

## KNOW YOUR RIGHTS CAMPAIGN

For decades across Canada, telecommunications companies have been free to dig up municipal streets and roads to install and upgrade their equipment without having to pay the full cost of either repairing the damage or using public property.

FCM has been actively defending municipalities' property rights since 1993, when the new federal Telecommunications Act ushered in a period of largely unfettered competition which translated into ever-growing demands on municipal rights-of-way and growing costs borne by municipal property tax payers.

A 2008 study conducted by FCM found that municipal property taxpayers subsidize telecommunications companies to the tune of more than \$107 million per year. Now, with the federal government contemplating opening up foreign ownership rules in the industry, municipalities are concerned that the situation could get worse.

In 2009, after years of decisions by the Canadian Radio-television and Telecommunications Commission (CRTC) and various courts eroded municipal rights to manage and seek compensation for the use of their rights-of-way, a CRTC decision restored some balance and established limits on the telecoms' access to municipal property.

The decision in favour of the City of Vancouver in *MTS Allstream v. City of Vancouver* sets a precedent that can be used by all municipalities in negotiating with telecoms.

With the prospect of increased foreign competition and increased costs for property taxpayers looming, FCM has launched the *Know Your Rights* campaign to mobilize its members and pressure the federal government.

The national communications and outreach campaign is designed to create a municipal community of interest around this issue and encourage collaboration, information-sharing and collective action.

It will use social media tools to share information among FCM members and develop collective strategies and tactics. FCM new *Know Your Rights* website will allow municipal officials to share practical information and strategies on how best to deal with telecom issues and negotiations and also develop common strategies to engage the federal government.

FCM wants to ensure municipalities across Canada are aware of their rights resulting from the Vancouver decision but it also wants Ottawa to take into account the additional municipal costs stemming from increased competition as it develops its legislative approach to foreign ownership. Specifically, FCM wants the federal government to amend the Telecommunications Act to guarantee fair compensation to municipalities for costs associated with the laying of cables and tearing up of streets.

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