



CITY OF NELSON

Suite 101, 310 Ward Street, Nelson, BC V1L 5S4  
 Phone: (250) 352-5511 Fax: (250) 352-2131 Website: http://www.nelson.ca/

**APPLICATION FOR DARK FIBRE OPTIC SERVICE**

**FOR OFFICE USE:**

**APPLICATION #** \_\_\_\_\_

**DATE OF APPLICATION:** \_\_\_\_\_

**FOR APPLICANT TO COMPLETE:** *This information is collected for the fibre optic cable utility connection construction and management purposes. Contact information is required to notify customers of infrastructure updates and disruptions, where customers would be directly affected.*

<b>Customer</b>	
<b>Name(s):</b> _____	<b>Property Owner:</b> _____
_____	<b>Property Owner:</b> _____
<b>NOTE: "Customer" can be Fibre User, Building Owner or Fibre Sharing Provider</b>	<b>Phone Numbers:</b> _____
<b>Mailing Address:</b> _____	
<b>Fax:</b> _____	<b>Email:</b> _____

**DARK FIBRE OPTIC LOCATION AND SERVICE DETAILS:**

	<b>Agreement Summary</b>	<b>Explanations/Notes</b>	<b>Bylaw References/Relevances</b>
<b>Street Address</b>	Enter the Street Address		
<b>Legal Description</b>	Enter the Legal Description of the Property		
<b>Fibre Optic Panel Location Description</b>	Enter a description of the Fibre Optic Panel Location  – <i>determines install location for construction planning</i>	<i>The City's Fibre Optic Panel must be located in a shared space that is accessible by all building tenants. This is typically a shared communication room, closet or basement.</i>	<i>Optical Fibre Service Bylaw#3270, section 3.7</i>
<b>Number of Fibre Connections/strand</b>	Enter the desired number of fibre connections/strands  – <i>determines rate</i>	<b>Each building</b> has at least one fibre strand and the application for the use of the strand must be approved by the building owner and Nelson Fibre.  <i>A building is assessed by the City of Nelson for the number of fibre connections potentially required for its tenants. An assessment is completed that determines the estimated construction costs to connect Nelson Fibre to the building. Typically, the building owner pays for the construction costs, then recovers the costs from the tenants using the fibre. Estimated construction costs vary depending on the nearest</i>	<i>Optical Fibre Service Bylaw#3270, section 3.5  Fees and Charges Bylaw No. 3092</i>

		<p>proximity to available fibre, but the average is a one-time cost of \$1,500 per building connection.</p> <p>Each fibre "Customer" has a <u>direct</u> relationship with the City of Nelson or a Sharing Provider, for monthly fibre billing. The fibre "Customer" can be the Fibre User, Building Owner or Sharing Provider.</p>	
<b>Type/Speed of Service:</b> 1Gbps or 10Gbps	Enter the type/speed of service desired – <i>determines rate</i>	<p>The speed is determined by the fibre termination modules on networking equipment.</p> <p>Single location businesses typically choose the private commercial rate.</p> <p>For businesses with multiple Nelson locations, additional connections may be required/desired to interconnect and share services.</p> <p>For buildings with multiple units, <u>the sharing model is optional</u>, depending on the interest of sharing tenants and service providers, who may prefer their own fibre strand(s)</p>	Fees and Charges Bylaw No. 3092, 2008  Optical Fibre Service Bylaw#3270, section 3.6
<b>Type of Customer</b>	Identify the fibre customer – <i>determines rate category to apply and who to invoice for fibre</i> <ol style="list-style-type: none"> <li>1. Building owner</li> <li>2. Commercial Business</li> <li>3. Residential</li> <li>4. Non-Profit</li> <li>5. Sharing Provider (Residential or Commercial)</li> <li>6. Public Sector/Govt</li> </ol>	<p>Customer types and number of fibre users of customers is collected by NAEDP, to report to funding partners on # of fibre customers and approximately how many fibre end-users are benefiting from the municipal owned fibre.</p> <p>Fibre success stories are sought out for reporting to funding partners and for marketing purposes.</p>	Fees and Charges Bylaw No. 3092  Optical Fibre Service Bylaw#3270, PART 4 - Payment
<b>Single Detached or Multi-Unit</b>	Identify the building type – <i>determines rate</i>	Determines the rate to apply and the shared billing manager to invoice	Optical Fibre Service Bylaw#3270, section 3.5, 3.6 and 3.10 and Definitions  Optical Fibre Service Bylaw#3270, PART 4 - Payment
<b>Multi-Unit Building – Fibre Sharing</b>	Provide a general overview of the multi-unit building sharing proposal – <i>determines rate, user count and fibre billings manager</i> <ol style="list-style-type: none"> <li>1. Is the fibre intended to be shared?</li> <li>2. Enter the number of</li> </ol>	Determines the rate to apply and if there are potential customers in the building that may want their own private strand(s) instead of sharing. Corporate policies may prevent this sharing arrangement.	Optical Fibre Service Bylaw#3270, Definitions and sections 3.1a, 3.5, 3.6, 3.10

	<p>units wanting to share the fibre</p> <p>3. Enter who will manage the billings for the fibre sharing arrangement, on behalf of users sharing... this is often the building owner or sharing provider.</p>		
<b>Commencement Date of Monthly/Annual Service:</b>	Enter the estimated commencement date – determines start date of monthly or annual billing	<i>The Commencement date is the date that the fibre billing will start. Fibre and Network installations will have already been completed and the fibre will be available for use.</i>	<i>Optical Fibre Service Bylaw#3270, section 3.5 and 4.3</i>
<b>Monthly/Annual Fibre Rates:</b>	<p>\$x Per Month/Year- Per Customer, Per Location</p> <p>- Rate applied</p>	<p><i>Fibre Billings and Payments are completed between the City of Nelson and the fibre customer.</i></p> <p><i>The “customer” is typically the building owner or primary building tenant using the fibre, but could also be a Fibre Sharing Provider sharing the fibre in a Multi-Unit building</i></p> <p><i>Payments can also be made annually, if requested</i></p> <p><i>Businesses that interconnect office locations will pay the fee per office site Location.</i></p>	<p><i>Optical Fibre Service Bylaw#3270, section 3.2</i></p> <p><i>Fees and Charges Bylaw No. 3092, 2008</i></p>
<b><u>Costs Excluded</u> in Fibre Agreement:</b>	<p>X Monthly Internet Service Provider fees;</p> <p>X Any wiring or equipment not directly related to the fibre connection</p> <p>X Any location improvements such as Routers, UPS, Network Switches</p>	<p><i>Customers will incur additional Internet Service Provider fees, on top of the fibre utility fee.</i></p> <p><i>Customers may incur additional networking equipment and wiring costs, if their networking equipment or building wiring needs upgrading - to enable them to take full advantage of the fibre network speeds.</i></p> <p><i>When connecting the fibre to customer networking equipment, ensure that the ports match or exceed the speed of fibre service, which is a minimum of 1Gbps.</i></p> <p><i>In addition, internal customer equipment, such as computers or networking equipment may need to be upgraded to take advantage of improved network speeds. Staying current with computing technologies is recommended.</i></p>	<p><i>Services are not provided by the City of Nelson, only the fibre</i></p> <p><i>Optical Fibre Service Bylaw#3270, PART 3 – Provisioning</i></p> <p><i>Optical Fibre Service Bylaw#3270, PART 6 – Liability</i></p> <p><i>Application – 6.- Liability</i></p>

One-time Installation Costs:				
	Estimated Fibre Provisioning Construction Costs	\$ INSERT COST ESTIMATE	<p><i>Fibre Connection Feasibility and Costs are evaluated prior to finalizing an application for Fibre service. Submit the completed application to the City of Nelson IT department 352-8289 for construction estimates and information on the process for approving fibre applications and fibre construction management.</i></p> <p><i>Either the building or the tenant can pay the construction costs. Construction Loans are available to property owners.</i></p> <p><i>The construction payment sharing arrangement is between the building owner and the tenant(s) and does not involve the Nelson Fibre.</i></p> <p><i>A building tenant requires authorization from the building owner for any building construction. The tenant may apply for fibre service on behalf of the building owner, but the building owner's signature is required on all applications.</i></p>	Optical Fibre Service Bylaw#3270, PART 4
	Administrative Fee	\$250.00	<p><i>The administrative fee covers the City of Nelson staff time to setup the connection for accounting and technical purposes.</i></p>	Optical Fibre Service Bylaw#3270, section section 4.1
	Deposit (due on signing)	(50% * Estimated Construction costs) + \$250	<p><i>The deposit ensures that the customer is committed to proceed with the installation, after which connection parts and contracted labour can be secured. Full payment, rather than a deposit is preferred and accepted, at the applicant's discretion.</i></p>	Optical Fibre Service Bylaw#3270, section section 4.4
	(Balance of actual construction costs due on Commencement Date)			Optical Fibre Service Bylaw#3270, section section 4.4

**PROPOSED FIBRE INSTALLATION OVERVIEW ATTACHED:**

*Provide a description of the proposed fibre installation and usage, including building communication rooms and building electrical service or telecomm entry points.*

## **Application**

1. The Applicant hereby applies to the City for access to and the supply of Dark Fibre optic cable capability. The Applicant acknowledges and agrees that approval of this application by the City will form a contract between the Applicant and the City regarding the Service.
2. The Applicant agrees and acknowledges that all expressions used in this application are as defined in Bylaw No. 3270, 2013.

## **Provision of Service**

3. The City will provide the Service for the Customer's use in accordance with the terms and conditions of Bylaw No. 3270, 2013, as amended, revised, consolidated or replaced from time to time and the terms and conditions of the approved application.

## **Consent to Enter Premises**

4. The Applicant hereby consents to the installation of equipment and fibre optic cables ("Equipment") by the City in order to connect the Premises to the Network, and hereby grants an irrevocable non-exclusive license to the City and its contractors to access the Premises to install and maintain the Equipment. The license described herein will remain irrevocable with respect to the outdoor portion of the Premises and shall, with respect to the indoor portion of the Premises, terminate on the date that the Equipment is removed from the Premises by the City.
5. The Applicant agrees and acknowledges that installation of the Equipment and connecting the Premises to the Network may involve modification of the Premises, and the Applicant releases the City and its contractors from any liability for such modifications.

## **Liability Limitation and Indemnity**

6. The Applicant acknowledges and agrees that the City is providing the Service of Dark Fibre only and that the City is not responsible for any additional services provided by a Network Operator or Internet Service Provider.
7. The Applicant (or Applicant as Customer) hereby indemnifies the City from any damages, losses, liability, charges, fines, costs and expenses of any nature which the City may incur which arise out of or in connection with the Customer's unauthorized use of, or tampering with, the Service or Equipment.
8. Where the Applicant is not the Registered Owner of the Premises, the consent of each Registered Owner is required. Each Registered Owner, by signing the Consent below, agrees to be bound by all the terms and conditions of Bylaw No. 3270, 2013 and the terms and conditions in this Application.

If the applicant is not the registered property owner,

1. **Complete the application**, on behalf of the registered property owner, and **attach a letter of authorization** from the property owner(s)

OR

2. **Ensure that the owner signs the following authorization** on this application

### Registered Property Owner(s) - Authorization

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

If the applicant is the registered property and business owner, complete the following:

By signing below, I, the **applicant**, in his/her personal capacity and in his/her capacity as the authorized representative of the owner, agrees to be bound by the terms and conditions of this application.

Furthermore, I hereby acknowledge that one-time installation fees and monthly Fibre fees are established by Council in the City of Nelson Fees and Charges Bylaw.

### Fibre User / Business Owner(s) - Authorization

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

### The Corporation of the City of Nelson - Authorization

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

All parties understand and agree that an electronic reproduction of this signed document remains as valid as the original.