

December 19, 2024

Ms. Crystal Henwood
Regulatory Affairs Officer/Clerk
Nova Scotia Utility and Review Board
1601 Lower Water Street, 3rd Floor
P.O. Box 1692, Unit "M"
Halifax, NS B3J 3S3

Re: M11647 – EfficiencyOne – Behavioural Program Update – CEM EM&V Ownership and Responsibilities

Dear Ms. Henwood:

On April 8, 2024, EfficiencyOne (EOne) filed its Behavioural Program Update (Update) with the Nova Scotia Utility and Review Board (NSUARB, Board) regarding EOne's collaborative efforts with Nova Scotia Power (NS Power, Company) and stakeholders on energy efficiency programs under its Board approved 2023 – 2025 DSM Plan (M10473). The Update included a written agreement between EOne and NS Power regarding the Company's Customer Energy Management (CEM) platform and Evaluation, Measurement and Verification (EM&V) reporting, provided as Schedule A – "EfficiencyOne/NS Power - Behavioural Program Operating Agreement". EOne's Update also included a Schedule B – "Summary of NSP's Current Responsibilities for EM&V Under M10460", which specified CEM EM&V measurement metrics EOne proposed to take over from NS Power. By letter on May 14, 2024, the Board allowed for comments from parties on EOne's submission.

On July 4, 2024, NS Power provided its comments noting a discrepancy between EOne's letter and the written agreement between EOne and NS Power. NS Power supported the language in the written agreement which established a transition of all CEM EM&V responsibilities to EOne established therein, sharing in the use of its CEM platform, and the reasonable attribution of applicable CEM savings to EOne subject to NSUARB review and direction. NS Power advised that it and EOne had agreed to further discussions with the objective of aligning respective positions in a timely manner and reaching agreement on the ownership of CEM EM&V items.

In its Decision letter of September 11, 2024, the NSUARB provided the following:

In the circumstances, any requests for Board approval of the arrangements

under the agreement are premature until EOne and NS Power are fully aligned. As such, the Board confirms that all existing reporting requirements and responsibilities remain unchanged. Considering the comments filed by the SBA in this proceeding, the Board reiterates in particular its direction to NS Power in Matter M11694 to continue reporting on its initiatives to increase the participation of its commercial customers in the CEM.

Given the potential for cost savings and the outstanding concerns about the duplication of program services and savings, the Board expects that EOne and NS Power will pursue further alignment in the best interests of ratepayers and the Board looks forward to details on a final agreement between the parties in EOne's next update.

NS Power and EOne have been engaged in discussions and have reached an amended agreement.

The details of the amended agreement have been submitted by EOne by letter to the NSUARB today. The letter refers to "Figure 1: CEM Functionality", which outlines the division of CEM functionality and ownership between NS Power and EOne and corresponds with EM&V reporting responsibilities and attribution of associated benefits.

The practical effect of the amended agreement is that NS Power's CEM EM&V reporting responsibilities will remain the same, and EOne will report on the new functionality within its responsibility consistent with its filed submissions. NS Power supports EOne's request for NSUARB approval of the amended agreement as described in EOne's letter to the Board.

Kind regards,

A handwritten signature in black ink, appearing to read 'Mark Peachey', with a stylized, sweeping flourish at the end.

Mark Peachey, LL.B.
Manager, Regulatory System Planning & Innovation