



Nova Scotia Utility and Review Board

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November 29, 2019

jim@bretonlawgroup.com

EfficiencyOne
c/o James R. Gogan
The Breton Law Group
Suite 300, 292 Charlotte Street
Sydney, NS B1P 1C7

Dear Mr. Gogan:

M08888 - EfficiencyOne - Approval for Use of Measure Level Non Energy Benefits (NEB) Application

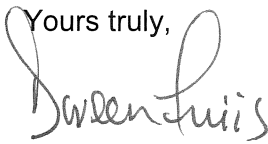
Receipt is acknowledged of your letter dated November 28, 2019, requesting a preliminary determination of the jurisdiction of the Board to take into account Non Energy Benefits in cost effectiveness testing of future DSM plans.

The panel which will consider this matter is Peter W. Gurnham, Q.C., Board Chair, Roberta J. Clarke, Q.C., Member, and Stephen T. McGrath, LL.B., Member. In your letter you request as follows:

Should the NSUARB be agreeable to this request, EfficiencyOne proposes that it, through consultation with key Stakeholders, frame the legal question for determination and provide it to the NSUARB for its consideration. Provided the NSUARB was satisfied with the question, a Hearing Order could follow setting out the relevant timelines for determination of the preliminary matter. EfficiencyOne, and key Stakeholders, believe that this preliminary matter can be adequately addressed through a paper process without the need for an oral hearing.

Finally, and provided the NSUARB is agreeable to the request of the preliminary matter, EfficiencyOne would request that, in the event the NSUARB determines it has jurisdiction to entertain the NEB Application, that EfficiencyOne be provided a sixty (60) day period, following the NSUARB's decision, to allow EfficiencyOne to make a final determination or amend its current NEB application, before reconvening the regulatory process.

The Board agrees that this is an efficient manner to handle the jurisdiction issue and requests that EfficiencyOne proceed as it proposes in your letter.

Yours truly,


Doreen Friis,
Regulatory Affairs Officer/Clerk

c: S. Bruce Outhouse, Q.C., Board Counsel
Gina Thompson, EfficiencyOne
Kate McDonald, EfficiencyOne