



EXECUTIVE ORDER

No 09 Of 2023

**EXECUTIVE ORDER ON ESTABLISHMENT OF A
FRAMEWORK FOR BROADBAND DEPLOYMENT RIGHT
OF WAY PROCEDURES, AND ASSOCIATED FEES IN
PLATEAU STATE**

- Whereas It is the policy of the Government of Plateau State to create an enabling environment for business and entrench measures and strategies to ensure ease of doing business in Plateau State.
- Whereas, The Government of Plateau State desires to provide all living in Plateau State, especially rural communities, access to reliable, affordable broadband connectivity.
- Whereas, Broadband connectivity across Plateau State will enhance the ability of the Government of Plateau State to increase economic prosperity, attract new businesses, enhance job growth, extend the reach of affordable, high-quality healthcare, enrich student learning with digital tools, and facilitate access to the digital marketplace.
- Whereas, To achieve the Government objectives of attracting local and foreign investment for the development of broadband and other telecommunication infrastructure across Plateau State, there is a need for certainty and transparency on the Right of Ways Charges.

NOW THEREFORE, I, BARRISTER CALEB MUTFWANG, GOVERNOR OF PLATEAU STATE, BY AUTHORITY VESTED IN ME BY THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA AND THE LAWS OF PLATEAU STATE, INCLUDING BUT NOT LIMITED TO THE LAND USE CHARGE LAW, 2012, WITH THIS ORDER AS FOLLOWS:

1. Streamlined Right-of-Way (ROW)

1.1. Application Process:

- (a)** To obtain RoW approval for broadband deployment, service providers shall submit a single comprehensive application to the Plateau State Geographic and Information Services (PLAGIS)
- (b)** The application shall include:

- Current Company address and Valid Phone Contact
- The subject of your application must clearly state, “Application for Right of Way.”
- Proof of Tax Identification Number (TIN)
- Indicate area of interest for installation
- Certificate of Incorporation of Company with CAC
- Certified True Copy of (CTC) of Articles & Memorandum of Association
- Certified True Copies (CTC) of Form CO7 (List of Company Directors)
- Tax Clearance Certificate or Evidence of Current Tax Clearance Certificates
- Certificates of qualified Technical Staff (where applicable)
- The project proposal includes the list of routes, scope of work, budget, evidence of funding, portfolio of prior fiber deployment, site survey/assessment plan, risk assessment plan, compensation plan, and occupational health and safety plan.
- Evidence of payment

1.2. Technical Review of Approval

- (a) The Plateau State Geographic and Information Services (PLAGIS), in partnership with the Ministry of Lands, Survey & Town Planning, and Jos Metropolitan Development Agency shall establish
A Technical Committee to review applications
- (b) The Technical Committee shall assess the proposed project based on safety, technical feasibility, environmental impact, and alignment with state digital infrastructural goals
- (c) The Plateau State Geographic and Information Services (PLAGIS) shall grant RoW approval within 21 days of a complete application, provided all technical requirements are met.

1.3 RoW permits and Fees.

- (a) Upon approval, the Plateau State Geographic and Information Services (PLAGIS) shall issue a RoW permit to the service provider.
- (b) The permit shall specify the approved route, construction conditions, and timeframe for project completion.
- (c) Service providers shall pay the following non-refundable fees:
 - RoW Permit Fee of NGN145 (One Hundred and Forty-Five Naira) per linear meter
- (d) Fees shall be payable to Plateau State Government TSA Account
Bank: commercial Banks in Nigeria.

2. Predictable and Aggregated Fees

2.1 Aggregate Fee Structure,

- (a) The Government adopts a policy of charging aggregate fees for broadband deployment on a per linear meter basis
- (b) The maximum aggregate fee is set at +NGN145 per linear meter, encompassing all associated costs
- (c) This structure eliminates hidden charges and facilitates financial predictability for service providers.

2.2 Fee Components

- (a) The aggregate fee covers the following:
 - RoW access and usage charges
 - Administrative and processing costs
 - Environmental impact mitigation fees
 - Utility coordination and relocation costs, if applicable.
- (b) Detailed breakdowns of fee components for different categories of infrastructure and deployment zones shall be made available by the PLAGIS

3. Coordination and Monitoring

3.1 Inter-Agency Collaboration

- a) PLAGIS, Ministry of Lands, Survey & Town Planning, and Jos Metropolitan Development Agency shall collaborate to ensure seamless RoW application, review, and approval processes.
- b) The Technical Committee shall meet regularly to address emerging issues and streamline procedures.

3.2 Public Awareness and Transparency

- a) The Government shall embark on a comprehensive public awareness campaign to educate stakeholders on the benefits of broadband, RoW procedures, and applicable fees
- b) Information materials, workshops, and town hall meetings will be organized to facilitate public understanding and engagement.

3.3 Monitoring and Evaluation

- a) PLAGIS, Ministry of Lands, Survey & Town Planning, and Jos Metropolitan Development Agency shall regularly monitor the implementation of this Order and track key performance indicators, including application processing time, project completion rates, and broadband coverage expansion.
- b) Periodic reviews will be conducted to identify areas for improvement and update procedures as needed.

3.3 This Order shall be implemented in a manner consistent with applicable laws of Plateau State.

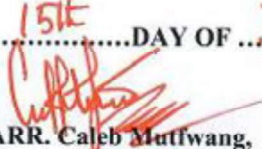
This order is not intended to, and does not, create any right or benefits, substantive or procedural, enforceable at law or in equity by any party against the Government of Plateau State, its departments, agencies or entities, its officers, employees, or agents, or any other person.

This Executive Order shall take effect immediately upon issuance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of Plateau State to be affixed this 15th day of December, in the year of our Lord 2023

This Executive Order shall take effect immediately.

DATED THIS 15th DAY OF December 2023


BARR. Caleb Mutfwang,
Governor of Plateau State