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**To:** [Shelley Wywal](#)  
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**Subject:** Governance, Priorities & Finance Committee Meeting - August 12 2019 - Bylaw 24/2019  
**Date:** August 5, 2019 1:01:26 AM

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**Notice:** This email originated from outside of the organization.

Shelly could you please ensure this is included in the official documentation for the Aug 12 G,P&F meeting. I'm submitting it more than 5 days in advance to ensure it makes the cut off. thanks.

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I am writing this email as I saw it was advertised in the Gazette that Bylaw 24/2019 was to be discussed at the August 12 Governance, Priorities & Finance Committee Meeting. I will be away on vacation and regrettably will not be able to attend August 12 to present this in person, so I am submitting my comments in writing for the record.

As I read the bylaw essentially it gives the city exclusive monopoly right to provide utility services within the city boundaries and sets out very severe penalties ( \$10,000 a day or 6 months in jail ) for any contraventions.

I respectfully disagree with this bylaw that grants the city a monopoly and prohibits competition.

as noted in the briefing material reading of the Municipal Government Act it states .... Prohibiting other public utilities 33 When a municipality provides a municipal utility service, the council may by bylaw prohibit any person other than the municipality from providing the same or a similar type of utility service in all or part of the municipality. 1994 cM-26.1 s33 . However there is a notable exception .... **Exception 33.1** A bylaw under section 33 shall not prohibit a retailer from providing to customers in all or any part of the municipality the functions or services that retailers are permitted to provide under the Electric Utilities Act or the regulations under that Act. 2003 cE-5.1 s165. As I read the Electric Utilities act electrical power is the exception to being restricted.

The City does not produce power or water, I believe residents want to deal ( for price and service and customer service) directly with the producer, not have the City act as a middle man that will only add a layer of complexity, cost and lack of direct accountability.

Currently residents have many choices to buy electric power or natural gas from ..... there are

approximately 32 competitive price providers <https://ucahelps.alberta.ca>

A monopoly stifles innovation and drives up cost as there is no competitive incentive by the monopoly to lower cost or provide better service and we the consumer have no choice nor ability to go to the competition as none will exist and we are stuck with the predatory pricing of the monopoly. This is why the AT&T monopoly was broken up, this is why the Canadian government is mandating / regulating more competition in the cellular business, this is why the Real-estate brokers exclusive access to the MLS monopoly was opened up. In fact if we look at our own City capital procurement process we want 2 or 3 competitive bids for all our purchases so we can negotiate better prices and better services terms! If the City sees the benefits of competition for what it buys why would they want to create a monopoly that takes that benefit away from residents ability to buy utility services.

With respect to a monopoly stifling competition and innovation .... what if a large multi tenant warehouse wanted to put solar panels on the roof and resell / provide the power to its tenants, what if the same were for a residential condo project, will this solar power now be part of the monopoly ? what about developments in geothermal energy or heat recover systems for large shared commercial building would they be illegal ? what if a home owner has a solar panel on the roof and wants to share the power with a basement suite tenant? what if a church has solar panels and provides power to a private day care operation in the basement, what if a developer put solar panels on all new homes and created a co-op to share the power ? what if a school put solar panels and provided electricity to private groups that rented the gym for private functions, will businesses and schools etc have to stop their private commercial garbage collect and get their garbage collection exclusively from the city , will condo projects no longer be able to contract for their own garbage removal , will my rain barrel private storm water management devise now be illegal ? will it be illegal for businesses to buy bottled drinking water for their coolers, would it be illegal for stores to sell bottled water in competition to the city potable water monopoly.

I have heard no residents complaining about the current cost or service level being provided for water or power by our current providers.

If the City wants to get in to the business of creating a Municipal utility corporation it should be prepared to do it on a competitive fair market basis supported by a detailed financial business case , not hiding behind the old out dated safety net of an artificially created monopoly proposed by this bylaw. As stated at the end of the briefing doc 'there is a risk that our most promising alternative utility service initiative could be adversely impacted by competition" or said more clearly competition could provide better and cheaper services for the residents of St Albert and the only way the city can compete is if it has a monopoly and no competition.

if a monopoly municipal utility company is seen as a way to generate revenue to off set tax increase please be assured that residents of st albert only have only one e-transfer account to pay either taxes and or utility bills.

I hope this bylaw is not supported by Council. The motto for St Albert should be "open for business", a monopoly essentially says "closed against business".

regards  
mike killick

A solid black rectangular box used to redact a handwritten signature.