effective coordination with Delivery Partners as well as relevant ministry and agency partners.

Role of the Technical Assistance Team (TAT)

The TAT can support ISPs, LDCs and municipalities by:

1. Supporting early onboarding by sharing lessons learned and how to apply the available technical resources to help Proponents avoid material deficiencies and reduce time and cost by addressing issues upfront.
2. Providing technical assistance, negotiation support and quality assurance to various permit and authorization applicants.
3. Provide guidance to new ISP applicants based on lessons learned and give technical guidance related to application requirements *prior* to application submission, to ensure applications are accurate and concise, and to expedite timelines.
4. Provide extra support for those smaller municipalities and LDCs who may struggle to meet the demands of the AHSIP.
5. Work with Proponents, LDCs, municipalities and other parties involved in the deployment of broadband to reduce barriers for Designated Broadband Projects.

TAT may also:

1. Provide informal non-binding mediation to help manage conflicts and support collaborative resolution.
2. Deliver quality assurance and application support to reduce errors and missing information in permit and authorization submissions.
3. Offer technical expertise to interpret standards and identify compliant approaches to accelerate broadband deployment within the regulated safety framework.

To reach TAT, parties may use the Support Request module in BOW or email TAT@infrastructureontario.ca.

Role of Parties in Designated Broadband Projects

This Guideline provides best-practice guidance for all parties involved in Designated Broadband Projects, which are being funded by Ontario, in accordance with current legislation and regulations.

The provincially funded project delivery partners are expected to engage in good faith, without prejudice, in the spirit of partnership and collaboration to ensure the safe deployment and ongoing operation of broadband, municipal, transportation, electrical, and other infrastructure assets.

The legislative authorities outlined in the [OEBA](#) and its regulations and the [BBFA](#) and its regulations

serve as backstops in the event negotiations are unsuccessful, and legislative or regulatory compliance is at risk.

C. Applicable Law

This Guideline is intended to apply to any Designated Broadband Project.

Applicable Law

Nothing in this Guideline limits any party's obligations to comply with applicable law, including the latest versions of:

- The [BBFA](#) and regulations made pursuant to the [BBFA](#).
- The [OEBA](#) and regulations made pursuant to the [OEBA](#).
- [O. Reg. 22/04](#) (Electrical Distribution Safety) made pursuant to the [Electricity Act, 1998](#).
- [Canadian Standards Association C22.3 No.1](#), the Electrical Distribution Safety regulation notes CSA Standard C22.3 No. 1:15 (or latest) for overhead distribution lines and CSA Standard C22.3 No. 7-15 for underground systems as amended from time to time.
- [Occupational Health and Safety Act, 1990 \(OHSA\)](#) and Regulations.
- [O. Reg. 164/99](#) (Electrical Safety Code) made pursuant to the [Electricity Act, 1998](#) ("Ontario Electrical Safety Code" or "OESC").
- [One Call Act](#).

D. Bulletins

MEM may issue bulletins to this Guideline to provide timely clarification on issues, conflicts or misunderstandings. Bulletins will be posted as supplements to this Guideline, with provincially funded project delivery partners to subscribe to an Really Simple Syndication (RSS) feed for posted updates.

E. Duty to Consult

The Ministry of Energy and Mines (MEM) has a constitutional obligation to consult Indigenous peoples when the Crown contemplates decisions or actions that may adversely impact an established or credibly asserted Aboriginal or treaty rights under section 35 of the *Constitution Act, 1982*, such as funding a proposed broadband infrastructure project.

While broadband infrastructure is likely to be privately constructed, owned, and operated, these projects may receive various levels of public funding. Sound communication and coordination between potential funding recipients/proponents and MEM, as well as Infrastructure Ontario (IO) and federal funding partners, is necessary to ensure that MEM's Duty to Consult and where required, duty to accommodate, is met.

Before a project contract is awarded, the Ministry's best practice is to request that the proponent obtain consent and approval from the potentially impacted Indigenous community or communities, documented through a Band Council Resolution (BCR). A BCR is a formal decision made by the elected Chief and Council of a First Nation under the authority of the *Indian Act* and is typically required for any activities taking place on reserve lands. It is used to officially communicate the community's position, confirm support or consent for a proposed activity, and provide a clear record of the Council's decision for government and project partners.

Once a project contract has been awarded to a proponent, MEM undertakes the following activities to assess whether the Duty to Consult applies:

- Identifying Indigenous communities whose rights may be impacted by a proposed broadband project.
- Assessing whether the Duty to Consult applies to the proposed project.
- Determining the appropriate level of consultation required.
- Facilitating information exchange among recipients/proponents, Indigenous communities, IO, and federal funding partners throughout the lifecycle of the broadband project.
- Evaluating whether accommodation measures are warranted.
- Documenting all assessments, decisions, and relevant communications to ensure a comprehensive consultation record is maintained. This record will support the Crown in determining whether consultation has been carried out appropriately.

Part 3: Municipal Rights-of-Way (ROWs)

A. Expectations of ISPs

I. Municipal Deployment Best Practices

Expectations of ISPs

ISPs are expected to be collaborative partners to municipalities by engaging in the following practices, including prioritizing buried deployment where feasible:

- **Early technical alignment with TAT:** Given the complexity of municipal ROW deployment (including buried construction), ISPs are encouraged to engage TAT early to confirm that proposed designs, construction techniques, and permit submissions are appropriately tailored to local corridor conditions.
- **Early engagement and forecasting of work:** ISPs should work with municipalities early and consistently to scope planned work, align on resource needs, and establish high-level schedules and deployment methods. They must provide accurate project details to help municipalities anticipate and mitigate disruptions, such as road closures, conflicts with capital plans, or impacts on asset management plans. If contractors or vendors are involved, ISPs should formally share all relevant project contacts and delegated responsibilities to the municipality.
- **Negotiate a mutually beneficial program:** Designated Broadband Projects are mutually beneficial to both ISPs and Rural municipal constituents. In case of future municipal capital implementations that require the move of the ISP's infrastructure, it is expected that the ISP and the municipality share in this cost. ISPs and municipalities should negotiate a cost-sharing approach that reflects both community benefit from broadband access and the potential municipal maintenance impacts. Agreements should follow [Canadian Radio-Television and Telecommunications Commission \(CRTC\) principles for fair and reasonable cost allocation](#).
- **Municipal Consent/Permitting:** ISPs are expected to submit complete and compliant municipal permit(s). Municipalities may reasonably charge fees for the labour required to review a permit. If fees seem inconsistent with regulated guidelines or reviews are delayed due to constraints, ISPs should raise the issue with TAT.
- **Adhere to Safe Excavation Standards:** ISPs are expected to adhere to municipal and industry guidelines for safe excavation and road restoration, including maintaining a safe distance from roads, considering utility locates, controlling the plow's depth, and following accepted excavation practices. Both ISPs and municipalities can reference section 4.B below regarding the 1 metre hand dig requirement.
- **Leverage TAT:** ISPs should involve TAT if they encounter challenges with municipal collaboration, deployment methods, ROWs access requirements, stalled negotiations, or any other concerns.

Concurrent Municipal Access Agreement Negotiation and Permit Submissions

Where a municipality requires or requests an MAA as part of municipal consent under section 43 of the [Telecommunications Act, 1993](#), ISPs are highly encouraged to pursue MAA negotiations in parallel with permit submissions. Execution of an MAA is not required in all cases and the expectation is that it should not be used to delay or restrict [BBFA](#) ROW access (see applicable requirements in [O. Reg. 436/22, s. 5.1\(1\)](#)).

Simultaneous Progression of MAAs and Permits

Under the [BBFA](#) and its regulations, specifically [O. Reg. 436/22, s. 5.1](#), municipalities may not require the execution of an MAA as a precondition to providing municipal ROW access or processing permit applications. While municipalities may request that ISPs commit to negotiating an MAA in good faith, MAA discussions must not delay or suspend permitting activities for Designated Broadband Projects. ISPs are highly encouraged to advance permit applications and construction planning concurrently with MAA negotiations, ensuring that infrastructure deployment can proceed while longer-form legal and commercial terms are finalized.

Proactive Coordination

ISPs are expected to engage municipalities early and transparently by:

- Clearly communicating the scope, timing, and sequencing of permit submissions.
- Identifying which MAA provisions are time sensitive versus those that can reasonably continue post construction.
- Confirming interim practices for restoration, liability management, and future relocation while negotiations remain ongoing.

Early coordination helps municipalities manage internal workloads, anticipate permit volumes, and align review capacity without relying on MAAs as a prerequisite.

Good-Faith Negotiation Without Deployment Delay

ISPs and municipalities are expected to negotiate MAAs in good faith and in parallel with permitting, recognizing that MAAs often require extended legal review, council approvals, or customization to local circumstances. These realities should not delay permits or construction of Designated Broadband Projects.

Where specific MAA terms remain unresolved, parties are encouraged to document interim understandings through letters of intent, memoranda of understanding, or agreed-upon practices that allow deployment to continue while negotiations are completed.

Escalation and TAT Support

If MAA negotiations are used, either explicitly or implicitly, to delay permits, restrict access, or halt construction, ISPs should promptly engage TAT for support. TAT may assist by:

- Clarifying regulatory expectations with municipalities.
- Facilitating tri-party discussions to decouple permitting from legal negotiations.
- Escalating unresolved issues through IO and, where necessary, to MEM when deployment timelines are materially at risk.

Leveraging Pre-Consultations and Pre-Consultation Agreements to Accelerate Permit Approvals

ISPs are encouraged to leverage pre-consultations and, where appropriate, pre-consultation agreements with municipalities to proactively align on deployment approaches, permitting expectations, and review processes in advance of formal permit submissions. Early, structured engagement reduces rework, improves predictability, and accelerates municipal permit approvals for Designated Broadband Projects.

Purpose and Value of Pre-Consultations

- Pre-consultations provide an opportunity for municipalities and ISPs to align early on technical, operational, and administrative considerations before permit applications are formally submitted, reducing the likelihood of delays caused by redesigns, incomplete submissions, or misaligned expectations.
- These engagements are particularly effective in municipalities facing high permit volumes, limited staff capacity, or concurrent infrastructure activity, where proactive coordination can materially reduce downstream friction.

Scope of Pre-Consultation Discussions

During pre-consultations, ISPs and municipalities are encouraged to collaboratively discuss:

- Anticipated scale, timing, and sequencing of broadband deployment within the municipality, including expected permit volumes and submission cadence.
- Preferred running lines, construction methods (e.g., road-edge plowing, drilling, trenching), and locations where site-specific constraints may apply.
- Municipal asset management plans, capital works schedules, and known constraints that could affect deployment or future relocation considerations.
- Permit review workflows, service level expectations, and primary points of contact on both sides to support efficient coordination throughout construction.

Pre-Consultation Agreements and Standardization

Where beneficial, municipalities and ISPs may formalize outcomes of pre-consultations through pre-consultation agreements, written understandings, or standardized frameworks, such as:

- Pre-approved or conditionally approved running lines.
- Agreed-upon construction techniques for specific road classifications or corridors.
- Standard permit conditions or drawing requirements applicable across multiple permit submissions.

These mechanisms help streamline permit review by allowing municipal staff to focus on compliance with agreed parameters rather than reassessing foundational assumptions for each application.

Managing Capacity and Permit Volume Through Early Coordination

Pre-consultations enable municipalities and ISPs to proactively manage workload and capacity, particularly where large volumes of permits are anticipated over compressed timelines. By aligning early on submission schedules and review expectations, municipalities can better plan internal resources while ISPs can sequence work to avoid bottlenecks that may otherwise trigger escalation.

Role of TAT in Supporting Pre-Consultations

TAT is available to support pre-consultation efforts by:

- Facilitating joint discussions where alignment and/or coordination has proven difficult.
- Providing technical guidance on running lines, construction methods, and best practices drawn from provincial workshops and industry research.
- Helping document agreed upon approaches to support consistent interpretation during permit review.

Where pre-consultation efforts are unsuccessful or breakdowns in collaboration begin to impact permit timelines, TAT may engage more formally in accordance with its municipal engagement and escalation framework.

II. Escalation and Enforcement Context

Municipal Escalation Triggers and Early-Issue Diagnosis

Early identification of municipal issues is critical to preventing permit delays, deployment slowdowns, and the need for formal escalation. ISPs, municipalities, and TAT are expected to proactively identify emerging risks and address them at the earliest possible stage.

Early-Issue Diagnosis

Many municipal challenges originate from capacity constraints, misaligned expectations, or miscommunication, rather than deliberate obstruction. Early diagnosis focuses on identifying the root cause of an issue before timelines are materially impacted. Indicators requiring early attention may include:

- Inconsistent or delayed responses during pre-consultations or permit reviews.
- Repeated requests for revised designs without clear technical rationale.
- Emerging concerns related to running lines, construction methods, or asset management conflicts.
- Signals that municipal staffing or review capacity may be insufficient to manage anticipated permit volumes.

Escalation Triggers

Escalation may be warranted when early interventions do not result in timely progress or when issues begin to pose a material risk to deployment timelines. Escalation triggers may include:

- Non-compliance with legislated permit review timelines under the BBFA.
- Persistent municipal moratoria, by-laws, or policies that inhibit broadband deployment methods.
- Excessive or noncompliant fee structures inconsistent with regulated cost recovery principles.
- Breakdowns in collaboration, including non-responsiveness or refusal to engage in good-faith discussions.
- Repeated delays despite prior alignment efforts, site meetings, or technical clarification.

Role of TAT in Diagnosis and Escalation

TAT plays a central role in validating escalation triggers, documenting engagement history, and distinguishing between resolvable operational issues and matters requiring higher level intervention. Before escalation, TAT will typically:

- Confirm the factual record, timelines, and points of contention.
- Assess whether reasonable, good-faith efforts have been exhausted.
- Identify the most appropriate resolution pathway (technical, commercial, or policy-driven).

Where escalation proceeds, it is supported by clear documentation outlining the root cause, actions taken to date, and the specific outcome required to unblock deployment.

Enforcement Context: Ministerial Powers and Authorities

Under the [BBFA](#), the Province established authorities to prevent municipal ROW and permitting processes from unreasonably delaying Designated Broadband Projects, with Ministerial powers as a backstop where timelines are at risk:

Ministerial Authorities Under the BBFA

In accordance with the BBFA, municipalities with Designated Broadband Projects are required to provide ROW access and comply with applicable statutory requirements, including prescribed permit timelines and good faith negotiation requirements.

Under sections 12-14 of the [BBFA](#), the Minister notify a municipality that ROW access is required, and the municipality and a Proponent must enter reasonably promptly into negotiations to agree on terms for ROW access where such access is necessary for a Designated Broadband Project.

If in the Minister's opinion, agreement cannot be reached despite reasonable efforts to do so, section 15 of the [BBFA](#) authorizes the Minister to issue an order prescribing the terms and conditions of access, which both parties are required to follow. Ministerial orders may include provisions related to mitigation measures, liability, compensation, technical standards, and dispute resolution.

Role of Enforcement in the Escalation Continuum

While the Minister has broad discretion, ministerial intervention is intended as a measure of last resort, applied only after reasonable, good-faith efforts to resolve issues through engagement, pre-consultation, and TAT support have been exhausted.

Escalation to the Minister is typically informed by documented evidence of persistent barriers, such as non-compliance with permit timelines, moratoria or by-laws impeding deployment, or unresolved disputes that continue to delay construction.

B. Expectations of Municipalities

Expectations of Municipalities

Municipalities are a key delivery partner and are expected to make their best efforts to collaborate with ISPs to negotiate deployment terms and manage right-of-way (ROW) access, including:

- **Running Line and Installation Depth Requirements:** Municipalities should, when possible, accommodate ISPs proposals for running lines and installation depth. Any deviations imposed through by-laws or through an MAA should be justified by legitimate technical, geographic limitations or planned capital works projects.
- **New Aerial Infrastructure Proposals:** In rural areas requiring aerial deployment, ISPs may propose new poles or additional pole lines. Municipalities should seek to accommodate new pole installations in the public ROW where possible and avoid moratoriums on new pole lines, recognizing the deployment speed and cost efficiencies of aerial infrastructure.
- **Alignment with Asset Management Plans:** Municipalities are expected to collaborate and negotiate reasonably with ISPs to align deployment plans with long-term asset management plans. Municipalities engage in good-faith negotiations with ISPs to agree on reasonable cost-sharing arrangements consistent with industry standards.
- **Reasonable application of Causal Costs when developing Permit Fees:** Municipalities are expected to calculate Municipal Consent Permit Application fees in a reasonable manner adhering to the tenets of cost recovery and cost neutrality.

Municipalities are also expected to be collaborative partners to ISPs by:

- **Providing access:** Under the [BBFA](#), municipalities are required to provide access to municipal highways, ROWs, and municipally owned or controlled property for Designated Broadband Project construction or operation when requested by a Proponent (e.g., an ISP). In the context of aerial broadband deployment, Local Distribution Companies (LDCs) may also request municipal highway and ROW access on behalf of a Proponent of a Designated Broadband Project when the Proponent has contracted the LDC to complete make-ready work on aerial

infrastructure (i.e., utility poles) required to safely accommodate broadband attachments. In such circumstances, where the LDC is acting on behalf of a Proponent, the request is considered to be made in furtherance of a Designated Broadband Project and the associated access requirements under the [BBFA](#) applicable to proponents are intended to apply. Where applicable, LDCs are encouraged to make clear in applications that ROW access is requested on behalf of a Proponent for construction or operational activities in support of a Designated Broadband Project. Additional information on the make-ready and aerial attachment process is available in Section 5 of this Guide.

- **Timely assessments and approvals of work:** Municipalities should respond, assess and approve or decline permit applications from ISPs in accordance with the applicable [BBFA](#) timelines. In the event of a material deficiency in the permit submitted, municipalities should notify ISPs promptly with clear indication of what is required to correct the application.
- **Leveraging TAT:** If collaboration challenges arise, such as concerns with deployment methods, asset impacts, communication absence, or stalled negotiations, municipalities are welcome to engage TAT for support.

By taking a collaborative approach when working with ISPs, municipalities can effectively support and enable the acceleration of broadband deployment in their communities.

Municipal Access Agreements

To expedite access to municipal property, municipalities that normally require MAAs prior to construction may consider adopting pre-cursor agreements (e.g. memorandum of understanding (MOU), or letter of intent (LOI)) that defer negotiation of certain details related to right-of-way access to a later date. A pre-cursor agreement can support timely ROW access for design and construction, while continuing to negotiate longer-form MAA terms in parallel.

In October 2024, the Eastern Ontario Regional Network (EORN), in partnership with the Province, developed a [Municipal Access Agreement \(MAA\) template](#) (MAA Lite) to support municipalities and ISPs in negotiating access to municipal ROWs and provide mutually agreeable terms governing the construction, maintenance, and operation of broadband infrastructure. The Province expects municipalities to leverage existing and new tools, including standardized agreements, and to work collaboratively with ISPs to prevent delays to broadband construction. Additional guidance on MAAs is available in the [Telecommunications and rights-of-way: A handbook for municipalities](#) published by the Federation of Canadian Municipalities.

Application of O. Reg. 436/22 (MAA as a Prerequisite)

Under [O. Reg. 436/22](#) of the [BBFA](#), municipalities may not require a proponent to enter into a legal agreement (including an MAA) as a condition of providing access to municipal ROWs or processing permit applications for Designated Broadband Projects. However, municipalities may require ISPs to commit in writing to negotiate an MAA in good faith as soon as reasonably possible as set out in section 5.1(2). MAA negotiations are expected to proceed concurrently with permitting and construction activities, rather than acting as a prerequisite to access through permits.

In practice, municipalities should avoid conditioning permit issuance, design approval, or construction start dates on the finalization of an MAA. Where additional assurance is required, municipalities and ISPs are encouraged to rely on interim instruments (e.g., LOI, MOU, or agreed interim practices) that allow deployment to continue while outstanding MAA terms are finalized.

To reduce redesign, permitting churn, and future disputes, municipalities and ISPs are encouraged to:

- Align early on key deployment assumptions (e.g., running lines, restoration expectations, and communication protocols).
- Share relevant information (e.g., known capital plans and asset management considerations) so deployment can be planned efficiently and avoid preventable conflicts.
- Maintain transparency on permit volumes, sequencing, and resourcing so that approvals can proceed predictably.

If parties require support to facilitate discussions on these agreements they may reach out to TAT.

Material Deficiency Boundary in MAA Negotiations

Municipalities and ISPs are expected to distinguish between material deficiencies that reasonably affect municipal risk, safety, or asset protection, and nonmaterial issues that should not delay ROW access, permitting, or construction for Designated Broadband Projects.

Municipalities may reasonably treat the following as material deficiencies where they directly relate to municipal interests and have not been addressed through interim measures:

- Absence of basic assurances related to restoration standards, liability, or indemnification for work within the municipal ROW.
- Lack of clarity on roles, points of contact, or communication protocols necessary to manage construction impacts and coordinate inspections.
- Failure to address known safety, engineering, or operational risks associated with the proposed work that cannot be mitigated through permit conditions or standard practices.
- Situations where an ISP has not committed to negotiating an MAA in good faith, where such a commitment has been reasonably requested.

The following are examples of material deficiencies are not typically considered reasonable and should not be used to justify delaying access, permits, or construction:

- Ongoing negotiation of commercial, legal, or policy terms that do not affect immediate ROW access (e.g., future relocation cost formulas, long term governance clauses, or template customization).
- Requests for agreement on terms exceeding regulated cost recovery principles or introducing land use or occupancy charges not permitted under applicable frameworks.
- Preference for a finalized MAA where interim instruments or agreed practices are already in place to manage construction, restoration, and risk.
- Broader policy alignment objectives or council level considerations that are unrelated to the specific access required for the Designated Broadband Project.

Where there is disagreement on whether an outstanding MAA issue constitutes a material deficiency, parties are encouraged to:

- Proceed with permitting and construction under interim arrangements where possible.
- Engage TAT early to help assess materiality, clarify regulatory expectations, and prevent delays from escalating unnecessarily.

Municipal Performance Timelines and Permit Review Service Levels

To support timely delivery of Designated Broadband Projects, municipalities are expected to review and respond to complete municipal consent and ROW permit applications within the applicable timelines set out under the [BBFA](#).

Municipalities are expected to complete permit reviews within:

- 10 business days for applications requesting access to 30km or less of municipal ROW.
- 15 business days for applications requesting access to more than 30km of municipal ROW.

These timelines are intended to provide predictability, support deployment sequencing, and enable ISPs and Local Distribution Companies completing make-ready work construction on behalf of ISPs to plan construction activities with confidence.

The permit review timeline may be paused only where a permit application is materially incomplete or where additional information is reasonably required to complete the review. Where the permit review timeline is paused, municipalities are expected to:

- Clearly communicate the specific deficiencies or information required.
- Limit requests to information that is necessary to assess the application.
- Restart the review clock promptly once the requested information has been provided.

Repeated or incremental requests for information that could have been identified earlier, or requests unrelated to the permit review itself, should be avoided as they undermine the intent of the service level framework. Where municipalities are experiencing capacity constraints or unusually high permit volumes, early communication and agreed sequencing of submissions can help maintain compliance with service levels while managing workload pressures.

Persistent failure to meet prescribed review timelines, or repeated pauses in permit review without clear justification, may signal an emerging risk to deployment timelines. In such cases, parties are encouraged to engage TAT early to support alignment, validate rationale for pausing permit reviews, and prevent delays from escalating. Where issues remain unresolved, missed service levels may inform escalation in accordance with the municipal engagement and escalation framework.

Asset Management Plans and Data Sharing to Reduce Redesign and Permitting Churn

Early alignment and data sharing between municipalities and ISPs is critical to minimizing redesign, repeated permit submissions, and avoidable delays during broadband deployment. Proactive use of asset management information enables more efficient route planning, reduces downstream conflicts, and supports faster, more predictable permit reviews. Municipalities are encouraged to share relevant asset management and capital planning information, including known or planned road works, drainage projects, utility coordination constraints, and other ROW considerations.

Where available, sharing geospatial data (e.g., GIS, CAD, or mapping files) supports accurate pre-engineering and reduces the likelihood of late-stage design changes that can trigger permit reviews.

ISPs are expected to use shared information responsibly to inform routing, construction methods, and sequencing, and to raise potential conflicts early rather than relying on iterative redesign through the permit process. Early transparency helps municipalities manage review workloads and reduces unnecessary permitting churn driven by avoidable misalignment.

Where full datasets are not available, municipalities and ISPs are encouraged to engage through pre consultations to discuss known constraints, assumptions, and limitations. This early dialogue often provides sufficient clarity to proceed efficiently, even where perfect data does not exist. If gaps in data sharing or misalignment on asset considerations begin to materially affect permit timelines, parties are encouraged to engage TAT early to support coordination and prevent issues from escalating.

Causal Costs and Fees

Municipalities may recover causal costs associated with reviewing permit applications and designs, conducting inspections, and addressing restoration impacts resulting from broadband construction in the municipal ROW.

To support predictable, defensible fee-setting, municipalities are encouraged to tie fees to clearly defined cost categories, apply consistent calculation methods, and provide transparent breakdowns that demonstrate cost recovery (not land-use or occupancy pricing).

Where fees are applied, municipalities should clearly communicate:

- What costs are being recovered (e.g., staff time for review/inspection, systems costs directly tied to permitting, restoration/verification where applicable).
- How the fee was calculated (e.g., hourly rates, estimated time per permit type, inspection frequency assumptions).
- Any conditions that may change costs (e.g., high-volume submissions, expedited requests, extraordinary restoration needs) so that ISPs can forecast and plan accordingly.

ISPs and municipalities are encouraged to address fee approaches early (e.g., during pre-consultations) to prevent redesign and permitting churn and to reduce the likelihood of escalation. Where there is disagreement on whether a fee is reasonable or aligned with cost-recovery principles, parties are encouraged to engage TAT early to seek clarification and facilitate resolution before delays impact deployment timelines.

Relocation Costs: Sliding-Scale Frameworks Are Negotiable Rather than Automatic

Municipalities and ISPs are encouraged to address relocation cost responsibilities early to avoid uncertainty becoming a source of permitting delay. The [CRTC has outlined sliding-scale approaches to relocation cost sharing](#) (e.g., decreasing municipal responsibility over time), but these frameworks are not automatic: they only apply where they are negotiated and reflected in an MAA or other agreement.

In practice, this means municipalities should not assume a sliding-scale cost allocation applies by default, and ISPs should not treat sliding-scale proposals as mandatory unless agreed. Instead, parties should use pre-consultations and MAA discussions to align on:

- i. What constitutes a relocation event.
- ii. Notice periods and sequencing expectations.
- iii. The cost-sharing approach (including whether a sliding scale is appropriate in the local context).

If relocation costs become a barrier to timely permitting or good-faith negotiations stall, parties are encouraged to engage TAT early to support clarification and de-escalation.

C. Technical Design and Construction Decision-Making

As Designated Broadband Program proponents are increasingly encouraged to pursue buried deployment where feasible to accelerate delivery, clear and well-documented technical design and construction decision-making support efficient coordination and timely implementation.

Running Lines and Depth: Clarifying “Reasonable Accommodation”

Municipalities are expected to reasonably accommodate ISP proposals for running lines and installation depth by allowing practical flexibility within the utility corridor, and by limiting deviations to cases with a clear technical, safety, or capital-works rationale. Where municipalities propose different offsets or depths, they should explain the specific constraint (e.g., known buried conflicts, road structure

limitations, planned works) and work with the ISP to identify the lowest-impact, most cost-effective construction method for the segment (e.g., plowing where feasible; drilling as a targeted stop-gap for obstacles). To reduce redesign and permitting churn, parties are encouraged to confirm running line and depth expectations through pre-consultation and field visits where site conditions are uncertain or contested.

Construction Methods: When Plowing, Drilling, or Trenching Is Appropriate

Municipalities and ISPs are encouraged to select construction methods based on site specific conditions, safety, and overall efficiency, rather than applying a single method by default. Flexibility across a route is key to minimizing cost, disruption, and permitting:

- **Vibratory Plowing (Preferred where feasible):** Vibratory plowing is generally the preferred construction method where soil conditions, clearances, and corridor constraints allow, as it enables faster installation at lower cost with minimal surface disruption compared to trenching. It is particularly well suited for rural and semi-rural road-edge deployment and long, continuous installation runs.
- **Directional Drilling (Targeted use):** Directional drilling is appropriate as a localized solution where plowing is not feasible, such as at road crossings, watercourses, rock outcrops, or other physical obstructions. It should be applied selectively to address discrete constraints, rather than imposed across entire routes where conditions otherwise support lower-impact construction methods.
- **Open Trenching (Situational use):** Open trenching may be appropriate where soil conditions, urban constraints, or concurrent municipal works make it the safest or the most practical construction option. Given its higher costs and greater restoration impacts, trenching should be applied judiciously and aligned with demonstrated, site-specific need.

Regardless of the construction method used, all disturbed areas within the right-of-way should be restored to existing or better condition. Restoration should include returning the surface to a stable, comparable condition. Where roadway surfaces are disturbed, restoration should reinstate the full granular and surface pavement structure, or an equivalent asphalt structure, to match pre-construction conditions. Where restoration quality becomes a concern, parties should address it promptly, with TAT able to support alignment on reasonable remediation expectations.

Field Visits: A Proven Tool for Resolving Technical Deadlocks

Field visits are an effective and encouraged tool for resolving disagreements related to running lines, construction methods, depth, or site-specific constraints. Where paper designs, mapping, or assumptions diverge from actual conditions, in-field review allows parties to align quickly on feasible, low-impact solutions and avoid prolonged redesign or permitting delays.

Municipalities and ISPs are encouraged to use field visits proactively, particularly where constraints are contested, conditions vary along a route, or technical requirements risk becoming overly prescriptive without site validation. In many cases, visual confirmation of corridor conditions enables practical flexibility (e.g., selective plowing, targeted drilling) that would not otherwise be apparent through drawings alone.

Where technical discussions stall or positions harden despite prior coordination, a field visit should be treated as a first-line resolution step before escalation, with TAT available to support or facilitate where helpful.

Offsets: Replacing Vague Property-Line Rules with Clear and Consistent Reference Points

Municipalities are encouraged to use clear, consistent offset reference points grounded in observable ROW features (e.g., road edge, ditch line, shoulder, or established utility corridor), in addition to relying on property-line measurements that can be difficult to confirm in the field. Where property boundaries are irregular, poorly marked, or do not align with practical corridor conditions, strict property-line rules can create avoidable redesign, construction inefficiencies, and schedule impacts that may strain municipal-ISP collaboration.

Where a municipality considers a blanket offset necessary for local context, it should be paired with a demonstrated willingness to deviate on a site-specific basis where conditions warrant. In these cases, municipalities and ISPs are encouraged to consider alternate reference points (e.g., ditch line or road edge) to facilitate a timely and efficient installation process, while still meeting safety and asset protection objectives.

To reduce disputes driven by interpretation rather than technical necessity, offsets should be communicated in practical, measurable terms and applied flexibly to account for corridor constraints, existing utilities, and site conditions. Where uncertainty exists, municipalities and ISPs are encouraged to confirm offset expectations through pre-consultation or field verification before designs are finalized.

Applying 1-Metre Hand Dig Practices

Guidance from the Ministry of Labour (MOL) is that hand-digging and daylighting within 1 metre are industry best practices but are not legal requirements. While MOL does not legislate how work is performed in all cases, the expectation is that workers are always protected from harm, and whatever control measures are implemented ensure this protection. Again, this comes down to the site specific actual and potential hazards at or near where the work is being performed.

Prior to any excavation commencing, s. 228 of the [Regulation for Construction Projects \(O. Reg. 213/91\)](#) requires that all underground services be accurately located and marked.

In addition to regulatory requirements, the Occupational Health and Safety Act (OHSA) requires all reasonable precautions to protect workers and services. As the OHSA does not prescribe specific control measures, controls must be tailored to the actual and potential hazards present at each work site.

MTO Flexibility Precedent: Applying Tolerances for Depth and Location

Guidance and precedent from the MTO reinforce the importance of flexibility in installation depth, horizontal location, and tolerances within ROW corridors. MTO's approach recognizes that depth and location requirements must be determined based on site-specific conditions, rather than applied as rigid, one-size-fits-all standards.

Municipalities are encouraged to apply flexibility in installation depth and horizontal location by treating minimum depths and preferred alignments as guiding benchmarks, rather than fixed rules. Adjustments may be appropriate where site specific conditions warrant reasonable accommodation, supporting safe and efficient construction while avoiding unnecessary cost, redesign, and delay:

- **Soil Type and Subsurface Conditions:** Flexibility may be warranted in areas with bedrock, shallow rock, unstable or sandy soils, organic material, or high groundwater tables where achieving standard depths is impractical or introduces construction and safety risks.

- **Ditch Geometry and Roadside Cross-Section:** Variations in ditch depth, slope, or width, as well as constrained shoulders or irregular roadside profiles, may require adjustments to depth or alignment to maintain drainage function and constructability.
- **Existing Utilities and Corridor Congestion:** Locations with dense, overlapping, legacy, or unmapped utilities may necessitate minor depth or horizontal shifts to maintain safe separation and avoid conflicts within the utility corridor.
- **Drainage and Hydraulic Features:** Culverts, cross-drains, tile drainage systems, and roadside inlets may limit feasible depths or alignments, particularly where deeper installation could interfere with drainage performance or future maintenance.
- **Physical and Environmental Constraints:** Trees and root systems, rock outcrops, slopes, retaining structures, guardrails, bridges, or narrow ROW may justify localized deviations from standard depth or offset requirements.

Municipalities are encouraged to adopt a similar, outcomes-based approach—allowing reasonable variation in depth and alignment where safety and asset protection objectives are met—rather than imposing fixed tolerances that may not reflect actual corridor conditions.

Accessing Buried Routes on Municipal Rights-of-Way (ROW)

This section outlines the ROW Municipal Consent and, where required, Road Occupancy Permit, application process. The following are recommended steps and performance timelines to acquire approval to access a municipal ROW, with references to applicable requirements under the [BBFA](#) and [One Call Act](#).

Table 4.1: Buried Route on Municipal ROW.

Activity	Process Details
1. Underground Drawings of proposed route	• The Proponent prepares underground route drawings using BOW data and other information sources (e.g., Google maps). • See onewindow.ca for Application Requirements, Templates and Forms which provide Standard Utility Offsets drawing as well as specific drawing requirements that may be used for municipalities who do not currently have such drawings available.
2. Submissions of preliminary drawings ("mark-up circulation")	• The Proponent submits preliminary drawings to a municipality via the BOW. • The municipality circulates preliminary drawings to all parties that have infrastructure in the ROW (i.e., municipalities, LDCs, Enbridge and other telecoms) for mark-up review. • Delivery partners identify and report any conflicts with existing buried assets within the timelines set out in Table 4.2. • Municipality provides consolidated mark-ups to the Proponent, who resolve any conflicts and finalizes the drawings. • The Municipality may reach out to TAT in case they need any support with permit review and submission.
3. Municipal application submitted to municipality via BOW • Drawings showing potential route • Municipal Consent	• A complete application includes: ◦ Drawings showing the potential route. ◦ Application form for Municipal Consent. ◦ ROP application if required by municipality. • See onewindow.ca for Application Requirements, Templates and Forms which provides a template for Municipal Consent that may be used by municipalities who do not currently have such forms available.

Activity	Process Details
Road Occupancy Permit (ROP) if required by municipality	- Proponents are encouraged to confirm complete application requirements with the municipality before submitting the permit application through the BOW. - A municipality may require the ISP obtain an ROP. - The ISP must ensure all required information is included before submitting applications through the BOW.
4. Municipality reviews complete application and issues Municipal Consent (with reasonable conditions) and ROP where applicable	- Municipality reviews the application(s), and under s. 10.1 of the BBFA, must approve it or notify the Proponent of a material issue or deficiency within 10 days or 15 days, as applicable. - If a material issue or deficiency is identified, the review timeline pauses and restarts at day 1 upon resubmission of the application. - The municipality works directly with the Proponent to resolve any deficiencies in permit application documents. - Applications submitted through the BOW must be responded to using the BOW unless indicated otherwise by the Minister.
5. Locate request submitted through Ontario One Call (after Proponent has provided advance notice of the project to Ontario One Call)	- The Proponent and affected members of Ontario One Call agree on a Dedicated Locator to respond to all project-related locate requests, except transmission infrastructure, which remains the responsibility of the relevant member. Section 5.D provides more information on the Dedicated Locator model. - Locate requests must be completed within the timelines set out in the One Call Act, unless an alternative timeframe is mutually agreed upon between the Proponent and Dedicated Locator, as in Table 4.2.
6. Advising timing of construction	- Some municipalities may require a Road Occupancy Permit, with associated timelines and processes. The 10-day and 15-day timelines apply to a ROP. - Where a ROP is not required, the Proponent must notify the municipality prior to work commencing within the established PT.
7. ISP performs construction followed by restoration of the ROW	- The Proponent and municipality collaborate to resolve any conflicts where existing facilities differ from mark-up or locate information. - The Proponent completes construction and restores surfaces, unless the municipality directs otherwise, within a reasonable time determined by the municipality.
8. Notice of Work Completion and As-Built Drawings submitted to municipality via BOW	- The ISP submits a Notice of Work Completion and As-Built drawing to the BOW, identifying any changes from the approved plan. - The BOW forwards the Notice of Work Completion and As-Built drawing to the municipality. - See onewindow.ca for Application Requirements, Templates and Forms which provides a template Notice of Work Completion and As-Built drawing that municipalities may use.
9. Municipality inspection of any restoration work	The municipality may inspect restoration work and follows up with the Proponent for any outstanding issues.

Table 4.2: Performance Timelines (PTs) for Buried Route on Municipal ROW

Activity	PTs (Business Days): Up to 30 km of ground	PTs (Business Days): 30 km + of ground
1. Underground Drawings of proposed route	Proponent with timelines set out in Project Agreement.	Proponent with timelines set out in Project Agreement.
2. If requested, owners of buried assets review and respond to submissions of preliminary drawings ("mark-up circulation") in BOW	20	20
3. Municipal application submitted to municipality via BOW	Proponent with timelines set out in Project Agreement.	Proponent with timelines set out in Project Agreement.
4. Municipality reviews complete application and issues Municipal Consent (with reasonable conditions) and a ROP where applicable	10 (for each respective approval)	15 (for each respective approval)
5. Responding to locate request submitted through Ontario One Call For Dedicated Locator model (see section 5.D for explanation)	10 (unless otherwise agreed to by the parties)	10 (unless otherwise agreed to by the parties)
6. Advising timing of construction¹	5 (in advance of start date)	5 (in advance of start date)
7. ISP performs construction followed by restoration of the ROW	Negotiated with municipality. Proponent with timelines set out in Project Agreement.	Negotiated with municipality. Proponent with timelines set out in Project Agreement.
8. Notice of Work Completion and As-Built Drawings submitted to municipality via BOW	15	20
9. Municipality inspection any restoration work	As negotiated with municipality.	As negotiated with municipality.

Broadband Deployment Frequently Asked Questions (FAQ) Document

The Broadband Deployment Frequently Asked Questions (FAQ) Document is a practical, plain-language reference for municipalities, ISPs, and delivery partners involved in Designated Broadband Projects across Ontario. It consolidates key guidance from provincial legislation, regulations, and policy into clear answers to common questions encountered during planning, permitting, construction, and dispute resolution.

The FAQ Document helps delivery partners to:

- Clarify regulatory roles and expectations, including municipal consent, MAAs, and permit timelines.
- Apply consistent approaches to causal costs, fees, relocation considerations, and make-ready work.
- Resolve common areas of uncertainty early, reducing permitting delays, redesign, and escalation.

¹ Some municipalities may have shorter timelines for notice of work to issue a Road Occupancy Permit. Successful Proponents may adhere to municipality timelines instead of PT. Where a Road Occupancy Permit is not required, the successful Proponent notifies the municipality directly within 5 days prior to work commencement.

To access the Broadband Deployment FAQ Document and related guidance, please visit the BOW Resource Library (login required). If an ISP or municipality does not have access, they may contact the Technical Assistance Team (TAT@infrastructureontario.ca) to request a copy of the document.

Rural Optimization for Accelerated Deployment (ROAD) Report

The Rural Optimization for Accelerated Deployment (ROAD) Report provides industry best practices to municipalities and ISPs to promote accelerated underground broadband deployment. The report includes an overview of the relevant federal and provincial regulatory framework for broadband deployment, discusses key strategies to remove barriers to construction for delivery partners, and reviews the guidelines established by the CRTC and the province regarding fees and cost recovery for municipalities.

The ROAD Report will help municipalities and ISPs involved in Designated Broadband Projects in Ontario to:

- Define a mutually beneficial program that accounts for operational impacts and resourcing implications of all delivery partners involved.
- Align on standards and the sharing of infrastructure data to accelerate design phase activities and maximize resource allocation.
- Implement innovative deployment methodologies and processes to expedite construction phase activities.

To access the ROAD Report and read more on the supporting guidance for delivery partners, please visit the BOW Library, available with a BOW Login in the Resources Library. If you do not have access, please email TAT (TAT@infrastructureontario.ca) for a copy of the report.

Part 4: Guidance on Other Permitting Requirements

A. Guidance on Conservation Authority (CA) Permitting

Conservation Authorities Permitting Process

Conservation authorities (CAs) manage development and other activities through a permitting process under the *Conservation Authorities Act* (CAA) in areas that can be subject to natural hazards such as floodplains, shorelines, river and stream valleys, wetlands and hazardous lands to ensure development does not happen in unsafe areas and to ensure development does not worsen the impacts of flooding and erosion in surrounding areas.

An interactive map of all CA jurisdictions can be found on [Conservation Ontario's website](#). Furthermore, each CA has online mapping showing the approximate regulated area. [Ontario Regulation 41/24](#) defines the areas that are regulated by CAs through a text-based description, which prevails over the mapping.

Before undertaking any development or other activities on your property, it's recommended that proponents consult the local conservation authority and/or municipality to determine which permits may be required.

Please note each CA implements permitting regulations based on provincial legislation, regulatory requirements, and technical standards, as well as CA member-approved policies that outline how the CA administers regulations locally.

[Ontario Regulation 41/24](#) contains the requirements for CA permitting, including some process requirements. Additionally, the CAA contains provisions around appeals and hearings.

Generally, the CA permitting process would involve:

1. **Pre-submission consultation:** An applicant may engage in pre-submission consultation to confirm the need for a permit, complete application requirements, including the CA identifying any information or studies needed.
2. **Section 28 Permit application:**
 - a. [O. Reg. 41/24](#) outlines permit application requirements; fees are set by each CA.
 - b. The CA must identify any information or studies needed before confirming a complete permit application and not later in the process. The CA must confirm the submission of a complete application within 21 days of receipt.
 - c. An applicant can require a review by the CA members (i.e. 'board') if they have not received notice within 21 days, the applicant disagrees with a CA's determination that the application is incomplete, or the applicant is of the opinion that a CA's request for information, studies or plans is not reasonable.
3. **Permit decision:**
 - a. A permit issued by the CA, may be valid up to a maximum of 60 months, including any extensions as allowed for under the regulation.
 - b. Once a decision is made on the permit by the CA, if an applicant's permit is denied or issued with conditions to which the applicant does not agree, they are entitled to a hearing before the CA members.
4. **Hearings and appeals (if applicable)**
 - a. If not satisfied with the CA members decision, the applicant may appeal the CA's decision to the Ontario Land Tribunal within 90 days of receiving the reasons for the decision. Alternatively, an applicant can request a [Minister's review](#) of a permit

decision of a CA. These powers are reserved for projects that support the provincial interests outlined in [Ontario Regulation 474/24](#), such as to support housing or economic development. O. Reg. 474/24 also outlines the requirements for requests for a [Minister's order to take over a CA permit](#).

- b. If a CA does not issue a permit decision within 90 days of receiving a complete application, the applicant may appeal the non-decision to the OLT.

Throughout permit review, the CA may also coordinate with the municipality, particularly where the development requires *Planning Act* or other municipal approvals.

Species at Risk Authorizations

Seeking an authorization for impacts to species at risk is an applicant-led process. Undertaking the necessary due diligence to assess whether an activity qualifies for an exemption, or requires a permit, or is outside the scope of the applicable legislation, is the responsibility of the person or organization planning to undertake an activity. Engaging a qualified person to perform species assessments is recommended.

To receive further guidance on the authorization process, please contact SAROntario@ontario.ca

Engaging with Conservation Authorities

Ontario has 36 CAs; for the complete and current list, refer to Conservation Ontario's directory: [Find a Conservation Authority](#).

To support efficient CA coordination for Designated Broadband Projects, Proponents and Delivery Partners may benefit from:

- **Identifying the correct CA early (by geography):** Confirm the governing CA at the outset using the Conservation Ontario directory and CA mapping tools, then align early on points of contact and preferred submission channels.
- **Using pre-consultation strategically:** Treat pre-consultation as a scoping and coordination tool to confirm required studies/inputs and to proactively align CAs and municipalities, reducing iterative requests and improving permitting clarity, especially where corridors traverse multiple regulated features.
- **Submitting complete, corridor-based packages:** Where a route crosses multiple CA-regulated features, package submissions so the CA can assess the full corridor context, reducing piecemeal reviews and resubmissions.
- **Coordinating interdependencies up front:** Where CA review depends on municipal inputs (or vice-versa), flag the dependency early and coordinate sequencing so one approval is not unintentionally blocking the other.
- **Documenting decisions and assumptions:** Keep a simple record of the agreed scope, required studies, and any constraints/conditions identified during early engagement to prevent churn caused by changes in interpretation mid-review.

B. Accessing Provincial Highways and Ministry of Transportation (MTO) Requirements

Accessing Provincial Highways

A Proponent will require a permit from the Ontario Ministry of Transportation (MTO) for any installation or works upon, under, within or adjacent to the limits of a Provincial Highway ROW placed by someone other than MTO. ISPs are required to put 'BROADBAND' in the "Project Reference field" in the Highway Corridor Management System (HCMS) to ensure permit applications are prioritized.

While the MTO permitting process is not done through the Broadband One Window (BOW) but rather through HCMS, Proponents must notify BOW of permit application such that the BOW can be used to keep track of the project's progress.

Supplemental Ministry of Transportation Requirements (HCMS)

The MTO has provided the following information to assist proponents (including ISPs and utilities) with meeting MTO requirements to perform work within or adjacent to provincial highway rights-of-way. This information will help streamline the permit application submission process for proponents and facilitate a more efficient review by MTO. The proponents are required to follow this information diligently to ensure that applications are processed in a timely manner.

1. Pre-Consultation

- Pre-consultation with MTO is mandatory. Applicants shall request a pre-consultation with MTO as early as possible before planning or starting work.
- A pre-consultation request is to be submitted through [MTO's Highway Corridor Management System \(HCMS\)](#).
 - Early pre-consultation and ongoing communication will help facilitate exchange of information, provide an understanding of requirements, and find opportunities to proactively streamline processes and address any potential issues.
 - Utility companies are encouraged to consolidate their discussions and inquiries during the pre-consultation phase to support full understanding and ensure efficient processing and review of their requests.

2. Application Package

- Prepare the application package and apply for a permit through HCMS, incorporating actions and requirements discussed during the pre-consultation meeting.
- When applying for permits through HCMS, you are required to enter the following note in the *Project Reference Name* field: **BROADBAND**. Adding this note will flag the submissions for priority review. This will also allow MTO to maintain line of sight on the various broadband permit applications submitted and support their processing in a timely manner.
- Provide as much information as possible when applying for the permit, including the pre-consultation number.
- Permit applications can be submitted without an initial Traffic Control Plan (TCP) for the proposed work. As part of MTO's process for broadband projects, MTO will issue the permit with supplementary TCP-related permit conditions. These conditions outline how to submit the TCP for review and acceptance post permit issuance, but prior to the work beginning.
- Contact the MTO representative from the pre-consultation meeting if assistance is needed.
- See below for more information on MTO permit application requirements.

3. Tracking

- Applicants can track the status of their application through HCMS using the instructions in the email received after submitting the application.
- Applicants can also reach out to the MTO corridor management staff assigned to their permit application at the time of submission for additional guidance.

4. Inquiry

- For any further inquiry regarding MTO requirements and broadband permit applications, proponents can submit an inquiry through the MTO's Highway Corridor Management System (HCMS). Include 'BROADBAND' in the description when completing the "Description of General inquiry with MTO" to ensure prioritized review and appropriate routing of the inquiry.

The information provided below is in addition to applicable drawing requirements identified elsewhere and is not inclusive of all MTO requirements. MTO may request additional requirements as needed to support protection of a specific highway corridor.

General requirements for utility installations within or near a provincial highway right-of-way:

- MTO permits are required for any work within a provincial highway right-of-way, within 45m of any limit of a provincial highway right-of-way, within 180 m of the centre point of an intersection on a King's Highway or within 395m of the centre point of an intersection on a controlled access highway.
- Parallel installations are prohibited within the right-of-way limits of a Class I or II controlled-access highway (e.g., freeway and major highways), except in exceptional cases.
- Installations shall be within the 2 m horizontal strip, placed as close to the provincial highway right-of-way limit as possible, and as a minimum beyond the roadside ditch.
- If highway crossings are unavoidable, they shall be minimized and installed through trenchless methods or aerial, as close to right angles as practical, at a consistent depth/elevation, and completely outside the footprint of any interchange or intersection area. Aerial crossings of Class I highways are not permitted, except in exceptional cases.
- After construction of any utility installation, "as constructed plans" must be provided to MTO immediately upon completion of the installation.

More specific MTO permit application submission requirements for utility installations within or near a provincial highway right-of-way:

- Each MTO Encroachment Permit Application must be accompanied by a plan or drawing, showing the location and extent of the proposed installation as it relates to the provincial highway.
- As a condition of permit approvals, details of the highway crossings must be submitted for MTO review and approval. These may include geotechnical/foundation investigation reports, plans, profiles, and cross sections indicating the location, depth, and type of crossing for the pipe etc., depending on the complexity of the proposed highway crossings.
- Plans, profiles, drawings, and supplementary notes need to address the following:
 - Location of the installation, which can be easily georeferenced (e.g., coordinates, link to mapping interface, etc.)
 - Highway number
 - Work being done, including plant being installed (poles, main line and service connections), excavations, tree and vegetation protection, installation methods, etc.
 - Type of installation (aerial, buried, attach to existing plant, etc.)
 - Elevation above highway (for highway crossings) or ground level (for parallel installations) and proposed depth for underground installations.
 - Offset from the plant installation location to existing highway infrastructure (e.g., highway right-of-way limit, highway ditch, highway shoulder, highway edge of pavement, guide rail, culverts, poles. etc.)
 - Party/Parties doing the work.
 - Site access requirements and plans, including traffic control plan.
 - Timing/duration of work
- Installations that cross under a highway shall include a key plan, a detail plan, and a profile.
- Submitted plans and profiles are to be to the following scales, unless otherwise requested:
 - Key Plan: 1:100 000, 1:250 000, or as necessary for orientation
 - Detail Plan: 1:1000 in rural areas and 1:500 in urban areas
 - Profile: 1:1000 horizontally and 1:100 vertically in rural areas; 1:500 horizontally and 1:50 vertically in urban areas
- The minimum depth of cover of 1.5 m applies to any buried utility infrastructure, in addition to other requirements determined by MTO based on the specific project situation.
- Field review and constructability assessment of the proposed installation must be completed,

- with a written confirmation of such assessment submitted along with the application.
- Archaeology Assessments identified during permit review, as required under the Ontario Heritage Act, is the responsibility of the applicants.
- Specific sections of Chapter 3 of the MTO's Highway Corridor Management Manual, April 2025 can be accessed from the [MTO Highway Corridor Management website](#).

For support coordinating MTO's additional requirements, proponents may contact TAT at TAT@infrastructureontario.ca

C. Guidance on Other Permit Requests

Guidance On Rail Crossings, Accessing Easements, and Multiple ISPs on a Running Line

Rail Crossings

Ontario's rail network may require broadband deployment across infrastructure owned by CN, CPKC, or Metrolinx. ISPs must obtain the necessary railway permits and comply with applicable overhead and underground standards. Given the complexity and longer approval timelines often associated with railway permits, TAT has developed guidance on railway permitting, including a turnkey railway crossing permit process.

Under the turnkey approach, a qualified vendor experienced in railway corridors secures permits and installs conduit at identified crossings, ensuring compliance with all applicable federal and provincial requirements. ISPs remain responsible for identifying crossings, installing fibre, and completing splicing. Relevant guidance is available in the BOW Resource Library.

Easements

Easements define where infrastructure may be legally deployed and are required before attaching to existing poles or establishing new ROWs. Securing easements early helps avoid disputes and deployment delays. Where easement requirements are complex (e.g., unclear boundaries, multiple landowners, or access constraints), Proponents are encouraged to engage TAT early. TAT can support coordination and, where appropriate, help validate practical routing considerations through field visits to reduce avoidable rework.

TAT guidance and checklists are available through the BOW Resource Library to support Proponents in preparing and progressing easement-related work.

Multiple Proponents on the Same Running Line

Concurrent broadband projects and ISP expansion may require multiple Proponents to deploy along the same running line. ISPs are encouraged to consult the [Ontario Connects Map](#) early to identify overlapping routes and proactively and collaboratively address permitting considerations, reducing the risk of revisions and delays.

TAT can support coordination through facilitated discussions and by sharing technical solutions. Proponents may request assistance through the BOW Support Request module or by contacting TAT@infrastructureontario.ca.

Specialty Permit Application Resources

Proponents are encouraged to use the guidance documents and reference materials available in the BOW Resource Library to support permit submissions. These resources provide practical instructions, checklists, templates, and examples to help ensure applications are complete, accurate, and compliant,

supporting more efficient review and approval.

Proponents are also responsible for ensuring that all proposed work complies with applicable federal, provincial, and municipal requirements.

D. Ontario One Call - Streamlining locates for Designated Broadband Projects

Ontario Underground Infrastructure Notification System Act, 2012 (One Call Act)

In 2012, Ontario passed the *Ontario Underground Infrastructure Notification System Act* (One Call Act) centralizing the utility locate system in Ontario under Ontario One Call. The [One Call Act](#) was amended in April 2022 through the [Getting Ontario Connected Act, 2022](#) to address immediate pressure points in the locate delivery system, enhance governance and oversight of Ontario One Call, and improve Ontario One Call's compliance tools. These amendments include specific requirements to enhance the locates process, including for designated broadband projects. The description below is reflective of the amended One Call Act.

Utility location requests ("locate requests") are requests made by an excavator working on behalf of the company constructing in the ROW. Locate requests are submitted by the excavator to Ontario One Call who, in turn, sends the request to owners or operators of underground infrastructure (e.g., municipal water and wastewater pipes, natural gas pipelines, telecom fibre and electricity wires) in order for them to identify in the field the location of their underground infrastructure so that the excavator can avoid damaging them while working in that area. Under the One Call Act, locate requests must be responded to in accordance with timelines set out in the Act, or another mutually agreed to timeframe.

To reduce project risk resulting from unforeseen costs and delays posed by the late delivery of locates, the One Call Act requires a dedicated locator who has been selected for the project to respond to locate requests **within ten business days** for designated broadband projects or another timeframe agreed upon by the proponent and the dedicated locator. This process excludes locate requests relating to transmission infrastructure, which is to be responded to by the member and is treated as a standard or specified locate request under the One Call Act.

Dedicated Locator Model

To enhance the efficiency of the locates process, Proponents (i.e. Project owners) are required to use a Dedicated Locator for certain projects, including designated broadband projects. Under a Dedicated Locator Model, a dedicated locator is selected by the proponent and affected members for the purposes of responding to locate requests on behalf of impacted members for the duration of the project. The Dedicated Locator model provides the Proponent with greater control over the timing of the locates and will have a say in who the dedicated locator will be. Under the Dedicated Locator Model, the cost of the Dedicated Locator is borne by the Proponent and not the individual underground infrastructure owners.

The industry had strong support through the Guideline consultations.

Note: There is a key exclusion from the use of the Dedicated Locator Model. Locate requests relating to transmission infrastructure must still be responded to by the relevant member, and not the dedicated locator. Locate requests relating to transmission infrastructure are treated as standard or specified locate request under the One Call Act and the member has five business days to respond after receiving a notification of a standard locates request, or ten days to respond after receiving a

notification of a specified locate request, unless otherwise agreed to in writing by the member and excavator.

Ontario One Call has outlined the following benefits of a Dedicated Locator Model²:

- Enhanced efficiency
- Reduced downtime as the locates are completed under the direction of the ISP
- Promotion of damage prevention and safer excavation practices
- Increased control: because the project owner has a say in who the dedicated locator is
- Better flexibility when unanticipated conflicts require project changes
- Potential to reduce reliance and burden on regular pool of public locate service providers who are also expected to complete standard locates requests for homeowners and less complex tickets

Setting up a Dedicated Locator

Dedicated Locators are selected by the proponent and the affected members. Proponents and affected members are encouraged to select from the pre-existing pool of dedicated locators in regions with existing available resources. Note: There are no requirements in the One Call Act regarding the certification of dedicated locators. However, Ontario One Call has developed a document to provide guidance, as set out by owners of underground infrastructure, for a Non-Locate Alliance Consortium (Non-LAC) locator to be able to perform the function of a Dedicated Locator (DL). This document was developed to address industry feedback that project owners are not able to use the DL model unless locators selected are part of LAC.

This guidance document has been compiled to enable more locating resources to support DL projects. This framework is not a requirement imposed by Ontario One Call. It is recommended that Locate Service Providers work closely with project owners and underground infrastructure owners to plan how best to resource DL projects.

For further information, please refer to the [Non-LAC Locator Framework to Qualify for Dedicated Locator](#).

Process Requirements

The following are key requirements related to the use of the Dedicated Locator Model for designated broadband projects.

- Proponents of a designated broadband project must give advance notice (90 days) to Ontario One Call before any excavation or dig is expected to commence, subject to a shorter timeline being stipulated by either Ontario One Call or the Minister of Infrastructure.
- Within 10 business days (or such other agreed to timeline between the Proponent and affected members of Ontario One Call) after receiving a notice from Ontario One Call of the proposed excavation/dig:
 - The affected members of Ontario One Call and the Proponent shall agree in writing on a Dedicated Locator, and
 - The affected members of Ontario One Call shall give to the Dedicated Locator mapping information, such as the location of the member's underground infrastructure, and any other information that the Dedicated Locator considers necessary.
- After the Dedicated Locator has been agreed upon for a project, the Proponent shall promptly notify Ontario One Call of the name and contact information of the Dedicated Locator.

² Ontario One Call, Dedicated Locator. <https://www.ontarioonecall.ca/wp-content/uploads/DedicatedLocator.pdf>

- The agreed-upon Dedicated Locator for a designated broadband project who receives a notification from Ontario One Call about a locate request that may affect underground infrastructure owned or operated by an affected member shall respond to the locate request within 10 business days after the day the dedicated locator received the notification or within such different time limit agreed upon in writing by the Proponent and the dedicated locator.
 - Locate requests relating to transmission infrastructure must still be responded to by the member themselves and shall be treated as a standard or specified locate request.

Additional Considerations: Blanket Requests for Locates

The use of the Dedicated Locator model can provide a number of benefits and promote overall project efficiency. However, the following additional information should be considered to ensure that locates for provincially funded projects are not delayed:

- Proponents should ensure that the timing and input of locate requests are for the areas necessary for the project phase as opposed to blanket requests covering the span of the entire project area. This will reduce the backlog in the locates system and ensure that locates do not expire prior to the start of construction in the identified area.
- IO is working with Ontario One Call to ensure that all locate requests for designated broadband projects are uniquely identified as provincially funded project locates to be prioritized by underground infrastructure owners/operators and Ontario One Call (dispatching the requests) where a Dedicated Locator is not deployed.

Locates Validity Period

Once completed, a locate would have a validity period of a minimum of 60 days. Locates may specify a locate validity period that is longer. Despite the validity period, if the markings on the ground that were provided are no longer visible, the validity period would be deemed to have expired and a new locate request would need to be submitted.

Locates Liability-Dedicated Locator Model

Under the [One Call Act](#), a proponent can seek recourse from a member in certain circumstances, including if the member failed to provide information or to provide accurate information to a dedicated locator as required under the act for the purposes of a designated broadband project. If the proponent and member cannot agree on compensation, a claim for compensation shall be determined by the Ontario Land Tribunal on application by the proponent.

Administrative Penalties

Effective May 1, 2024, Ontario One Call can issue administrative penalties against non-compliant underground infrastructure owners/operators and excavators in the industry.

The ability to issue administrative penalties is intended to strengthen Ontario One Call's enforcement and compliance framework and provide an additional tool to promote compliance with the One Call Act, and to help ensure that underground infrastructure owners and excavators do not gain an economic advantage from contravening the Act.

The Regulation, [O. Reg. 87/23](#) outlines important details, including penalty amounts and how funds generated from administrative penalties may be used by Ontario One Call.

Regulations under the One Call Act

The [Cutting Red Tape, Building Ontario Act, 2024](#) was introduced on November 20, 2024 and received Royal Assent on December 4, 2024, bringing into force amendments to the [One Call Act](#).

The amendments introduce flexibility to the requirement that all affected underground infrastructure owners (UIOs), and the project owner agree on a Dedicated Locator. They authorize Ontario One Call to permit certain UIOs to complete their own locates based on specified factors, including safety considerations, the specialized nature of infrastructure, limitations in mapping information, or other factors prescribed by the Minister.

Under [O. Reg. 374/24](#) UIOs can complete their own locates if the affected UIOs and the project owner have not agreed on a Dedicated Locator Service Provider; and

- All or part of the project is located in:
 - A local municipality with a population of less than 100,000 (as reported by Statistics Canada in the most recent official census); or
- Northern Ontario as defined by the [One Call Act](#).

Part 5: Accessing LDC Poles and Accelerating Make-Ready

A. Overview of Aerial Attachments

I. Introduction to Make-Ready Work

Overview of Types of Make-Ready Work

This Guideline establishes mechanisms to expedite access to utility poles while also maintaining applicable safety standards. This Guideline adopts One Touch Make-Ready (OTMR) as an optional approach whereby Proponents and Utility Companies coordinate a single, qualified crew, rather than relying on multiple crews operating sequentially to perform the make-ready necessary to accommodate and install new attachments.

This Guideline also adopts the Electrical Safety Authority's (ESA) definition of "make-ready work" which is as follows: "make ready work" to consist of the practice of rearranging, installing, or removing equipment in order to safely accommodate additional infrastructure in or on a supporting structure of a distribution line.

Before any make-ready work is carried out, the proponent (or its contractor) must obtain the required permit/authorization from the applicable utility pole owner in accordance with the pole owner's process.

The following are the different types of make-ready work that may occur:

1. Telecommunications-Related ("Telecom") Make-Ready Work

Telecom make-ready consists of work performed within the communications space to accommodate telecom attachments. This primarily involves rearranging or removing existing telecom strand, fibre, and other equipment (e.g., splice enclosures, power supplies) to:

- Make space in the communications space for the new telecom attachment.
- Fix inadequate separation between telecom facilities (excludes work in the pole's power space).
- Fix inadequate ground clearance for existing telecom attachments.

ISPs are encouraged to coordinate proactively with host Utility Companies to support the timely relocation of telecom assets from poles the Utility Company has identified for replacement or upgrade.

2. Simple Power Make-Ready

Simple power make-ready is non-complex work performed outside the communications space, including:

- Replacing missing copper ground wire on pole.
- Rearranging or shortening transformer conductor dips (e.g., drip loops) encroaching in the communications space.
- Tensioning and raising the neutral to achieved required separation from the telecom attachments.

While not strictly "make-ready work", after the telecom strand has been installed, ISPs and Utility Companies should continue to consult the relevant electrical safety regulations, standards, and other documents applicable in the circumstances.

3. Complex Power Make-Ready

Complex power make-ready is work that is conducted primarily within the Power Space requiring specialized crews and, in some cases, may require a planned power outage to complete the work safely. Some of it is required to correct deficiencies in the power facilities, including:

- Pole replacement, including transferring existing power attachments to the new pole.
- Reframing top of pole.
- Replacing insulators.
- Relocating transformers (that are too low).

II. Technical Innovations to Accelerate Make-Ready

Attachment Techniques: Overlashing, MIA, and ESA Flexibilities

Applying proponent-led attachment techniques can materially reduce make-ready scope, timelines, and cost when used appropriately. These techniques help ISPs (and Utility Companies reviewing ISP proposals) distinguish between cases where attachment can proceed with limited corrective work versus cases that require broader engineering or make-ready.

Overlashing (Including “Previously Accounted For” / OPAF Concepts Where Applicable)

Overlashing is the placement of new fibre onto an existing strand/cable pathway to avoid installing new strand and to minimize design changes. Where loading was previously assessed and the additional fibre remains within the originally accounted bundle/diameter, overlashing approaches such as Overlash Previously Accounted For (OPAF) can reduce the need for full pole-line analysis, focusing instead on hazards that must be corrected.

This approach is generally accepted when:

- An existing strand/cable path exists, and the ISP has rights to use it (or can obtain them).
- The proposed fibre/bundle remains within allowable loading/clearance conditions contemplated for that route, consistent with the pole owner’s process.
- Field conditions do not indicate new clearance/separation issues that trigger broader make-ready.

What to include in an ISP submission (minimum practical set):

- Confirmation of existing strand/cable ownership and the basis for attachment rights.
- Bundle diameter / loading confirmation where required (including measurement evidence where used).
- A concise hazard list (if any) and how and when hazards will be corrected prior to attachment, consistent with applicable requirements.

Overlashing is not a blanket exemption from safety requirements. Where the field reality diverges from records (e.g., congestion, clearance deficiencies, undocumented plant), the ISP should coordinate early with the pole owner to determine whether limited corrective work can resolve issues or whether a broader engineering package is required.

Materially Insignificant Alterations (MIA)

“Materially Insignificant” pathways (often referred to operationally as MIA) are used where the proposed work is sufficiently low-impact that it can proceed without triggering full engineering review and extensive make-ready, while still requiring correction of hazards or non-compliances relevant to safety. This Guideline already identifies materially insignificant approaches and references their use by infrastructure owners (including Bell processes and similar approaches described for Hydro One):

- The change does not materially increase loading or create clearance/separation issues requiring broader redesign.
- The work can be supported through a professional declaration and supporting evidence, consistent with the pole owner’s process and ESA expectations described in the Guideline.
- The remaining required actions are limited (e.g., hazards) and can be clearly identified and

sequenced.

What to include in an ISP submission (minimum practical set):

- A short “why MIA applies” statement tied to the specific scenario (what is changing and why it is low impact).
- Evidence that loading/clearances remain within acceptable limits and hazards will be addressed.
- Professional Engineer (P. Eng.) involvement where required by the applicable process.

MIA should not be used as a substitute for required engineering where the proposal is materially significant (e.g., new strand over long spans, meaningful loading increases, persistent clearance deficits). Where the work is materially significant, the ISP should shift to a full design/make-ready pathway to avoid delay caused by re-submissions and “material deficiency” disputes.

ESA Flexibilities (How to Reduce Scope Without Reducing Safety)

This Guideline identifies that ESA bulletins and guidelines provide recognized approaches to demonstrate compliance with [O. Reg. 22/04](#) while reducing, deferring, or streamlining make-ready work, and it includes examples and bulletin references to support accelerated deployment. In practical terms, these “flexibilities” are most useful to ISPs when they are applied deliberately at design stage to avoid triggering unnecessary work.

Common flexibility pathways used in practice (as reflected in the Guideline):

- Relying on previously accounted loading / legacy standard context: Where loading was previously accounted for and met the standard at the time, there may be pathways that avoid requiring the entire line to be reassessed to the latest standard for every incremental change, subject to hazard correction and applicable rules.
- Deviation mechanisms to enable safe alternatives: ESA deviation approaches can allow safe alternatives to resolve issues without defaulting to the most disruptive work (e.g., full replacement in every case), when properly documented and approved.
- Streamlined review of attacher-developed plans: ESA guidance reflected in the Guideline supports streamlined approaches where attacher-developed plans/work instructions do not necessarily require duplicative re-engineering by the pole owner, enabling faster cycles when submissions are complete and high quality.

What an ISP should do to “use ESA flexibilities well” (practical discipline):

- Identify early which poles or segments can proceed via overloading or MIA or limited-scope corrections versus those needing full make-ready.
- Provide a complete, coherent package rather than incremental submissions that trigger avoidable material-deficiency notices.
- Document hazards and sequencing clearly (what must be corrected before attachment; what is out-of-scope and why).

The techniques above are the primary attacher-led mechanisms to minimize make-ready scope at the design stage. The following section describes how these mechanisms are organized into reduction/deferral/streamlining pathways and provides supporting ESA references, while the utility-specific technical updates explain how major infrastructure owners operationalize these approaches in practice.

Reducing, Deferring, and Streamlining Make-Ready Work

To accelerate access to Utility-owned poles, Utility Companies and Proponents of Designated Broadband Projects are highly encouraged to coordinate to optimize make-ready work. The ESA has

issued bulletins outlining measures to demonstrate compliance with [O. Reg. 22/04](#) while safely reducing, deferring, or streamlining make-ready work.

Table 6.1: Relevant ESA bulletins (as of July 2024) for reducing, deferring, and streamlining make-ready work for Designated Broadband Projects.

Primary Benefit for Broadband Deployment	Bulletin Number/Link	Bulletin Title	Bulletin Description
Reducing make-ready work	DB-07-15-v3	"Materially Insignificant" Alterations	Allows work declared "materially insignificant" (e.g., fibre overlanding) by a P. Eng. and approved by a Utility to be exempt from full engineering and make-ready work requirements.
	DB-01-20-v1	Previous Editions of the Overhead and Underground Standards	Allows for new loading (e.g., adding fibre cable) that was accounted for in the original design and met the standard at the time to be exempt from the current standard.
	DB-01-15-v2	In-Field Equipment Refurbishment	Allows for the in-field refurbishment of poles as an alternative to pole replacement.
	DB-11-12-v3	Certificate of Deviation Approval	Allows for deviations from the standard so that make-ready work can be deferred or exempted.
	DB-02-16-v1	Certificate of Deviation - Certified Lists	Allows Utility Companies and attachers to utilize a certified list of common deviations from required standards.
Streamlining make-ready work	DB-10-12-v1	Attacher Developed Plans/Work Instructions and Utility Review	Clarifies that engineering plans developed by the attacher (e.g., ISP) do not require re-engineering by the Utility.
	DB-10-10-v2	Third Party Attachments Service Drop Definition & Exemption	Clarifies that service drops are exempt from O. Reg. 22/04 s. 13 audit requirements, to avoid review of site documents.

[ESA guidelines](#) provide direction on demonstrating compliance with [O. Reg. 22/04](#) and Proponents should refer to the latest publication guidelines and bulletins. Questions can be directed to Utility.Regulations@electricalsafety.on.ca.

Further Reducing Complex Make-Ready Work

Unless otherwise agreed between a Proponent and a Utility Company, all designs and construction should comply with CSA standards or other standards recognized by ESA under [O. Reg. 22/04](#). Examples of these alternative approaches may include:

Underground Dips and Risers

"Underground Dip" involves temporarily deviating from a contiguous aerial proposed route by transitioning down a pole to an underground alignment for a limited distance, before returning to an

aerial attachment again via a Riser. Typically, this exercise would take place prior to attaching to a pole that requires complex make-ready work. It generally requires an “Anchor & Down Guy” to manage single-sided attachment strain and is repeated at the next pole where a transition back to aerial infrastructure occurs.

Pole Stumping

“Pole Stumping” involves cutting an existing pole, leaving only an attacher’s equipment in place, and installing a new pole nearby. The attacher agrees to transfer its equipment to the new pole within an agreed timeframe. The ESA developed a distributor [bulletin DB-06-22-v1](#) (In-Span Structures and Overhead Unsupported Conductors) provides guidance on this approach and should be reviewed where pole stumping may be involved.

Temporary Attachments

- Installation of a horizontal extension arm (typically up to 18”), to achieve required separation and create a temporary safe working space until the required amount of space is available.
- Managing space crowding by installing attachments at reduced separation where permitted for ISP-to-ISP clearances (not power-related separations). This approach may introduce structural concern, particularly where bolt holes are less than 12” apart, though these concerns may be mitigated if the pole is scheduled for replacement.
- Pole boxing which places new attachments on the opposite side of a replacement pole. This method is only feasible where pole replacement and placement allow the configuration to be corrected without cutting the cable and is typically limited to locations with clear, unobstructed access, such as roadways.

Municipal Consents Not Required for Like-for-Like Pole Replacements

Municipal consent is not required for like for like pole replacements or routine maintenance work on existing poles carried out by Utilities or their qualified service providers (QSPs), where such work does not materially change the existing running line or corridor configuration within the municipal ROW.

For clarity, a “like for like” pole replacement generally includes replacement of a pole along the same existing centreline alignment (parallel to the travelled road). The replacement pole should typically be within 1 metre of the existing pole location and may be shifted up to 2 metres only where necessary to support safe replacement and construction conditions. Existing anchors/guying may also be replaced using the same offset associated with the pole, and where a guy is required to be installed or re established in connection with a like for like replacement, this is understood to be within the same local work zone and may be placed within a 2 metre radius of the pole, measured from the centreline of the pole, without triggering a requirement for municipal consent (provided the running line and corridor configuration are not otherwise altered).

Municipal consent remains applicable where work proposes new Aerial Routes, interspaced poles, or additional guying within the ROW beyond what is required for a like-for-like replacement, or where changes would materially alter the municipal corridor configuration. Utilities and QSPs are still expected to comply with applicable road occupancy and/or traffic control requirements and restoration practices as required by the municipality for work occurring within the ROW.

Process Optimization for Lashing to Electric Poles (POLE)

The Process Optimization for Lashing to Electric poles (POLE) Report outlines strategies to avoid, reduce and defer make-ready work when lashing fibre to electric utility owned poles. Developed by TAT the report supports Designated Broadband Project partners in meeting their obligations and advancing the Government’s commitment to deliver high-speed internet access across Ontario by the

end of 2028.

The report identifies challenges faced, potential mitigation strategies, and anticipated outcomes while recognizing that Utilities may adopt additional approaches to support timely delivery.

The POLE Report is available through the BOW Resources Library for users with BOW access. If you do not have access, please email TAT (TAT@infrastructureontario.ca) for a copy of the report.

Broadband Deployment Frequently Asked Questions Master Repository

The Broadband Deployment FAQ Master Repository is a consolidated, plain-language reference for municipalities, ISPs, Utility Companies, and other partners involved in Designated Broadband Projects that addresses common points of friction across the deployment lifecycle.

The FAQ Document helps delivery partners to:

- Apply consistent interpretations of key requirements (e.g., permitting, MAAs, and make ready obligations) to reduce delays and avoid unnecessary escalation.
- Resolve common questions early using standardized guidance on construction methods, cost recovery, restoration expectations, and utility coordination.
- Improve coordination and predictability by outlining practical steps for pre-consultations, data sharing, and when and how to engage TAT for support and informal dispute resolution.

The FAQ Document is a living reference and can be accessed through the BOW alongside other delivery guidance. For access, clarifications, or support, contact TAT at TAT@infrastructureontario.ca.

B. Hydro One Attachments

The Province recognizes Hydro One as a critical delivery partner in achieving the goal of connecting all regions of Ontario to high-speed internet by the end of 2028. As the largest pole owner supporting Designated Broadband Projects, this section provides guidance to Proponents to encourage early alignment with Hydro One's joint-use intake tools and delivery pathways to help reduce avoidable rework and timeline delays.

Hydro One uses the Joint Use Management Portal (JUMP) for distribution joint-use requests. JUMP lets partners create applications, group them as projects, view timelines, track status, and escalate issues. Contact ExternalJointUse@HydroOne.com to request information on onboarding including training, access to BlackBerry Workspaces and the confidentiality agreement.

Hydro One's choice-based operating model offers two delivery pathways.

I. Option 1: Applicant-Led Make-Ready One-Touch Make-Ready (OTMR) Process - Good Practices

This option provides proponents with greater control over project scheduling and sequencing, while reducing reliance on Hydro One crew availability when supported by complete designs and early coordination.

This section outlines a typical applicant-led (Option 1) OTMR process and recommends good practices. It includes design requirements, applicable Hydro One standards as well as JUMP processes. The Proponent is responsible to obtain an engineering firm and Qualified Service Provider (QSP) contractor for Hydro One make ready (HMR). Proponents pursuing this pathway may engage TAT for support with submissions and sequencing. Under this pathway, the Proponent submits permit

applications requests in JUMP using the BOW ID's they have created. Table 6.2 summarizes the general steps for a typical OTMR process.

Table 6.2: Illustrative One-Touch Make-Ready Process for Aerial Route on Hydro-One-Owned Poles.

Activity	Process Details
1. Works Agreement	Proponent and Hydro One enter into Option 1 and Consortium Agreements.
2. Determination of route	- The Proponent identifies a potential route and submits the associated Hydro One barcodes for review. - Hydro One reviews route with the Proponent and identifies potential challenges and obtains more information as required. - Once the route is approved, the Proponent receives authorization to submit permit application projects in JUMP.
3. Pre-qualified contractor procurement	The Proponent is responsible for obtaining a Qualified Service Provider (QSP) engineering firm and contractor for Hydro One make ready (HMR). Hydro One has pre-approved QSP contractors available for Hydro make-ready (HMR) work
4. Pre-Construction planning activities	The Proponent / contractor would: - Conduct field survey and develop engineering plans. - Overlay fibre design on existing infrastructure. - Using the Network Requirement Document, further develop Make-Ready design for OTMR routes. - Flag the need for tree trimming and equipment replacement. - Identify Hydro One make-ready work. - Meet with Hydro One to discuss preliminary design and property owner and/or ROW considerations. If existing line is off road and likely on an Easement - engage property owners for permission to gather information, and Band Council Resolution (BCR) forms if on those lands. - Coordinate Outage Plans with Hydro One. - Technical review/benchmarking & design soundness/completeness reviews have to be passed and Proponent must obtain stamped permit acceptance before moving to cost estimates - Use industry-standard software and Hydro One approved standards for design analysis to ensure high-quality third-party pole attachment applications.
5. Third-party pole attachment design approval	- The Proponent identifies equipment (i.e. switches, transformers, capacitors, etc.) to be transferred to the new pole or if a new asset is required. - If no further investigation or revisions are needed, Hydro One approves the design. - Hydro One uploads the Permit Accepted Checklist in JUMP and the status is moved to Cost Estimate Pending. - The Proponent provides the Cost Estimate to Hydro One to review and approve. (JUMP) - Hydro One provides the Cost Sharing Letter for the Proponent to review and approve. (JUMP) - The Permit Application is updated to Permitted with allows the Proponent to proceed with OTMR construction. (JUMP)

Activity	Process Details
6. OTMR Construction Planning	- The Proponent holds a construction kick-off meeting with the contractor to align on construction documents and costs. - The Proponent identifies procurement lead times and notifies the contractor to proceed with material procurement. - The Proponent and Hydro One coordinate power and telecom make-ready work, including any necessary outages. - The contractor executes the locate process and procures materials.
7. Construction Completion	- The Proponent receives the contractor's as-built drawings, bill of material (BOMs) and red line drawings. (O. Reg. 22/04 sign-off) - The Proponent's contractor manages disposal of decommissioned poles and other field materials and maintains disposal records.
8. As Built Drawings	Hydro One receives and reviews all documents for project close out process including the As-Built Drawings to verify the completion of construction process.
9. Post-build inspection	The Proponent is responsible to resolve all deficiencies and advise Hydro One once complete.
10. Authorization closed	- The Proponent sends final invoice to Hydro One for allocated costs. - Hydro One issues permit approval in JUMP, recognizes OTMR completion, and the financial true-up with the Proponent based on the agreed cost allocation framework.

Pre-approved contractors for OTMR

Hydro One has pre-approved QSP contractors available for Hydro make-ready (HMR) work. Telecom parties are encouraged to work together to support OTMR work.

Using contractors qualified for both power and communication spaces supports safe, efficient, and timely completion of make-ready work and attachments. As such, Hydro One has a list of contractors that are pre-approved to operate within both the power space and the communications space.

For applicant-led make-ready, Hydro One requires Proponent to enter into an Option 1 agreement which outlines construction obligations and safety and reliability requirements.

Competency and Indemnity Requirements (including 120-Day Window)

If pursuing an applicant-led make-ready process it is highly recommended and most-efficient that Proponents use Hydro One's pre-approved QSP contractors available for Hydro make-ready (HMR) work to avoid delays associated with approving other contractors beyond the approved list.

In accordance with O. Reg. 410/22, Hydro One may allow the work to be conducted by persons identified by the Proponent outside the pre-approved list of contractors, however this is not recommended in most circumstances. For such persons to be allowed to conduct the work, all of the following conditions must be met:

- Competency (Eligibility to Perform Work):** The persons identified by the Proponent must meet the requirements in the definition of a "competent person" under O. Reg. 22/04 made under the Electricity Act, 1998.
- Mandatory Indemnity (Scope, Start/End, and Minimum Duration):** The Proponent must provide Hydro One with an indemnity covering any damage or deficiency to Hydro One's distribution system resulting from the work performed by the persons identified by the Proponent. The indemnity covers:
 - Damage or deficiencies attributable to the Proponent-identified persons while conducting the power make-ready work.

- Damage discovered after completion that is reasonably linked to that work, within the window described below.
 - Indemnity start point begins during the period the Proponent-identified persons are performing the make-ready work.
 - Indemnity end point and minimum window:
 - The indemnity must remain in effect for at least 120 days after completion of the make-ready work.
 - For clarity and administrative consistency, the 120-day post completion window is deemed to begin once the Proponent has submitted:
 - As-Built drawings, and
 - a completed Record of Inspection (or equivalent).
3. **No Additional Requirements Beyond the Minimum (No “Indemnity Extensions”):** When allowing Proponent-identified persons to conduct make-ready work, Hydro One are expected not to withhold access in an attempt to secure conditions that differ from the applicable minimum requirements set out in O. Reg. 410/22, including:
- Requiring an indemnity period longer than 120 days, or
 - Imposing “rolling” indemnity extensions tied to later milestones that would extend coverage beyond the minimum requirement.
4. **Inspection, Notification, and Remedy Expectations (Within the 120-Day Window):** To keep the process operational and time-bound:
- Inspection and notification: Hydro One and any existing attacher parties should identify and notify the Proponent of any observed damage and/or deficiency within the 120-day period following the start date described above.
 - Presumption and evidence: Commercial agreements may include a provision that damage identified within the window is presumed to have been caused by the Proponent unless the Proponent can demonstrate otherwise.
 - Remedy timeline: Within 30 days of receiving a notice, the Proponent should either:
 - remedy the identified damage at its own expense; or
 - pursue resolution with Hydro One / existing attacher through the applicable dispute resolution process.
5. **Engineering Accountability and Process Integrity:** Where Hydro One relies on applicant-led engineering and inspection to authorize work:
- authorizations should be supported by appropriate professional accountability (e.g., P.Eng. stamping where applicable); and
 - the Proponent may either accept the risk of corrective work identified post-deployment or request pre-deployment / concurrent inspection to reduce rework risk.

If the Proponent, and by extension Proponent-identified persons, compromises safety, impacts electrical system reliability, or acts contrary to the applicable agreement, Hydro One may revoke the Proponent’s ability to use this process with written reasons.

II. Option 2: Owner-Led Make-Ready

Owner-Led Make-Ready Process (Option 2): ISP Workload Requirements

Please note, Option 2: Owner-Led Make-Ready work is applicable for applications to Hydro One prior to March 31, 2026. New applications made after March 31, 2026, must be submitted as Option 1: Applicant Led.

Where a Proponent is pursuing Option 2, early and continued engagement with TAT is recommended

to support alignment on inputs, sequencing, and cost. This option allows the Proponent to utilize Hydro One to complete the design and construct work.

Under an Owner-Led Make-Ready approach, the process generally follows the steps shown in Table 6.3:

Table 6.3: Process Overview for Owner-Led Make-Ready Process (Option 2)

Step	Details
1. Proponent application & route proposal	The Proponent identifies a potential route and submits the associated Hydro One barcodes for review.
2. Hydro One route review, approval	- Hydro One reviews route with the Proponent and identifies potential challenges and obtains more information as required. - Once the route is approved, the Proponent receives authorization to submit permit application projects in JUMP. - Hydro One is responsible for reviewing the permit applications. - Approved applications will be reviewed and designed to detail all required Hydro One make-ready (HMR).
3. Make-ready costing & apportionment	Hydro One provides costing and cost apportionment for make-ready work in accordance with applicable requirements and/or any agreed alternative approach (to the Proponent via JUMP).
4. Proponent confirmations & scheduling readiness	- Proponent to review and approve costs in JUMP. - Proponent to provide sequencing opportunities to Hydro One, - Proponent to attend (PEP) Project Execution calls hosted by Hydro One.
5. Make-Ready execution	- Hydro One executes make-ready work and issues authorization/clearance for attachment once work is complete (subject to any required inspections). - Hydro One issues permit approval in JUMP. - Hydro One issues invoice based on the agreed cost allocation framework.
6. Proponent attachment & project close-out	- Proponent notifies Hydro One when telecom attachment is complete. - Proponent closes out deliverables (e.g., As-Built/records of inspection as required). - Where required, Hydro One completes an inspection and Regulation 22/04 sign off of the Proponent's attachment and identifies any deficiencies for Proponent correction.
Step	Details
1. Proponent application & route proposal	The Proponent identifies a potential route and submits the associated Hydro One barcodes for review.
2. Hydro One route review, approval	- Hydro One reviews route with the Proponent and identifies potential challenges and obtains more information as required. - Once the route is approved, the Proponent receives authorization to submit permit application projects in JUMP. - Hydro One is responsible for reviewing the permit applications. - Approved applications will be reviewed and designed to detail all required Hydro One make-ready (HMR).

Step	Details
3. Make-ready costing & apportionment	Hydro One provides costing and cost apportionment for make-ready work in accordance with applicable requirements and/or any agreed alternative approach (to the Proponent via JUMP).
4. Proponent confirmations & scheduling readiness	- Proponent to review and approve costs in JUMP. - Proponent to provide sequencing opportunities to Hydro One, - Proponent to attend (PEP) Project Execution calls hosted by Hydro One.
5. Make-Ready execution	- Hydro One executes make-ready work and issues authorization/clearance for attachment once work is complete (subject to any required inspections). - Hydro One issues permit approval in JUMP. - Hydro One issues invoice based on the agreed cost allocation framework.
6. Proponent attachment & project close-out	- Proponent notifies Hydro One when telecom attachment is complete. - Proponent closes out deliverables (e.g., As-Built/records of inspection as required). - Where required, Hydro One completes an inspection and Regulation 22/04 sign off of the Proponent's attachment and identifies any deficiencies for Proponent correction.

Even when Hydro One is leading make-ready work (Option 2), the Proponent's inputs determine how quickly Hydro One can start and complete the work. Incomplete or unclear submissions are a common cause of "material deficiency" notices and re-submissions, which delay execution. To keep work moving, it is recommended Proponents:

- **Submit complete, high-quality packages up front:** Provide route plans, pole lists/segments, attachment intent, and supporting engineering inputs consistent with Hydro One's requirements to minimize resubmissions. The Guideline's emphasis on completeness and quality assurance (including optional TAT review support) is intended to reduce avoidable delays.
- **Use scope reduction techniques where feasible (even in Option 2):** Where the engineering outcome supports it, Proponents should propose overlashing/MIA flexibilities to reduce make-ready scope and enable faster scheduling, recognizing Hydro One remains the lead for execution and approvals.
- **Provide timely schedule and field coordination inputs:** Proponents should provide practical construction sequencing needs, readiness dates, and coordination constraints (e.g., third party coordination needs) to support efficient Hydro-One scheduling.
- **Meet commercial requirements required to initiate Hydro One work:** Prompt payment of Hydro One invoices to prevent work from stalling.
- **Close out post-work deliverables quickly:** After attachment, Proponents should provide As-Built Drawings and inspection documentation as required to support final verification and permit closure.

Hydro One (Option 2) Construction Scheduling:

Hydro One supports Designated Broadband Projects and the Province's connectivity goals by completing make-ready work in accordance with the performance timelines and pole access requirements set out in [O. Reg. 410/22](#). To meet these obligations, Hydro One has developed a make-ready work construction schedule for notices (i.e. permit applications through JUMP and BOW) it received before November 1, 2025. Where feasible, permit applications received after November 1, 2025, may be integrated into the construction schedule; however, Proponents are not guaranteed

preferred sequencing and timing.

To expedite completion of make-ready work, permit issuance and subsequent aerial attachments, Proponents may wish to consider the Option 1 process, which offers greater control over make-ready project scheduling and sequencing.

Timelines, Material Deficiencies, and Keeping Work Moving

Specific performance requirements under O. Reg. 410/22 apply to Hydro One pole attachment and make-ready work. These performance requirements may be suspended where a material deficiency notice is issued in accordance with applicable requirements under O. Reg. 410/22. Where disputes arise on existence or resolution of a material deficiency, parties are encouraged to resolve issues collaboratively and use TAT's support as an early informal pathway. If agreement cannot be reached, the Proponent may seek further informal dispute resolution support from TAT (see section 7) or submit an application to the OEB to resolve the matter (see section 7).

Specific material deficiency exceptions apply to Hydro One. Between June 1, 2026, and January 1, 2028, Hydro One may be exempt from meeting its monthly performance targets in O. Reg. 410/22:

- (1) Due to a 'force majeure' event, for which they must address the deficiency within the following 6-month period; or
- (2) If one or more Proponents fail to contribute their share of make-ready costs which impact more than 50% of poles across projects.

To minimize execution delays and maintain predictable delivery under the owner-led model, ISPs and Hydro One are encouraged to:

- align early on submission requirements and completeness standards.
- avoid incremental deficiency requests that could reasonably have been identified upfront.
- document decisions on scope and sequencing clearly.

Proponents also benefit from maintaining a consistent meeting cadence with Hydro One through regular Project Definition Meetings (PDMs), where permit applications and design inputs are reviewed, and Project Lifecycle Meetings (PLMs) / Project Executing Planning Meetings (PEPs), where Hydro One provides updates on construction progress, scheduling, and project status. This structured communication helps minimize delays and strengthens coordination across the entire project lifecycle. JUMP and BOW also provide Proponents with a real-time view of the current status of each permit application.

III. Hydro-One-Specific Make-Ready Innovations

Hydro One Technical Updates to Make-Ready Work

Hydro One has issued technical updates to support and fast track broadband development across the province via BlackBerry Workspace. Table 6.4 summarizes the Technical Bulletins released by Hydro One related to broadband.

Table 6.4: Hydro One Technical Updates to Support and Fast-Track Broadband Make-Ready Work

Policy	Description
Overlash - Previously Accounted For (OPAF)	Where an existing bundle can be overlashed and stays within the diameter originally designed for, there is not a requirement to analyze the pole line to today's standards. Only hazards would need to be corrected.

Policy	Description
Evaluation Requirements When Attaching to Existing Poles	ISPs must ensure attachment meet current standards. Design engineers must confirm adequate pole strength and absence of safety hazards; however, existing Hydro One equipment (e.g. guys, anchors, insulators, etc.) are not required to be upgraded to current standards.
Prioritizing Defect Correction	Hydro One categorizes defects for attachment readiness as: (1) required, (2) engineer analysis, or (3) not required. Defects not required prior to attachment are addressed through Hydro One's defect correction program. <i>Note: To avoid over-scoping, proponents should apply Hydro One's defect categorization, supported by Hydro One memos on porcelain insulators and switches, rather than treating all listed defects as automatically requiring correction prior to attachment.</i>
Materially Insignificant Alteration	Hydro One will allow an ISP to remove a larger cable and replace it with a new smaller cable without requiring a full pole line analysis. Only hazards would need to be corrected.
Deviations	Hydro One updated its deviation policy to align with ESA Bulletin DB-11-12-v3 - Certificate of Deviation Approval . The policy has increased the applicability from overloading to also include new strand installations.
Permit Application Requirements (PAR)	Hydro One changed its practice of completing full engineering analysis on all permit requests after submission. To speed up the design of make-ready work, Hydro One will utilize engineering checks already completed by ISPs.
Pole Refurbishment	Hydro One updated its distribution standards to allow for poles that would otherwise be replaced due to groundline rot to be refurbished with the installation of a steel truss.

Hydro One maintains supporting Technical Bulletins, forms, and reference materials for joint-use and make-ready processes. Proponents are encouraged to connect with Hydro One to review and use these materials early, as doing so can improve submission quality, support consistent interpretation of Hydro One requirements, and reduce avoidable rework during design and make-ready coordination. For more information on Hydro One's updated policies and supports offered to ISPs, see the [Hydro One Distribution Joint Use homepage](#). Questions can be directed to: ExternalJointUse@HydroOne.com

C. Non-LDC Attachments

Overview of Bell Permitting Process

In addition to attaching to poles owned by the Local Distribution Company (LDC), proponents may also attach to poles owned by other utility owners, such as Bell Canada, which may be configured as joint-use poles shared with electrical infrastructure or telecom-only poles. The process for these attachments differs from LDC-owned poles, and the following section outlines the steps proponents should follow when seeking approval to attach to poles owned by other utility owners.

For attachments to poles owned by other utility owners (e.g., Bell Canada), proponents are encouraged to have a Support Structure Agreement (SSA) in place, an agreement that sets out the terms and conditions for accessing and attaching telecommunications facilities to the utility owner's poles (including technical, safety, operational, and commercial requirements).

Bell Canada Technical Updates to Make-Ready Work

Bell Canada has issued technical updates to support and fast track broadband development across the province. Table 6.5 summarizes the relevant updates.

Table 6.5: Bell Canada Technical Bulletins and Process Updates Relevant to Broadband

Policy	Description
Materially Insignificant Alteration	Bell Canada's Materially Insignificant Alterations (MIA) process follows ESA Bulletin DB-07-15v3 , allowing an ISP to overlash fibre on existing strand on Bell pole lines. Eligible fibre is exempt from full engineering, with only existing hazards requiring correction prior to replacement.
Tough Truss	Bell Canada may permit the refurbishment of poles affected by groundline rot through installation of a steel truss. To avoid pole replacements, ISPs are expected to assess and recommend truss use where appropriate.
Support Structure Agreement (SSA) Expedited Access Work Form	The Support Structure Agreement (SSA) Expedited Access Work Form enables ISPs, in coordination with their engineer as required, to bypass make-ready on Bell Canada poles, expediting fibre placement. The form is available to ISPs in the BOW Resource Library.

Table 6.6: Overview of Non-LDC Attachment Permitting Process.

Step	Details
1. SSA Execution (Support Structure Agreement)	The ISP and the telecom pole owner (e.g., Bell Canada or another telecom utility) execute a Support Structure Agreement (SSA), establishing commercial terms, technical requirements, and responsibilities for joint use access.
2. ISP attachment application submission	- The ISP submits a pole attachment application via email or the submission channel specified in the SSA. - The application identifies the specific poles, the proposed attachment type, and includes any required supporting documentation (e.g., route maps, designs).
3. Pole Owner application review	- The telecom pole owner reviews the submitted application to confirm permit completeness and determine whether: - No make-ready work is required (e.g., sufficient communications space exists), or - Make-ready work is required, involving rearrangement of existing telecom plant or, where joint use poles are involved, coordination with the electrical infrastructure owner.
4. Make-Ready coordination (if required)	- If make-ready is required, the telecom pole owner coordinates the work: - Telecom make-ready (typically completed by the telecom pole owner or the ISP's approved contractor). - Power space make-ready, if the pole is a joint use pole, requiring coordination with the electrical Utility for structural or electrical clearance work.
5. Permit approval issued	Once all required make-ready is completed (or confirmed unnecessary), the telecom pole owner issues formal attachment permit approval, authorizing the ISP to proceed with construction.
6. ISP attachment construction	ISP completes attachment and closes out deliverables (e.g., As-Built/records of inspection as required), enabling final reconciliation of costs and any reimbursements.
7. As-Built submission & project close-out	After construction, the ISP submits As Built drawings, photos, or inspection records as required under the SSA.

Step	Details
	The telecom pole owner conducts any necessary audits and closes out the permit.

D. Other (Non-Hydro One) LDC Attachments

This section outlines the BOW authorization process for attachments to LDC-owned poles, including applicable engineering requirements and standards.

As per s. 4(1) of [O. Reg. 410/22](#), where the Proponent elects to use the BOW platform for permitting and construction of a Designated Broadband Project, the LDC is also required to use BOW for the project. The general process for obtaining LDC authorization to access LDC-owned poles is outlined in Table 6.7 below.

While the process assumes use of BOW, the Proponent and the LDCs may agree to alternative arrangements for submitting and processing attachment requests.

Table 6.7: Illustrative Process for Aerial Route on LDC-Owned Poles

Activity	Process Details
1. Determination of possible route	- The Proponent identifies potential routes using industry best practices including digital maps, BOW data, and existing network records. - The Proponent submits the proposed route through BOW and requests any outstanding information from LDCs and existing attachers. - If requested, TAT circulates notice of planned/possible route to all affected parties (i.e., municipalities, LDCs, Enbridge and other telecoms).
2. Field inspection/survey	- The Proponent and LDC coordinate prior to field inspections or pole surveys to determine responsibility for engineered designs as ESA guidelines allow both LDC or Proponent-developed plans. - LDCs and existing attachers provide information requested by Proponent. Loading information from all parties may be based on reasonable assumptions for feasibility purposes.
3. P. Eng. Approved Design Drawings - Structural analysis - Telecom attachment - Any power make-ready	- The Proponent or LDC (as agreed) conducts pole loading analysis, prepares P.Eng.-approved design drawings certifying compliance with CSA 22.3 No.1-15 (or latest) and O. Reg. 22/04 and identifies any required telecom or power make-ready work for safe attachment. For attacher-led designs, the materials must be provided to the LDC to review and to inform subsequent steps. - See onewindow.ca for Application Requirements, Templates and Forms which provides templates of Basic Drawing Requirements and Design Requirements that may be used.
4. Determination of Sequencing of Make-Ready Work Triage of power make-ready work	The Proponent or LDC (as agreed during coordination) determines whether power make-ready work can be completed safely after or in parallel with any attachment (including any temporary work) or must be completed prior to attachment (i.e., "triage" of power make-ready work).

Activity	Process Details
Determine requirements needed to accommodate make-ready work	
5. Authorization application approval - Authorization application form P. Eng. Approved Design Drawings - Full Pole Loading Structural Analysis	- The Proponent submits an application through BOW, including P. Eng.-approved design drawings and full pole-loading analysis; use of industry-standard software is recommended. - IO, as the AHSIP administrator, conducts an initial review to confirm the application is complete (see Preliminary Authorization Review Checklist below). - LDC reviews, and if appropriate, approves the application. See onewindow.ca for Application Requirements, Templates and Forms which provide information to be included on each application form including P. Eng.-Approved Design Drawings and Full Pole Loading Structural Analysis.
6. LDC issues quote for Power Make-Ready Work	- LDC advises whether it will perform the make-ready work or authorize the Proponent to conduct the work. - Where the LDC performs the work, it provides a power make-ready layout and cost apportionment quote according to O. Reg. 410/22. - The Proponent provides payment in the form of a Purchase Order or certified cheque as determined by the LDC.
7. Advising timing of construction (with ROP)	Some municipalities may require a ROP and have associated timelines and processes that must be adhered to per the BBFA (see row 4 of Table 6.7).
8. Advising timing of construction (without ROP, note that #7 would not apply in this instance)	Where a ROP is not required, the Proponent notifies the municipality directly prior to work commencement within the established PT.
9. Completion of Make-Ready Work	The Proponent and LDC coordinate power and telecom make-ready work, including any necessary outages. See the One-Touch Make-Ready section.
10. LDC issues authorization	LDC issues authorization via BOW or other agreed upon means.
11. Wireline attachments	The Proponent coordinates with other ISPs to complete any other telecom make-ready work using same crews during attachment.
12. As-Built Drawings submitted to LDC	- The Proponent installs attachment and submits "As Built" drawings and an acceptable Record of Inspection form to the LDC (see onewindow.ca for Record of Inspection template). - The connection of any required bonding of the communication strand should be requested at this time and the LDC may provide a separate quote and obtain a purchase order (PO) for this work as a separate project from the application process.
13. LDC conducts post-build inspection	The LDC conducts post-build inspection and may recover actual costs of post-build inspection from the Proponent.

Activity	Process Details
14. Authorization closed	LDC invoices Proponent based on actual costs once any outstanding issues discovered in the inspections are resolved.

[O. Reg. 410/22](#) establishes an 180-day performance timeline (calendar days) that LDCs must adhere to unless there is an alternative agreement between an LDC and a Proponent. The 180-day timeline begins when the LDC receives notice that access to its distribution system is required for a Designated Broadband Project and ends when authorization to attach is issued.

Table 6.8 sets out suggested, non-binding PTs for each step in Table 6.7. Under [O. Reg. 410/22](#) all LDCs except Hydro One between November 1, 2025, to July 1, 2028, must complete a wireline pole attachment request within 180 days of receiving the notice unless an alternative timeframe is contractually agreed.

Table 6.8: Performance Timelines Aerial Route on LDC-Owned Poles.

Activity ³	Performance Timeline (Calendar Days)
1. Determination of possible route ⁴	N/A
2. Field inspection/survey	49
3. P. Eng.-approved design drawings - Structural analysis - Telecom attachment - Any power make-ready work	140
4. Determination of sequencing of make-ready work - Triage of power make-ready work - Determine requirements needed to accommodate make-ready works	91
5. Authorization application approval - Authorization application Form P. Eng.-Approved Design Drawings - Full Pole Loading Structural Analysis	77
6. LDC issues quote for power make-ready In the instances where there is no make-ready and the permit can be issued at this point; a buffer of 5 business days may be added to this step to issue the permit (as step 9 would no longer apply)	77
7. Advising timing of construction (in instances where ROP is required)	7 (in advance of start date)
8. Advising timing of construction (where ROP is not required)	77

³ PT provided in the first four activities (determination of possible route; field inspection/survey; P.Eng.-approved design drawings; and determination of make-ready work) are only intended to apply to LDCs (i.e. in instances where they choose to conduct this work for owner-developed designs or if they choose to accompany the Proponent for the field inspection/survey).

⁴ LDCs should document within 7 days if they will opt in or out of the field survey.

Activity ³	Performance Timeline (Calendar Days)
9. Completion of make-ready work	Simple 77 Complex 182
10. LDC issues authorization	7
11. Wireline attachments	Subject to permit validity timelines as stipulated by the LDC
12. As-Built Drawings submitted to LDC	Subject to permit validity timelines as stipulated by the LDC
13. LDC conducts post-build inspection	Within 168 of receipt of completion notification
14. LDC closes authorization	28
Maximum recommended performance timeline as per O. Reg. 410/22	*180
<i>*days in the regulation are in calendar days</i>	

Material Deficiencies and Performance Timeline Suspensions

Timelines may be suspended where an LDC gives notice of a material deficiency in accordance with [O. Reg. 410/22](#). Where disputes arise on existence or resolution of a material deficiency, parties are encouraged to resolve these among themselves collaboratively. If agreement cannot be reached, the Proponent may seek informal dispute resolution support from TAT (see section 7) or submit an application to the OEB to resolve the matter (see section 7).

Third Party Attachment Permit Review Approach

Under [O. Reg. 410/22](#), the 180 day timeline, unless an alternative timeline is agreed upon, for completing the attachment/make-ready work begins when an LDC first receives a notice from a Proponent, despite an ISP being able to submit multiple notices (i.e., permit applications) for the same Designated Broadband Project. To avoid unnecessary delays, LDCs are encouraged to review and approve permits as they are submitted, rather than waiting for a completed package.

Incremental review helps distribute workload, reduces complexity, and allows ISPs to begin construction in discrete areas while permits for other locations continue to be processed. By contrast, batching permits for review may extend timelines and complicate issue resolution for discrepancies.

The following are best practices that LDCs may consider as part of their review process:

- **Incremental review and approval:** Review and approve permits on a staged or network basis rather than as a single submission. Approvals may be issued once a defined portion of applications is complete or where proposed make ready-work is largely compliant, enabling construction to proceed in phases.
- **Clear communication of expectations:** Communicate timelines, requirements, and information needs for each stage of incremental review so Proponents understand how approvals will be sequenced.
- **Collaborative engagement:** Proactively communicate with Proponents through regular check-ins or joint planning sessions to align on review strategy and address issues early.
- **Timely feedback:** Provide prompt feedback on deficiencies or concerns during the review process and work collaboratively with Proponents to resolve issues and keep projects on track.

Additional Considerations

Section 5(5) of [O. Reg. 410/22](#) requires LDCs to facilitate the access to their distribution infrastructure for prescribed development by choosing one or more make-ready approaches and under S. 5(6.1) notifying the Proponent of their selection within 10 days of receiving the notice. LDCs may:

- Conduct the required make-ready work themselves.
- Allow persons that the distributor authorizes to conduct the required make-ready work.
- Allow persons identified by the Proponent to conduct the required make-ready work (provided that regulated competency and indemnity requirements are satisfied).

As make-ready work may be performed by the LDC, the Proponent, or both, costs may be incurred by either party, resulting in payment or reimbursement between the LDC and the Proponent.

Any cost sharing arrangement outside the formula set out in s. 5(7) does not guarantee cost recovery for LDCs through rates. The OEB will ultimately decide the prudence of any cost sharing between an LDC and a Proponent.

E. Cost Apportionment for Make-Ready Work

Regulatory Requirements

[O. Reg. 410/22](#), was filed on April 21, 2022, under the [OEBA](#). Section 5(7) of the regulation sets out how the costs for “make-ready” work are to be apportioned between the Proponent of a Designated Broadband Project and an electricity distributor. “Make-ready” includes all work required to safely accommodate the attachment of telecommunications infrastructure to a distributor’s poles.

Under section 5(7), a distributor must charge the Proponent of a Designated Broadband Project an amount to recover a contribution towards the cost of certain “make-ready” work using a prescribed formula, unless both parties agree to a different cost apportionment arrangement. The prescribed formula has two components:

1. The Proponent’s share of the cost of replacing existing assets to accommodate the project shall be the lesser of:

(A + B)	OR	Total cost of the replacement assets
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in which,

A = the cost of any necessary early retirement of existing distribution assets in respect of the project, calculated at the remaining netbook value of those assets.

B = the estimated advancement cost associated with accelerating the replacement of capital assets sooner than otherwise would have been required, as a result of the project, together with any incremental costs necessary to accommodate the project that are over and above a like-for-like replacement.

2. The Proponent’s share of the cost of any other work carried out by the licensed distributor to accommodate the project, including the relocation or improvement of existing assets or the installation of new assets, shall be:

The incremental costs associated with that work

Notwithstanding the prescribed formula, section 5(7) provides that Proponents and LDCs may agree to an alternative cost apportionment arrangement. Proponents and LDCs seeking alternative cost apportionment arrangements are encouraged to coordinate and negotiate early and in good faith.

Exception to Cost Apportionment: Non LDC-Owned Poles

[O. Reg. 410/22](#) was amended on November 1, 2025, to specify that, under s. 5(8) of the regulation, the cost apportionment requirements in s. 5(7) do not apply for “make ready” work affecting utility infrastructure (i.e., distribution poles) not owned by the electricity distributor, such as ISP-owned poles.

As a result, the distributor is not entitled to charge the Proponent or owner of the pole(s) any amount to recover a contribution towards “make-ready” costs, including costs related to any repairs or corrections made to the distributor’s distribution system that would have to have been required regardless of the Proponent’s notice.

OEB Guidance on Cost Apportionment

On February 9, 2023, the OEB issued guidance on cost apportionment for Designated Broadband Projects, clarifying how each component of the prescribed formula should be calculated and providing certainty to Utilities and project Proponents.

- [Letter from OEB re: Guidance on Cost Apportionment for Designated Broadband Projects \(pdf\)](#)

On May 25, 2023, Hydro One Networks Inc. advised OEB of its intent to apply a fixed-percentage cost sharing methodology in respect of the make-ready costs for Designated Broadband Projects.

- [Letter from Hydro One Networks Inc. re: Use of Fixed-Percentage Cost Sharing with Respect to Provincial Broadband Projects \(pdf\)](#)

On July 28, 2023, OEB issued a response to Hydro One Network Inc.’s proposal, providing further directions on the use of a fixed-percentage cost sharing approach.

- [Letter from OEB re: Fixed-Percentage Cost Sharing for Designated Broadband Projects \(pdf\)](#)

Where a conflict may exist between this Guideline and OEB guidance, OEB guidance should be viewed as authoritative.

For additional guidance on cost apportionment please contact TAT at tat@infrastructureontario.ca.

Work Categorization and Cost Treatment

In enabling access to electricity distribution infrastructure, Proponents and LDCs will encounter conventional make-ready work activities that can be grouped based on their cost treatment according to [O. Reg. 410/22](#) and OEB’s guidance. Table 6.9 summarizes these categories and provides descriptive scenarios to support consistent application of cost apportionment. These scenarios or examples are general in nature and may not apply in all circumstances.

Table 6.9: Example cost treatment of common make-ready work activities.

Work Category	Scenarios or Examples	Cost Treatment
Work that would be incurred by the	• Work is undertaken exclusively for the benefit of electricity customers.	LDC

Work Category	Scenarios or Examples	Cost Treatment
LDC in the absence of the broadband project or work unrelated to the broadband project	- Like-for-like replacement of capital/distribution assets with no remaining useful life: - Replacement of an existing 35ft, 50-year-old pole with a new 35ft pole. The original 35ft pole has no remaining useful life and would have been replaced by the Utility regardless of the broadband project. - Correction of pre-existing critical deficiencies, defects, and/or hazards (e.g., suspect or faulty insulators) - Incremental system upgrades for safety/reliability as per the Utility's requirements and for the benefit of electricity customers: - Composite poles over wood poles. - Design requirements for future voltage conversions on feeders. - Line route changes for access improvements.	
Replacement of existing assets to accommodate the broadband project	- Replacement of functional capital/distribution assets sooner than otherwise would have been required - Replacement of an existing 35ft, 35-year-old pole with a new 45ft pole. The 35ft pole has 20 years of remaining useful life and the new 45ft pole is needed to accommodate materially significant loading and clearance/separation standards. - Replacement of capital/distribution assets with no remaining useful life where the broadband project requires a new asset that is over and above a like-for-like replacement: - Replacement of an existing 35ft, 50-year-old pole with a new 45ft pole. The 35ft pole has no remaining useful life and the new 45ft pole is needed to accommodate materially significant loading and clearance/separation standards.	Cost sharing <i>Component #1 of O. Reg. 410/22 formula</i>
Other work to accommodate the broadband project	- Work that has no benefit for electricity customers and would only be undertaken for the purpose of facilitating the broadband project. - Relocation or improvement of existing capital/distribution assets: - Configuration changes. - Raising/lowering of neutrals, wires, or cables. - Installation of new capital/distribution assets to facilitate the broadband project. - Additional work directly attributable to accommodating the broadband project: - Pole reframing. - Guy/conductor re-tensioning. - Incremental easement requirements.	Proponent (ISP) <i>Component #2 of O. Reg. 410/22 formula</i>

Work Category	Scenarios or Examples	Cost Treatment
	○ Grounding and bonding work required for broadband attachment. • Temporary measures that do not constitute the final asset replacement (e.g., in-span poles).	

Cost Apportionment and Reimbursement for Owner-Led Approaches

Where make-ready is owner-led, costs may flow through a combination of:

- Proponent payments to the LDC, where the Proponent bears all or part of costs under the applicable apportionment.
- LDC reimbursements to the Proponent, in scenarios where the Proponent has incurred eligible costs that the LDC is responsible for under the applicable framework.
- Provincial subsidy support, where applicable, to reduce financial pressure and maintain deployment momentum.

Regulatory cost apportionment baseline

The Guideline describes that [O. Reg. 410/22](#), and specifically section 5(7) sets the baseline for cost apportionment for make ready-work, including for owner-led approaches that distinguishes between (i) replacement of assets to accommodate the broadband project and (ii) other incremental work required to accommodate the project. Notwithstanding the prescribed formula, section 5(7) sets out that LDCs and Proponents may agree to a different cost apportionment arrangement.

Important exception to non-LDC-owned poles

The Guideline also notes that amendments specify cost apportionment treatment differs where make ready affects poles not owned by the electricity distributor (e.g., ISP-owned poles), in which case the distributor is not entitled to charge the Proponent or owner for make-ready costs as described in section 5(8) of [O. Reg. 410/22](#) and in this Guideline.

To make cost treatment predictable and reduce disputes, parties are encouraged to:

- Confirm scope categorization early (what is “replacement to accommodate” vs. “other incremental work”) so invoices and approvals align with expectations.
- Use transparent cost breakdowns tied to the Utility’s work orders and the ISP’s project segmenting to reduce reconciliation friction.
- Reconcile promptly at close-out, using as-built/inspection completion as the trigger to finalize costs and any reimbursements.

Part 6: Broadband One Window

A. Overview of Broadband One Window (BOW)

Broadband One Window (BOW) Platform

Designated Broadband Projects require coordinated permitting, make-ready planning, infrastructure data access, documentation control, and issue resolution across ISPs, municipalities, LDCs, and other infrastructure owners. The BOW is Ontario's shared digital platform that supports these activities through standardized workflows, spatial visibility, centralized documentation, and structured case management.

Key Functionalities of BOW

- **GIS / Spatial View:** Enables delivery partners to visualize project areas, routes, segments, and constraints geographically. This improves early identification of conflicts and supports route-level decision-making.
- **Workflow & Tracking Dashboard:** Provides standardized tracking of submissions and approvals, improving accountability and predictability by showing where an item sits in the review cycle and where bottlenecks are emerging.
- **Infrastructure / Data Repository:** Supports the collection and controlled sharing of relevant infrastructure datasets (where digitally available) to enable proactive design and coordination, and reduce redesign caused by missing information.
- **Document Management:** Stores and organizes submitted packages (designs, supporting documentation, records) so parties can reference a consistent version, reduce duplicate requests, and maintain a clear audit trail of what was submitted and when.
- **Case & Issue Management:** Provides a structured way to raise issues, request support, and track actions, reducing reliance on ad-hoc email escalation and helps resolve problems earlier.

BOW Inputs and Outputs

Depending on the delivery partner role and project stage, BOW is used to manage and/or reference:

- **Permit / access submissions and responses** (where routed through BOW), including status updates and decision outcomes.
- **Infrastructure data requests** where records are available digitally (to support planning, design, and conflict avoidance).
- **Supporting documentation** tied to coordination and approvals (e.g., design packages, records, relevant correspondence captured as part of a case file).
- **Support requests** for coordination help and informal issue resolution through TAT, where appropriate.

When BOW is Used

BOW is used to support consistent coordination and predictable delivery partner interactions, particularly where:

- a municipality receives a ROW access application through BOW and is expected to respond through the platform.
- an ISP elects to use BOW for a Designated Broadband Project, enabling consistent tracking across parties.
- infrastructure data requests are being made where records are digitally available and shared through established channels.

Access Controls and Interoperability

BOW is intended to support broad participation while maintaining appropriate controls: delivery partners generally access only the projects and data relevant to their role and jurisdiction/Service Area, enabling coordination without unnecessary exposure of unrelated project information.

Organizations with existing systems may integrate with BOW through agreed approaches (e.g., direct integration or scheduled data exchange) to avoid duplicate entry and maintain a consistent record across tools, where feasible.

BOW is [available online](#). For access support or navigation help, contact TAT@infrastructureontario.ca.

B. Data Requests through the Broadband One Window

Access to up-to-date utility infrastructure data enables broadband Delivery Partners to plan more effectively, support timely decision making, and coordinate work around co-located infrastructure.

Section 20.1 of the [BBFA](#) allows the Minister (or delegate) to request utility infrastructure data related to Designated Broadband Projects. Infrastructure owners or operators must respond within 15 business days to requests for data concerning infrastructure owned or operated within 10 metres of a Designated Broadband Project. Persons or entities subject to the requirement in s. 20.1 include:

- Every municipality in Ontario.
- Hydro One Networks Inc.
- Ontario Power Generation Inc.
- Gas distributor and gas transmitter as defined in the [Ontario Energy Board Act, 1998](#).
- Electricity distribution system operator as defined in the [Electricity Act, 1998](#).
- A person or entity regulated under the [Oil, Gas and Salt Resources Act, 1990](#).
- A person or entity that owns or operates infrastructure that crosses a public ROW or is in the vicinity of a public ROW.

Such requests may only be used to enable construction of Designated Broadband Projects and are generally issued through the BOW. For the purposes of the [BBFA](#), utility infrastructure data includes:

- a. Records of the utility infrastructure and associated ROWs.
- b. Records of communications and agreements related to the utility infrastructure.
- c. Data related to the location for all utility infrastructure that may be affected by a proposed excavation related to a Designated Broadband Project.
- d. Any other information the Minister considers necessary for the purposes of the [BBFA](#).

Proponents may be asked to submit data on their use of in span poles for Designated Broadband Projects to ensure compliance with [ESA Bulletin DB-06-22-v1](#).

Part 7: Resolving Disputes

Parties are encouraged to resolve disputes collaboratively and in good faith. Using this Guideline may assist to clarify roles and obligations and prevent escalation. Where a resolution cannot be reached, disputes may be referred to TAT for informal support.

Parties seeking to make use of TAT's informal support may adopt the use of BOW to ensure TAT has sufficient and detailed project information necessary to provide assistance in the dispute.

Informal Dispute Resolution

Engaging TAT is the recommended first step in resolving disputes. Acting in a neutral capacity, TAT works with parties to de-escalate issues and facilitate non-binding resolutions, mutually agreeable outcomes through the process outlined in Table 8.1.

To engage TAT, parties may submit a request through the BOW Support Request module or contact TAT directly at TAT@infrastructureontario.ca.

Table 8.1 outlines the Informal Dispute Resolution process.

Activity	Process Details
1. Mutual resolution by parties	Parties are encouraged to use this Guideline and other resources to understand their roles and obligations to minimize disagreements and prevent disputes from escalating.
2. Request TAT support	- If disputes cannot be resolved collaboratively, parties are encouraged to request support from TAT through the BOW Support Request module. - Parties should provide information and relevant documentation in BOW to detail the dispute.
3. TAT reviews information	TAT will review submissions, request additional information as needed, and convene discussions with the parties.
4. Informal dispute resolution discussions	TAT will document discussions and upload records to BOW, facilitating continued dialogue until a resolution is reached.
5. Review documentation	Parties may access dispute documentation in BOW at any time and may agree on non-binding resolutions facilitated by TAT.
6. Informal dispute resolution process conclusion	If a mutually agreeable outcome is not achieved, a Proponent may pursue a binding resolution through a formal dispute-resolution authority.

Formal Dispute Resolution

Proponents may seek binding resolutions from the Ontario Energy Board (OEB), the Minister of Energy and Mines or Ontario Lands Tribunal (OLT) in accordance with applicable regulation or legislation. Formal escalation is only recommended as a last resort, if a resolution cannot be reached informally through support from TAT.

Where a formal application is made, Proponents are encouraged to include records of the informal dispute-resolution process available through BOW. TAT can assist Proponents in retrieving this information, if required.

Formal Dispute Resolution Pathways

For disputes related to LDC compliance with [O. Reg. 410/22](#):

- Proponents may apply to the OEB for a resolution. The OEB will make a determination, within 30 days of having all the relevant material required to make such a determination, for issues related to material deficiencies or purported material deficiencies. Disputes related to other matters will be dealt with through the OEB's existing processes (see below for more information).
- Proponents may seek ministerial intervention to the Minister of Energy and Mines for:
 - A notice to an LDC to complete work under s. 4(1)(a) or 4(1)(b) of the [BBFA](#)
 - An order to an LDC to comply with a previously issued notice or authorize the ISP to carry out the work described in the notice, under s. 9 of the [BBFA](#).
- It is recommended that Proponents seek a resolution from the OEB for compliance issues pertaining to LDC compliance with [O. Reg. 410/22](#) *before* applying to the Minister for a resolution. The Minister may not act while a matter is before the OEB.

For disputes related to municipalities' compliance with the [BBFA](#), Proponents may apply to the Minister of Energy and Mines for a notice under s. 12 or order under s. 15 of the [BBFA](#).

For locate-related disputes, ISPs may contact Ontario One Call, either through TAT or directly.

For disputes related to compensation owed to Proponents for a loss or expense incurred by them as a result of an LDC or municipality's failure to comply with a notice or order, Proponents may apply to the OLT for a determination of compensation.

1. Minister of Energy and Mines

The [BBFA](#) authorizes the Minister to issue notices and orders to require municipalities and/or LDCs to complete work for Designated Broadband Projects. These authorities are intended to be used as a last resort.

Under the [BBFA](#), Proponents (e.g., ISPs) may request the Minister of Energy and Mines to:

- Issue a notice to an LDC to complete work under s. 4(1)(a) or 4(1)(b).
- Issue an order to an LDC to comply with a previously issued notice or authorize the Proponent to carry out the work described in the notice, under s. 9(1).
- Issue a notice to a municipality that municipal service and ROW access is required under s. 12.
- Develop and make a municipal service and ROW access order under s. 15 and s. 16.

Proponents are strongly encouraged to work with delivery partners to resolve issues through TAT and, where relevant, raise compliance matter under [O. Reg. 410/22](#) to the OEB before seeking a resolution from the Minister of Energy and Mines. MEM may consider whether these steps have been taken before exercising authorities under the [BBFA](#). Table 8.2 below outlines the process for requesting the Minister to issue a notice to an LDC or municipality.

Note: The Minister of Energy and Mines may in their own discretion defer or decline to exercise certain authorities under the [BBFA](#).

Table 8.2 outlines the process for requesting the Minister of Energy and Mines to issue a notice or order under the [BBFA](#).

Activity	Details
1. Mutual Resolution by parties	• Parties are encouraged to use this Guideline and other resources to understand their roles and obligations to minimize disagreements and prevent disputes from escalating.

2. Request TAT support	Where issues cannot be fully resolved through mutual resolution, parties are strongly encouraged to request TAT's support to facilitate a resolution through the BOW Support Request module and provide relevant information and relevant documentation in BOW.
3. TAT informal dispute resolution	TAT will facilitate informal dispute resolution in accordance with Table 8.1 above, supporting non-binding, mutually agreeable solutions where possible.
4. Proponent to provide written notice	If informal resolution is unsuccessful, a Proponent may pursue a binding resolution through a formal dispute-resolution authority or submit written notice of the dispute to the Minister of Energy and Mines at broadband@ontario.ca.
5. Documentation and Information	- Notice to MEM should include the nature of the dispute, applicable regulatory or legislative requirements, whether TAT informal dispute resolution support was sought, and relevant BOW documentation. Where the issue involves LDC non-compliance, Proponents should indicate if the matter has been raised with the OEB and include any related decisions. - MEM may follow up with Proponents and parties involved in the dispute for additional information.
6. Notification to affected delivery partners	Delivery partners against whom a complaint is raised will be given an opportunity to respond, in a manner determined by the Minister.
7. Review and Assessment	- MEM will review the submission and may consult involved delivery partners, and other Ministries, Agencies, Boards, or Commissions. - In some circumstances, the Minister of Infrastructure may choose not to issue a notice/order and instead direct the TAT to facilitate a non-binding resolution between disputing parties or direct the Proponent to the appropriate formal dispute resolution body.
8. Issuing Minister's Notice or Order	- The Minister may issue a notice or order on a discretionary basis after reviewing the information provided by parties. - Notices or orders may be issued by email or registered mail and may specify required actions and compliance timelines. - Compliance dates may be mutually agreed; if not, compliance must occur in no less than 60 days after the notice is served. - Upon receipt, parties must promptly coordinate to complete the required work.
9. LDC time appeal	An LDC that receives a notice or order and seeks additional time to comply may apply to the Superior Court of Justice.

Administrative Penalties under the BBFA

[O. Reg. 324/23](#): Administrative Penalties prescribes provisions 5,9, and 20.1 of the [BBFA](#) for administrative penalties under s. 24(1) of the [Act](#).

- Sections 5 and 9 contain requirements for LDCs and Proponents of provincially funded broadband projects with respect to Minister's notices and orders.
- Section 20.1 requires certain utility infrastructure owners or operators to share data as requested by the Minister within 15 business days of receiving a request.

If the Minister determines that a person has contravened the [BBFA](#), its regulations or a Ministerial order, an administrative penalty of up to \$500,000 may be imposed in accordance with s. 24 of the [Act](#). In determining the penalty amount, the Minister may consider factors such as the impact of the

contravention, compliance history, any economic benefit gained, and any remedial actions that were taken. Penalties may only be imposed up to one year after the occurrence of the contravention.

An order imposing an administrative penalty must identify the implicated parties, describe the contravention, specify the amount payable to the Minister of Finance, outline payment requirements (e.g. within 30 days of service), and explain the review process. Orders are deemed served, whether through personal delivery, email correspondence, or registered mail, each with distinct timelines.

Administrative penalties are intended to deter non-compliance with the prescribed provisions of the [BBFA](#) and support timely completion of provincially funded broadband projects. Parties who receive an order imposing administrative penalties have a right to a review by the Ontario Land Tribunal within 15 days of when the notice is served. The review is conducted in accordance with the practices and procedures stipulated under the [Ontario Land Tribunal Act, 2021](#).

2. Ontario Energy Board (OEB)

As Ontario's independent electricity and natural gas regulator, the OEB is authorized by the [OEBA](#) as the initial decision maker on all issues pertaining to interpretation of and compliance with the [Act](#) and its regulations, including [O. Reg. 410/22](#) and [O. Reg. 842/21](#).

The OEB provides clarity on the requirements of the OEBA and its regulations through a range of tools, including responses to industry inquiries, issuing compliance bulletins and guidance on specific circumstances that LDCs are expected to follow.

The OEB administers a general compliance process under the [OEBA](#), as well as an expedited process for adjudicating disputes related to "material deficiencies" under [O. Reg. 410/22](#). See Table 8.3 below:

- 1) **Overall compliance:** beyond its role in resolving material-deficiency disputes, the OEB is also authorized under the [OEBA](#) to enforce compliance of [O. Reg. 410/22](#) broadly. For more information on the OEB's compliance and enforcement process, [click here](#).
- 2) **Material Deficiencies:** under [O. Reg. 410/22](#), Proponents may apply to the OEB to resolve a dispute with a licensed distributor related to a enumerated material deficiencies in section 5 of the regulation. The OEB is not permitted to accept such applications by proponents where a notice has been issued under section 4 of the [BBFA](#).

Table 8.3 outlines the process for resolving a dispute over material deficiencies through the OEB.

Activity	Process Details
1. Proponent to provide written notice	- The Proponents submits a written request to the OEB to resolve a dispute. - To support timely review, the request should outline the nature of the dispute, applicable legislation or regulation, whether TAT support was sought, and relevant information from BOW.
2. OEB information gathering	- The OEB may request additional information from the parties and review relevant materials from BOW. - Where appropriate, the OEB may attempt to facilitate an informal resolution.
3. OEB Review	In accordance with O. Reg. 410/22, the OEB must issue an order within 30 days of receiving all information required to make its determination.

3. Ontario Land Tribunal (OLT)

The OLT adjudicates matters related to land use planning, environmental and natural features, heritage protection, land valuation, land compensation, municipal finance, and related matters.

As it concerns designated broadband projects, the OLT adjudicates compensation-related disputes

under the [BBFA](#). Information on OLT processes, appeal requirements, and forms is available on its [website](#).

Under the [BBFA](#), the OLT resolves disputes involving compensation claims arising from:

- Section 10: losses or expenses incurred by the Proponents due to LDC non-compliance with Minister's notices or court orders.
- Section 18: municipal non-compliance with service or ROW access orders where mediation is unsuccessful.
- Section 19: costs incurred by MEM where it authorizes work that a municipality failed to perform.

Amendments to the [One Call Act](#) also allow excavators and underground infrastructure owners to seek compensation through the OLT for losses resulting from contraventions of the [Act](#).

- Under s. 16 (1) infrastructure owners may seek compensation from excavators if:
 - An Excavator requests a locate to be delivered without the intention of starting excavation within 30 days or;
 - The Excavator digs in a manner where they reasonably ought to know would damage or interfere with underground infrastructure.
- Under s. 17(1) excavators can seek compensation from infrastructure owners if:
 - The Member has failed to provide accurate locates or;
 - Provided locates outside of the legislated timeframe or;
 - Incorrectly provided a clearance.

4. Ontario One Call

Ontario One Call coordinates locate requests for underground infrastructure and enforces compliance with the [One Call Act](#). Designated Broadband Projects are required to use a Dedicated Locator. More information on the Dedicated Locator model can be found [here](#).

To support compliance Ontario One Call administers an Administrative Penalty framework under [O. Reg. 87/23](#), which came into effect on May 1, 2024.

Ontario One Call has jurisdiction over issues, including the following.

- Late Locates
- Late Emergency Locate Response
- Locate Validity Period
- False Renegotiated Date
- Deficient Clearance
- Locate Abuse
- Digging Without a Locate

For a complete list and explanation of disputes, please [click here](#).

Where reasonable cause to believe the [Act](#) or its regulations have been contravened, parties may submit a written complaint to Ontario One Call. Verified complaints are addressed with obligated parties, though resolution timelines cannot be guaranteed. Complaints are submitted through Ontario One Call's website and are typically reviewed within 2 business days. For more information, [click here](#).

Appendix A: Leading Practices & Innovations from Designated Broadband Programs

The following section summarizes leading practices and innovations implemented in designated broadband programs to reduce barriers, minimize delays and accelerate broadband deployment.

A. Make-Ready Work Acceleration & Field Engineering

Many ISPs (and their engineering teams) may be inexperienced with the practical constraints of large-scale make-ready and associated field delivery. ISPs are encouraged to engage TAT early to apply lessons learned from Designated Broadband Programs, and tailor deployment strategies and techniques to local conditions.

Deployment Innovations and Process Improvements

Several innovations and process improvements have been developed with industry partners to help streamline make-ready work and accelerate project delivery:

- **Overlapping Previously Accounted For (OPAF):** A simplified process allowing ISPs to overlap fibre where loading has already been assessed, reducing engineering reviews and minimizing make-ready needs.
- **Tough Truss / Pole Trussing:** A reinforcement method that stabilizes poles that would otherwise need replacement, significantly cutting costs and timelines by avoiding disruptive pole replacements.
- **Bundle Size Measuring Tool:** A tool that supports the OPAF process by accurately measuring strand bundle diameter to evaluate loading compliance and determine if overlapping can proceed without additional upgrades.
- **Duraline Aerial Duct:** A high-capacity aerial duct used to expand fibre capacity on shared pole lines. This “one and done” solution streamlines permitting and make-ready where multiple ISPs require the same route.
- **Hydro One Regional Models:** An operational model that aligns regional forecasting, crew capacity, and make-ready sequencing to enable more predictable delivery and targeted use of make-ready subsidies.
- **Materially Insignificant Applications (MIA):** A simplified Bell Canada attachment protocol allowing low-impact fibre installations to proceed without full design review, reducing make-ready timelines and costs. There is also a MIA for Hydro One owned poles, where if a cable of larger size and heavier weight is removed from an existing strand, then a new lighter fibre can be installed without full design review, reducing make-ready timelines and costs.

Technical Guidance and Reference Resources

The following reference materials provide clear guidance on engineering allowances, specialized construction methods, and standard deployment practices:

- **POLE Document:** A reference document outlining ESA allowances and permissible deviations for pole attachments, highlighting mitigations, such as materially insignificant work, design duplication, and OPAF, that reduce unnecessary pole replacements and speed up approvals.
- **Submarine Fibre Guidance:** A technical guide for planning and permitting submarine fibre routes, covering routing best practices, environmental considerations, equipment selection, and coordination with provincial and federal authorities.
- [BOW Library](#): A centralized collection of templates, deployment practices, and technical guidance that supports ISPs in navigating permitting, design, construction, and regulatory requirements.

B. Permitting, Access and Asset Management

Process Improvements and Access Facilitation

Several process enhancements have been introduced to reduce administrative barriers and improve infrastructure access, making workflow more predictable and minimizing permitting and coordination delays:

- **Municipal Access Agreement (MAA) Lite:** A simplified agreement that speeds up ISP-municipal negotiations by providing a standardized framework and clearly defined roles to facilitate faster access to municipal ROWs.
- **Third-Party Strand Transfer Process:** A coordinated process allowing ISPs and contractors to transfer strand from old to new poles after make-ready work, reducing scheduling delays, lowering costs, and accelerating project closeout.
- **Rail Crossing Turnkey Offering:** A turnkey approach that consolidates rail crossing requirements and submits permits as a single, standardized package, enabling coordinated CN/CP review rather than sequential approvals to accelerate approvals and construction timelines.
- **Pole Transfer/Ownership Process:** A process between Hydro One and Bell Canada to reconcile and correct pole ownership records under the Joint Use Agreement and following regulated rules. Ensuring the right owner is responsible for make-ready work, costs, and ongoing maintenance, while reducing administrative friction.
- **Municipal and Easement Access Improvements:** Practical guidance and tools (via the [BBFA](#) Guideline, BOW easements resources, and TAT support) to address access constraints outside of MAAs, such as private-land easements, boundary and ownership clarification, and route confirmation, using early scoping and field alignment to prevent access delays.

Guidance Documents and Deployment Resources

Guidance documents are available to help ISPs navigate permitting, construction, and engagement requirements across jurisdictions. These resources provide best practices and regulatory expectations to support safe, efficient, and compliant broadband deployment.

- **ROAD Document:** Provides best practice guidance on municipal engagement, permitting, and construction in the public ROW, helping ISPs plan deployments that align with local standards and minimize disruption.
- **MTO Permitting Guidance:** Offers guidance on obtaining permits for broadband work within Ministry of Transportation (MTO) corridors, including application requirements, safety considerations, and coordination expectations.
- **Ministry of Natural Resources and Forestry (MNRF) Permitting Guidance:** Outlines permitting requirements for projects involving Crown land, natural heritage features, or wildlife considerations overseen by MNRF.
- **Rail Crossing Guidance:** Provides a step-by-step overview of requirements for constructing fibre crossings at CN and CP rail corridors, including design standards, safety protocols, and application processes.
- **Easement and Private Property Deployment Guidance:** Supports ISPs in securing access across private lands and easements by clarifying engagement expectations, documentation needs, and best practices for landowner coordination.

Glossary

Aerial Route: Deployment of broadband infrastructure by means of attachment to above ground support structures such as LDC-owned poles.

As-Built Drawings: As-Built Drawings are prepared based on information gathered during construction or fabrication by someone other than a practitioner or someone under their supervision. Often, the information is provided by the contractor in the form of red-line mark-ups of the design drawings. If a practitioner then proceeds to revise the design documents to incorporate the red-line mark-ups, these documents should be clearly marked as “As-Built Documents” and not sealed.

Attacher: An entity that will attach or have attached its cable and/or fibre to a pole owned and/or controlled by an LDC. Attachers are ISPs who will have third-party attachments.

Attachment: A single connection of the attacher’s equipment to the support structure that has a direct or indirect influence on the performance, appearance, and safety of the support structure or the structure owner’s ability to access and maintain it. The attacher may have multiple attachments to a support structure (such as an LDC-owned pole).

Broadband: The term broadband commonly refers to high-speed internet access that is always on and faster than traditional dial-up access. Broadband includes several high-speed transmission technologies, such as fibre, wireless, satellite, digital subscriber line and cable. The CRTC defines universal service objective as having access to actual download speeds of at least 50 Mbps and actual upload speeds of at least 10 Mbps.

Building Broadband Faster Act (BBFA): [Building Broadband Faster Act, 2021](#); the BBFA creates a suite of legislative measures that will streamline project set-up and delivery as it pertains to planning and installing essential broadband infrastructure and services.

Business Day (or Days): Means a day from Monday to Friday, other than a holiday as defined in s. 87 of the [Legislation Act, 2006](#).

Designated Broadband Project: As prescribed under regulation under the [Building Broadband Faster Act, 2021](#), every broadband project where funding, in full or in part, has been provided through the Ministry of Energy and Mines for the purposes of deploying broadband and high-speed internet infrastructure in Ontario is a Designated Broadband Project for the purposes of the Act.

Designated Broadband Project Delivery Partners (Delivery Partners): Proponents, distributors, transmitters, municipalities, members of Ontario One Call, any other person with infrastructure within a right-of-way for a Designated Broadband Project and any other person whose cooperation is required to carry out a Designated Broadband Project.

Electrical Safety Authority (ESA): The Electrical Safety Authority is an administrative authority responsible for enhancing public electrical safety in the province and the day-to-day administration of Part VIII (eight) of the [Electricity Act, 1998](#) and related regulations.

Fibre (also referred to as Fibre Strand): A flexible hair-thin glass or plastic strand that is capable of transmitting large amounts of data at high transfer rates as pulses or waves of light.

Guys/Anchors: Support structures to balance loading on bisect and dead-end poles.

Improving Connectivity for Ontario program (ICON): The ICON program is part of Up to Speed:

Ontario's Broadband and Cellular Action Plan, which outlines the strategy to expand access to broadband and cellular connectivity in identified areas of need.

Internet Service Provider (ISP): An entity that provides internet connections and services to individuals and organizations. Typically, ISPs also provide additional services such as email accounts and webhosting. Note the terms ISPs, TSP and WISP refers to the same service providers and can be used interchangeably.

Local Distribution Company (LDC): A local electricity distribution company is a power distribution company that is responsible for distributing power from transmission lines to people's homes and businesses in an exclusive distribution area and is licensed by the OEB. Also referred to as distributors or transmitters.

Make-Ready Costs: Costs associated with preparing a LDC pole to receive a new fibre attachment.

Mark-up Circulation: Circulation of preliminary drawings to all parties (e.g., municipalities, LDCs, Utilities and other ISPs) that may have infrastructure in the ROW so that they may review and mark any conflicts between the proposed running line and their buried assets.

Materially Insignificant: An attachment or modification that does not materially affect structural loading or safety and may proceed without full pole-line engineering under [ESA Bulletin DB-07-15](#). This includes Bell Canada's allowance for low-impact fibre attachments (e.g., overlashing on existing strand within accounted loading) and Hydro One's allowance to replace a heavier existing cable with a lighter cable on an existing strand, subject to hazard correction.

Minister: Refers to the Minister of Energy and Mines or such other members of the Executive Council to whom responsibility for the administration of the BBFA is assigned or transferred under the [Executive Council Act, 1990](#).

Municipal Access Agreement: A Municipal Access Agreement (MAA) is a legal agreement that provides companies the ability to construct, maintain, relocate and operate their equipment within rights-of-ways that are under the jurisdiction of a municipality. It states the roles, responsibilities and requirements for both the signatory and the municipality and deals primarily with issues such as municipal consent, hazardous substances and materials, road occupancy permits, rights-of-way, costs to be carried by municipalities, third party and sub-contractor agreements, service level agreements, maintenance and repair responsibilities as well as equipment use and invoicing.

Municipal Consent (MC): is provided by a municipality for a Utility Company to occupy a specific location within the municipal rights-of-way. Utility locations and separations have been established for various road cross-sections to avoid conflicts in the planning of projects by various utilities occupying the rights-of-way and to minimize the impact of proposed work on any adjacent infrastructure. MCs are only issued to utility companies, commissions, agencies and private Applicants who have the authority to construct, operate and maintain their infrastructure within the right-of-way as established through legislation or terms of a Municipal Access Agreement (MAA) where they apply and are approved. An MC gives a company permission to install or move facilities and is required when a road needs to be excavated.

One Touch Make-Ready (OTMR): One Touch Make-Ready policies try to avoid delay and redundancy by having all make-ready work (such as rearranging several existing attachments) performed at the same time by a single crew.

Ontario Energy Board (OEB): The OEB is Ontario's independent regulator of the electricity and natural gas sectors. Its activities include making rules to protect consumers, setting rates, and licensing

all participants in the electricity sector including the Independent Electricity System Operator (IESO), generators, transmitters, distributors, wholesalers and electricity retailers, as well as natural gas marketers who sell to low volume customers.

Ontario Energy Board Act (OEBA): The [Ontario Energy Board Act, 1998](#) is the provincial statute that establishes the Ontario Energy Board (OEB) and authorizes regulation of electricity infrastructure, including pole access, make-ready work, cost apportionment, and Performance Timelines for Designated Broadband Projects under [O. Reg. 410/22](#).

Ontario One Call: Ontario One Call is an administrative authority responsible for coordinating requests from excavators, for the location of underground infrastructure (e.g., buried gas pipelines).

Ontario Underground Infrastructure Notification System Act (One Call Act): [Ontario Underground Infrastructure Notification System Act, 2012](#) is the provincial statute that establishes Ontario One Call and sets requirements for the notification, location, and protection of underground infrastructure, including mandatory locate timelines and the Dedicated Locator model for Designated Broadband Projects.

Overlashing: Overlashing is the practice of attaching an additional fibre optic cable over an existing aerially deployed fibre optic cable attached to an LDC pole.

Performance Timelines (PTs): Standard timelines allotted to Designated Broadband Project Delivery Partners, particularly LDCs, municipalities and members of Ontario One Call that must be adhered to.

Pole Stumping: refers to cutting an existing pole, leaving only an attacher's equipment on the pole. A new pole is installed near the stump pole with the agreement that the attacher will transfer the equipment to the new pole within a timeframe as outlined in ESA's In-Span Structures and Overhead Unsupported Conductors Bulletin.

Power Make-Ready Work: The work undertaken on any part of the distributor's distribution system that is required for the purpose of facilitating a new attachment request.

Professional Engineer (P. Eng.): A person who holds a licence or temporary licence under the Professional Engineers Act ([O. Reg. 22/04](#)).

Proponent: An ISP that entered into the Project Agreement with the Government of Ontario to carry out a provincially funded project in a Service Area.

Rights-of-Way (ROW): ROW are legal rights to pass through property owned by another. ROWs are frequently used to secure access to land for digging trenches, deploying fibre, constructing towers and deploying equipment on existing towers and LDC poles.

Road Occupancy Permit (ROP): A Road Occupancy Permit is required by some municipalities when working within the municipal right-of-way. Activities that require a road occupancy permit include temporary lane closures or construction related road closures, mobile crane work, temporary scaffolding or hoarding, crossing the boulevard for temporary construction site access, disposal bins located in the roadway or public laneway, storage of materials and equipment located in the roadway or public laneway, workers on the road or the blockage of sidewalks. Some municipalities may not require this permit and need only to be notified.

Service Area: The entire area within which a service provider either offers or intends to offer broadband service.

Telecommunications Service Providers (Telecom): An entity that has traditionally provided telecommunication services. However, for the purposes of this Guideline, Telecom is used synonymously and interchangeably with ISP.

Utility Infrastructure: Poles, wires, cables including fibre-optic cables, conduits, towers, transformers, pipes, pipelines or any other works, structures or appliances placed over, on or under land or water by a utility company.

Utility Company: A municipal corporation or commission or a company or individual operating or using communications services, water services or sewage services, or transmitting, distributing or supplying any substance or form of energy for light, heat or power.