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January 27, 2026

VIA EMAIL

VIA WEB PORTAL

Crystal Henwood, Clerk of the Board
Nova Scotia Energy Board
1601 Lower Water Street, 3rd Floor
P.O. Box 1692, Unit "M"
Halifax, NS B3J 3S3

Dear Ms. Henwood:

Re: M12273 – Board Inquiry into Nova Scotia Power's Cyber Security Incident

These are the comments of the Consumer Advocate in regards to the request for Intervenor status in this matter, that has been made by Danielle Fraser (MacGillivray Law Office Inc.) pursuant to Rule 11 of the Board Regulatory Rules.

Ms. Fraser is described as the Representative Plaintiff in a proposed Class Action proceeding against Nova Scotia Power arising from the cyber security incident which is the subject of the Board Inquiry in M12273.

The Notice of Intervention states that findings of fact in the Board Inquiry will likely be relevant to issues raised in the proposed Class Action.

Under Rule 11, the granting of Intervenor status is a discretionary exercise of the authority of the Board. The Consumer Advocate submits the Board should consider the following factors in exercising that discretion.

1. The proposed Intervenor is requesting Intervenor status for the express purpose of advancing their claims in a related proceeding in the Civil Courts. The purpose of the Board Inquiry is to carry out a full review of the cyber security incident and its aftermath to determine if Nova Scotia Power met its statutory obligations. The objectives of the Proposed Intervenor are clearly different. The question for the Board is whether those

objectives establish an interest that should be recognised by the granting of Intervenor status.

2. The proposed class represented by the Proposed Intervenor is described in paragraph 9 of the Notice of Action which was filed with the Notice of Intervention, as “all customers of Nova Scotia Power whose personal information or electricity billing was affected by the cyber security incident”.
3. The *Energy and Regulatory Boards Act* provides that two statutory public representatives, the Consumer Advocate and the Small Business Advocate will have full Intervenor status during the Board Inquiry in M12273. Their sole purpose will be to further the interests of the customer groups they represent under their statutory mandates.
4. Any customer of Nova Scotia Power who wishes to express a concern regarding the cyber security incident can do so through the Letters of Comment process maintained by the Board. These letters are reviewed by the Board and Board staff and are a part of the record of the Inquiry. There are currently 146 Letters of Comment regarding the cyber security incident posted on the website for this proceeding.
5. If the Board convenes a public hearing concerning the cyber security incident, any member of the public who wishes to do so can appear at the hearing and make submissions directly to the Board about issues relevant to the incident.

Thank you for the opportunity to provide these comments.

Yours truly,

PINK LARKIN



David Roberts,
Consumer Advocate