

NOVA SCOTIA ENERGY BOARD**IN THE MATTER OF:** *The Public Utilities Act***IN THE MATTER OF:** **An Application by EfficiencyOne for approval of a New Benefit-Cost Analysis Test for Evaluating Demand Side Management Plans****RESPONSES TO INFORMATION REQUESTS****To:** East Coast Environmental Law ("ECEL")**From:** Bowman Economic Consulting Inc.
The Industrial Group**Contact Person** Nancy G. Rubin, K.C.
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 Telephone: (902) 420-3200 / Fax (902) 420-1417Issued at Halifax, Nova Scotia, this 21st day of August 2025.**Request IR-1:****Reference:** Refer to Exhibit E-14, "Pre-filed Testimony of Patrick Bowman", dated July 28, 2025 (revised), at page 13, line 16:*"DSM analyzed at the societal level for the purpose of regulator approvals is uncommon in Canada".*

(a) Do other energy regulators in Canada have legislated responsibilities analogous to those imposed by clause 6(2)(d) of Nova Scotia's *Energy and Regulatory Boards Act*, SNS 2024, c 2, which requires the Energy Board to consider sustainable development and sustainable prosperity in its decision-making? For reference, that clause states:

1 **6 (2) In approving or fixing rates, tolls, charges, tariffs,**
2 **capital applications and all other matters over which the**
3 **Energy Board has authority, the Board shall give appropriate**
4 **consideration to the extent to which such rates, tolls, charges,**
5 **tariffs, capital applications or other matters**

6 [...]

7 **(d) support sustainable development and**
8 **sustainable prosperity[.]**

9 [...]

10 **with the goal of approving rates, tolls, charges, tariffs, capital**
11 **applications or other matters that are consistent with the**
12 **purpose of this Act, the More Access to Energy Act and the**
13 **regulations.**

14 **Response:**

15 (a) Mr. Bowman does not have a full survey of Canadian regulators but is aware of
16 some specific circumstances where similar provisions have applied or continue to
17 apply.

18 In Manitoba, the Public Utilities Board was subject to the provisions of the
19 Sustainable Development Act¹, until its repeal in 2018. The provisions of
20 Manitoba's Sustainable Development Act contained broadly similar language to
21 the definitions used in Nova Scotia. Since 2018, it does not appear that any specific
22 provisions have replaced the Sustainable Development Act requirements on the
23 Manitoba PUB.

24 The British Columbia Utilities Commission ("BCUC") must consider the provisions
25 of the Clean Energy Act, s.2, which sets out the provincial energy objectives. This
26 applies to many of the decisions that the BCUC must make in respect of new
27 resources (e.g., section 44.1 of the *Utilities Commission Act (UCA)*), utility
28 spending (UCA s.44.2), major new projects (s. 46 of the UCA), etc.

¹ See Manitoba PUB Order 117/06, page 58.

1 It is also noted that the Regie de L'energie du Quebec has a requirement in section
2 5 of the Loi Sur la Regie de L'energie to consider sustainable development, though
3 Mr. Bowman is not particularly versed in how this is applied by the Regie.