



Nova Scotia Utility and Review Board

Mailing address

PO Box 1692, Unit "M"
Halifax, Nova Scotia
B3J 3S3
board@novascotia.ca
<http://nsuarb.novascotia.ca>

Office

3rd Floor, 1601 Lower Water Street
Halifax, Nova Scotia B3J 3P6
1 855 442-4448 (toll-free)
902 424-4448 t
902 424-3919 f

January 25, 2022

Judith.ferguson@nspower.ca

Judith Ferguson
Executive Vice-President Regulatory
Legal, Planning and Government Relations
Nova Scotia Power Inc.
PO Box 910
Halifax, NS B3J 2W5

Dear Ms. Ferguson:

EfficiencyOne - DSM Plan 2023-2025

The Board understands that E1 has been developing its application for the upcoming 2023-2025 DSM Plan filing, which included active engagement with participants in the DSM Advisory Group. The Board also understands that NS Power has been an active participant in those engagement sessions.

Section 79J (3) of the *Public Utilities Act* states:

Where Nova Scotia Power Incorporated and the franchise holder are unable to finalize the required agreement, either or both of them may apply to the Board for a decision with respect to a proposed agreement and, upon considering the application, the Board shall establish a final agreement between the parties on such reasonable terms as the Board considers appropriate.

Section 79L of the *Public Utilities Act* includes the following:

(2) Where Nova Scotia Power Incorporated and a franchise holder have finalized an agreement, either or both of them may apply to the Board for approval of the agreement.

(3) Regardless of which makes the application, both Nova Scotia Power Incorporated and the franchise holder are applicants.

(4) Upon receiving the application, the Board shall, when establishing a process for the review and approval of the application, ensure that an applicant that did not file the application has sufficient time, as the Board may determine, to prepare the information or evidence required by subsection (5).

(5) Each of the applicants shall provide any information or evidence required by the Board for its determination of the application.

The Board wishes to avoid the circumstances experienced during the 2016 DSM proceeding (Matter M06733), where in its Decision the Board strongly expressed its concerns about the needless expense and delays experienced in that proceeding. As such, if there is no joint filing or agreement of the 2023-2025 DSM Plan application, the Board expects NS Power to promptly file sufficiently developed and costed alternative plans for consideration by the Board and Intervenors in the proceeding.

As noted above, the Board understands that considerable discussion regarding E1's proposals has already occurred among the DSM Advisory Group members, which should lead to a more condensed and efficient process than was established in the 2019 timeline. Upon receipt of E1's filing, which the Board understands is anticipated by February 28, 2022, the Board will develop an appropriate timeline for the hearing process.

Yours truly,

A handwritten signature in cursive script that reads "Crystal Henwood".

Crystal Henwood
Regulatory Affairs Officer/Clerk

c. S. Bruce Outhouse, Q.C., Board Counsel
Interested Parties