

**MacMillan, Cindy**

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**From:** Kelly, Peter  
**Sent:** Wednesday, July 24, 2019 2:34 PM  
**To:** Jankov, Alanna  
**Subject:** FW: Pole Removal  
**Attachments:** RE: Bell Aliant - Underground Work - England Ct, Forest Dr & Eli Ct

Councillor;

I did speak with Scott with respect to the pole and he advised as it was a Bell Pole he dealt with them. Please find attached for your perusal a response that he received from Scott back in March of this year.

Should you require further, please advise.

Regards,

Peter

**From:** Adams, Scott  
**Sent:** July 24, 2019 2:29 PM  
**To:** Kelly, Peter <pkelly@charlottetown.ca>  
**Subject:** Pole Removal

Hi Peter,

Attached are a couple of emails from Bell Aliant in regards to the pole move. Please ignore the subject. It was part of a chain of previous emails.

**Scott Adams, MEng., P.Eng.**  
**Manager of Public Works**

**City of Charlottetown**  
PO Box 98, 199 Queen Street  
Charlottetown, Prince Edward Island  
Canada, C1A 7K2  
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[sadams@charlottetown.ca](mailto:sadams@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)



**MacMillan, Cindy**

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**From:** Meston, Allan <Allan.Meston@bellaliant.ca>  
**Sent:** Tuesday, March 19, 2019 3:21 PM  
**To:** Adams, Scott; Jordan, Kyle  
**Cc:** MacLennan, Gregory; Qi, Steven  
**Subject:** RE: Bell Aliant - Underground Work - England Cl, Forest Dr & Eli Ct

Adam

As it relates to Bell's access to public right of ways, as is the case in this situation, Bell is granted such access under the terms of the Federal Telecom Act, which is applied by the CRTC and has been interpreted by them, and courts at various levels, in a number of cases over the years. That right of access does not require that Bell must relocate its infrastructure at its sole cost. The details of the sharing of costs between Bell and any government body who manages the applicable public right of way is dependent upon the fact scenario for which a relocation is required. In this case, given the underlying rationale for any eventual relocation, Bell is of the position that it is not responsible for the costs to relocate the pole.

As you may, or may not, be aware, Bell has had discussions with the adjacent land owner regarding the pole in question, going back to 2016. As a result of the land owner changing the configuration of his yard, he has proposed to move his driveway to an area where this pole has been for decades. Bell advised him that any movement of the pole would be at his cost, and that cost would include not only Bell's costs to move the pole, but the costs to other utilities whose facilities are on the pole. We provided him a quote for the costs last year, which he rejected.

Bell's position regarding the movement of the pole is no different if the request to move it is coming from the City or the adjacent land owner. It is a request that is being made by a third party who made changes to their land with full knowledge of the placement of our pole, and proceeded with such changes. If the City, versus the land-owner, is now requesting that this pole be relocated, Bell will work with the other utilities to prepare and provide a quote for the costs to the City. The other utilities include Maritime Electric and Eastlink. You should also be aware that, to facilitate any relocation, Maritime Electric has advised Bell that a tree on the City's right of way will have to be taken down to accommodate the rerouting of the electrical facilities to a new pole. If the City is requesting Bell to relocate this pole, it will be the City's responsibility to secure approval for the removal of this tree, and undertake to have it removed, before the pole relocation can occur.

Any questions feel free to contact me

Allan Meston  
902-566-0244 office  
902-628-7891 cell

-----Original Message-----

**From:** Adams, Scott <sadams@charlottetown.ca>  
**Sent:** March-06-19 9:26 AM  
**To:** Jordan, Kyle <Kyle.Jordan@bellaliant.ca>  
**Cc:** Meston, Allan <Allan.Meston@bellaliant.ca>; MacLennan, Gregory <Gregory.Maclennan@bellaliant.ca>; Qi, Steven <Steven.Qi@bellaliant.ca>  
**Subject:** Re: Bell Aliant - Underground Work - England Cl, Forest Dr & Eli Ct

Hi Kyle,

Thank you for the review. I may be misinformed, but it is my understanding that with the pole being in the public right of way, which is owned by the city, the city has the authorization to direct the removal or relocation of a pole, at the expense of the utility.

Thank you,

Scott Adams

Sent from my iPhone

On Mar 6, 2019, at 9:15 AM, Jordan, Kyle <Kyle.Jordan@bellaliant.ca<mailto:Kyle.Jordan@bellaliant.ca>> wrote:

Hi Scott,

I just had a quick look at the pole via street view. This type of pole move would be charged to the customer if they want it away from their driveway. Let me know if the customer is interested in paying for the pole move and we can pursue further.

<image003.jpg>

Thanks,

Kyle Jordan

Outside Plant Designer, Charlottetown PE

T (902) 314-1182

56 Fitzroy St, Charlottetown (PEI) C1A 9K5

-----Original Message-----

From: Adams, Scott [mailto:sadams@charlottetown.ca]

Sent: March-06-19 8:43 AM

To: Jordan, Kyle

Subject: RE: Bell Aliant - Underground Work - England Cl, Forest Dr & Eli Ct

Good Morning Kyle,

I'm hoping you can help me out, or direct me to the correct person. We have a pole that is owned by bell aliant, and needs to be moved as it is a safety concern for a resident entering and exiting a driveway. The pole is located at 19 Spring St.

Thank you,

Scott

Scott Adams, MEng., P.Eng.

Manager of Public Works

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