

**WHEATLAND COUNTY
EXECUTIVE COMMITTEE MEETING
January 23, 2008**

Minutes of the Executive Committee Meeting of
Wheatland County held at the County Office, on
Wednesday, January 23, 2008, commencing at 9:00
A.M. with the following present:

Reeve	B. Armstrong
Deputy Reeve	S. Reinhardt
County Manager (CAO)	J. Deak

Mr. Steve Nedoshytko, County Landman entered the meeting – time 9:45 A.M. The committee placed a conference call with its legal counsel, Barry Sjolie and Lorne Randa, Brownlee LLP, to discuss the status of the Shaw Cablesystems matter prior to meeting with Mr. Terry Medd, Vice President, Operations, Shaw Cablesystems.

Shaw Cablesystems

Mr. Terry Medd, Vice President, Operations, Shaw Cablesystems, entered the meeting – time 10:00 A.M. Mr. Nedoshytko remained in the meeting.

Mr. Medd thanked the Committee for accommodating the meeting and outlined the issues for discussion:

- Relationship
- Staking Service

All agreed with the agenda items. Mr. Medd then noted that Shaw was an operations driven organization, that is, it does not like to involve legal counsel. Mr. Medd then provided the following information and responses to questions:

- Shaw has issues with One Call.
- Shaw has lots of fibre optics/cable (phone, internet, video).
- Shaw has been doing its own locates for the past 37 years.
- Shaw feels that their locate system is superior – it looks after 50,000 calls/year in the Calgary area. It's system is timely, has its own staff, does its own stakings/locates within 48 hours of a call (they beat out One Call every time).
- Safety – no safety issues with fibre optic or coaxial cable. It has a good track record with safety – its lines are well marked both above and below ground.

Mr. Nedoshytko asked about sign maintenance and the liability issues should the County cut a Shaw cable. Mr. Medd indicated that if Shaw had staked the line and the location was incorrectly staked, then there would be no liability to the County. There would be liability if the County had not requested a locate and cut a line – in such cases the county would be billed for splicing the fibre optic cable. Shaw is willing to share its records on its underground lines with the County. Shaw's liability for service interruption due to line cuts is covered off in its agreement with its customers.

Mr. Medd then discussed the Lakes of Muirfield development, noting the developer is expecting services. Shaw is proposing a Memorandum of Understanding (MOU) with the County to

**WHEATLAND COUNTY
EXECUTIVE COMMITTEE MEETING
January 23, 2008**

negotiate the points. If Shaw and the County jointly file with the CRTC and advise that they are jointly negotiating the CRTC will give the MAA to the parties.

Reeve Armstrong noted that the County is in its current situation with the CRTC because Shaw, not the County, initiated the action. Mr. Medd responded that Shaw filed its application with the CRTC because of the One Call condition.

Ms. Deak requested a list and details of the other issues Shaw referred to in their CRTC filing. Mr. Medd indicated that he did not have this information with him but would forward it to the CAO after the meeting. Mr. Medd noted that one point was that Shaw looks for reimbursement of facilities if a line goes in and then the municipality does a project and need the line relocated. The Committee noted that the County has a ten year road program that it is willing to share with Shaw, much like it does with other industry; the County's notification to industry of its road program helps with planning and cost savings for all involved parties.

Reeve Armstrong inquired why Shaw had not explored the possibility of utilizing private land for its underground facilities – the oil industry does this. Mr. Medd noted that Shaw tends to avoid future liability issues with landowners.

Mr. Medd noted that he was proposing a standard MAA – the same as was in place with other municipalities. Shaw does not understand the County's emphasis on One Call; Shaw has to be careful of setting precedence.

Shaw will sit down and negotiate the smaller items – Mr. Medd will provide a list of these issues and provide an outline of the MOU process. Reeve Armstrong advised that all dealings will have to go to council with the County's legal involved. Mr. Medd noted that if the County agrees to the process Shaw would be willing to withdraw its CRTC application. Shaw will send the CRTC a letter as part of the process. Shaw will ask the County for a work permit for the Muirfiled line. In response for clarification, Mr. Medd confirmed that joining one Call would not be an option for Shaw. Mr. Medd thanked the Committee for meeting with him and confirmed that he would forward a letter to the County regarding the MOU along with details of the other issues.

Mr. Medd and Mr. Nedoshytko left the meeting – time 11:05 A.M.

Executive Committee recommends to forward the correspondence received from Mr. Medd to the County's legal advisers for comment and further discussion.

The meeting then adjourned.