

NOTICE OF PUBLIC HEARING

RED DEER COUNTY/COUNTY OF PAINTEARTH
(each a “Municipality,” collectively the “Municipal Members”)
IN THE PROVINCE OF ALBERTA

To be held **MAY 16, 2023**
PAINTEARTH COUNTY Alberta

PURSUANT to sections 75.1, 75.5, 230 and 606 of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended and Section 3 of the *Municipally Controlled Corporation Regulation*, A.R. 112/2019, the Council of Paintearth County in the Province of Alberta hereby gives notice of its intention to incorporate and control a corporation pursuant to the *Business Corporations Act*.

THE PURPOSE of proposed Resolution is:

- A.** the Municipal Members each wish to become majority shareholders together with EQUUS REA Ltd. (“**EQUUS**”) as a minority non-municipality shareholder in a municipally controlled corporation delivering digital open-access broadband network services, “**Rural Connect Ltd.**” (also known as the “**Corporation**”);
- B.** The Municipal Members and EQUUS wish to structure the Corporation, by entering into a Unanimous Shareholder Agreement under certain terms and conditions as deemed fit by the Municipal Members and EQUUS to transact for the purpose of delivering broadband services through the Corporation, with these municipalities being shareholders in the Corporation;
- C.** As the Corporation is a limited private corporation, the municipally controlled corporation shall be structured pursuant to the *Business Corporations Act* (“**BCA**”) to act as the operating entity, to operate under the registered trade name “CONNECT” (the “**MCC**”);
- D.** The Municipality wishes to be a shareholder and jointly create and control the MCC under the BCA;
- E.** Pursuant to both the terms of Division 9 of Part 3 of the *Municipal Government Act* (the “**MGA**”) and the *Municipally Controlled Corporation Regulation* (the “**MCCR**”), a municipality may only incorporate and control a corporation incorporated pursuant to the BCA if certain preliminary steps are taken, which include, but is not limited to, holding a public hearing as stated herein;
- F.** The Council of the Municipality wishes to comply with all obligations under the MGA and the MCCR to cause the MCC to be validly constituted.

THE FOLLOWING INFORMATION will be disclosed at the public hearing:

- (1) the services the MCC intends to provide;
- (2) the names of the municipalities who will be the shareholders of the MCC;
- (3) the geographic locations in Alberta in which the MCC intends to provide services;
- (4) the projected rate structure for the cost of service; and
- (5) the market impact analysis of the MCC's provision of services.

TAKE NOTICE THAT Council has elected to hold the public hearing in accordance with the County's procedural bylaw. The following rules shall apply:

- (1) Hearing Deliberations - The public hearing will be structured such that all who choose to participate, shall have the right to hear all discussions and those who have pre-registered, can make oral submissions;
- (2) Making Written Submissions – Written submissions will only be considered at the public hearing if they are emailed to msimpson@countypaintearth.ca before the 12th day of May 2023 at 4:30 pm. Any written submissions emailed or submitted after this date will not be considered;
- (3) Pre-registration for speaking – we would ask that anyone who intends to make oral submissions at the hearing, pre-register to speak by sending an email to msimpson@countypaintearth.ca and be registered to speak, on or before the 12th day of May 2023 at 4:30 pm. Anyone who fails to pre-register prior to this will not be permitted to speak.
- (4) Speaking/procedure at hearing – We ask that:
 - The only attendees who shall be permitted to provide oral submissions or speak at the hearing are:
 - those who have either pre-registered with the Municipality to speak; or
 - if the chair of the hearing has invited people to speak at the hearing.
- (5) Improper Speaking/Disruption of hearing – In the event that someone speaks out of turn or is otherwise disruptive, the chair of the hearing reserves the right to remove that participant from the public hearing.

AND FURTHER TAKE NOTICE THAT the materials to be discussed at the Public Hearing are accessible at the following link: tinyurl.com/bdy35evz Additionally, anyone may instead request that these materials may be mailed, emailed or faxed to them. Please contact County Administration at msimpson@countypaintearth.ca to make this request.

AND FURTHER TAKE NOTICE THAT a copy of the proposed resolution may be inspected at the following link: www.countypaintearth.ca or in person at the Municipal Administration Office

DATED at the County of Paintearth in the Province of Alberta this 13 day of April, 2023.