Blackburn Law

August 3, 2016

VIA EMAIL

Ms. Doreen Friis
Regulatory Affairs Officer/Clerk
Nova Scotia Utility and Review Board
1601 Lower Water Street, 3rd Floor
Halifax NS B3J 3S3

Dear Ms. Friis:

Re: M07544 - EfficiencyOne - Incentive Setting Methodology (E-ENS-R-16)

Please accept the following comments from the Small Business Advocate (SBA) relating to CLEAResult's Report (the "Report") and the EfficiencyOne Implementation Plan. The SBA has two concerns with the Report, the first being the lack of a clear methodology, and the second being the lack of consultation with stakeholders.

Methodology

The Report does not provide any methodology or plan as to how Incentive Setting should take place but rather requires EfficiencyOne to create a separate implementation plan. The drawback of that approach is that there is the opportunity for inconsistency between the recommendations from the Report and how those recommendations are to be carried out.

Consultation

Despite the stakeholders being actively involved in the creation of the terms of the Report, and undertaking to review drafts of the Report before it was filed with the Board, none of the key stakeholders were ever contacted by the writers of the Report.

The SBA acknowledges that the Report writers undertook secondary research on the stakeholder perspective. However, the SBA submits that CleaResult would have obtained more accurate and meaningful information had it spoken to the stakeholders themselves. By only reviewing provincial government reports and regulatory records, CleaResult obtained a limited and narrow view of stakeholder's perspective that may not be up to date.

Yours very truly,

Melissa P. MacAdam
for
E. Nelson Blackburn, Q.C.
Small Business Advocate

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