

April 15, 2026

[REDACTED]

MacKay Kincaid-Webster

[REDACTED]

Dear Appellant:

M12527 - Nova Scotia Power Inc. - Appeal by MacKay Kincaid-Webster of a Decision of the Dispute Resolution Officer

The Board received your Notice of Appeal to appeal a decision by the Dispute Resolution Officer (DRO) dated October 25, 2025.

The following documentation was filed with the Board:

- The DRO's file and decision, dated October 21, 2025;
- Your appeal of the DRO decision, dated October 23, 2025;
- NS Power's response to your appeal, dated November 6, 2025;
- Your response to the Board's information requests, dated January 26, 2026; and
- NS Power's response to the Board's information requests, dated January 29, 2026, including the meter test results.

SUMMARY

I understand you are seeking an explanation for the charges in the closing bill dated July 9, 2025, for [REDACTED] after you disconnected the service in May 2025. You believe you were overcharged due to the high consumption recorded, and you are concerned that the cyber incident may have caused an error.

You also questioned the calculation of inadequate monthly payments in your Equal Billing Plan, which resulted in a large final bill.

APPEAL OF THE DRO DECISION

You appealed the DRO's decision, dated October 21, 2025, on the following grounds:

- 1) Your January consumption was doubled compared to the same period last year for a 450 square-foot apartment; and
- 2) You were concerned about the impact of the cyber incident.

The DRO is an independent third party; his role is to address and ideally resolve disputes with NS Power that cannot be resolved through normal customer channels. He is not an employee of NS Power or the Board. Decisions of the DRO are binding on NS Power but not on the customer. Customers may appeal DRO decisions to the Board within 12 days of receipt of the DRO's final written decision.

In his decision, the DRO stated:

In the context of Board approved Regulation 5.3, NS Power has appropriately billed the Customer for service at [REDACTED] (Account # [REDACTED]).

[Exhibit K-2, p. 2]

BACKGROUND & FINDINGS

The following table summarizes some of the key events in the evidence before the Board:

Date	Event
July 7, 2023	You started account # [REDACTED] with NS Power, meter #2375938.
June 2024	You enrolled in the Equal Billing plan with NS Power. Your Equal Billing amount was set at \$81/month.
January 2025	Your Equal Billing amount was adjusted to \$137/month.
March 4, 2025	NS Power did a true meter read (19,118 kWh).
May 30, 2025	You contacted NS Power to disconnect the service.
June 3, 2025	NS Power did the final meter read (20,423 kWh) and charged the \$789.59 outstanding balance to your account.
October 19, 2025	You appealed to the DRO.
October 21, 2025	NS Power responded to your appeal to the DRO. The DRO issued his Decision.
October 25, 2025	You appealed the DRO's Decision to the Board.
January 15, 2026	NS Power removed your meter [REDACTED] for testing.
January 27, 2026	The meter test confirmed that the meter is operating within prescribed accuracy limit.

Your billing arrangements

NS Power's Regulation 5.3 states:

EQUAL BILLING PLAN (Not available to a Customer who is acquiring renewable low-impact electricity from an LRS)

A customer (excluding a Customer who is acquiring renewable low-impact electricity from an LRS) may make application to the Company, at any time during the year, for the Equal Billing Plan which has a twelve-month period. All customers will have a January anniversary date and a July reset date, regardless of their month of entry to the Plan.



An Equal Billing Plan customer shall be billed monthly. The monthly billing amount shall be set twice in a year in January and July based upon the average kilowatt hour usage of the customer at the premises to which the application relates for the preceding 12 month period, and as adjusted for normal weather. If the customer does not have the required 12 month period history at the premises, the Company shall estimate the amount of the monthly bill.

The Company shall read the meter on a monthly or bi-monthly basis and at the end of equal billing periods of electric service ending in December and June, the Company shall render a bill in January and July which shall show the new equal billing payment amount for the next six months and show the amount owing based on the meter readings less the amounts paid.

The new equal billing payment amount set in January is calculated on the preceding 12 month billing period, and includes any credits or debits incurred on the customers' account. The new equal billing payment amount set in July is calculated on the preceding 12 month billing usage but does not include any new credits or debits incurred since January.

Alternatively, if the total of the billing based on the meter readings is greater than the total of the monthly payments, the customer may pay the difference to the Company; or if the total of the monthly payments is greater than the billing based on the readings, the customer may request a refund of the difference...

Below is the summary of your usage, based on the copies of the bills and the Account Usage Info NS Power provided on November 6, 2025, and January 29, 2026.

Bill date	Reading	Usage	Daily usage	Account balance	Note
Jul 7, 2023	8032	306	4.8	\$105.45	
Sep 7, 2023	8610	578	9.3	\$139.51	
Nov 6, 2023	8979	369	6.4	\$103.62	
Jan 5, 2024	10143	1163	18.8	\$240.68	
Mar 6, 2024	11325	1182	19.4	\$258.03	
May 6, 2024	12062	737	12.5	\$176.38	
Jul 5, 2024	13035	973	15.7	\$221.12	Equal bill of \$81
Sep 6, 2024	14209	1174	18.6	\$317.60	Equal bill of \$81
Nov 6, 2024	15090	881	14.4	\$359.62	Equal bill of \$81
Jan 7, 2025	17500	2410	40.2	\$686.35	Equal bill of \$137
Mar 6, 2025	19118	1618	27.0	\$762.00	Equal bill of \$137
Jun 5, 2025	20366	1248*	14.3	\$789.59	Equal bill of \$137

* Estimated to reflect the disconnection date: usage of 1,305 kWh for 91 days (March 4 to June 3 when the meter was read) was prorated for 87 days (March 4 to May 30 when your service was disconnected).

Your usage and the cyber incident

From the summary table above, your usage shown in the first three bills of 2025 was quite high, compared to the 2024 bills for the same months (highlighted in blue). You mentioned in your appeal that you did not change how you used heat or electricity. In your response to the Board's information request IR-1, you stated that that the unit has



baseboard electrical heating, with a portable air conditioning unit and a countertop dishwasher in the unit and the shared washer and dryer on the main level of the building. You confirmed that there were no changes to the unit or its heating/cooling system between 2023 and 2025.

On November 5, 2025, NS Power explained that “a customer’s usage is a function of lifestyle, heating systems, appliances and other equipment used, as well as a range of other factors beyond NS Power’s control (for example, outside temperatures, including extreme temperatures and fluctuating temperatures, faulty wiring, ground faults, or theft of power)”. How you consume electricity on your end of the meter is not the responsibility of NS Power.

Regarding your concern that the recorded usage might be an error caused by the cyber incident, the Board notes that NS Power had explained in previous matters before the Board that the incident only affected NS Power’s capability to communicate with the meters to obtain the meter reads and not the meters’ accuracy. When your meter was read in person after the cyber incident, what was estimated before that would be reconciled. The meter test result on January 27, 2026, showed that the meter is operating within prescribed accuracy limit.

CONCLUSION

Pursuant to the *Public Utilities Act*, the Board is responsible for the general supervision of all public electric utilities operating in Nova Scotia, including NS Power. Among other things, the Board’s jurisdiction includes approving *Regulations* that determine how NS Power is allowed to provide electric service to customers, and the rules they (and customers) must follow. In reviewing matters such as your appeal, the Board’s role is to determine whether NS Power has properly applied the Board’s approved *Regulations* in dealing with its customers.

The Board is conducting a separate investigation into the cybersecurity incident under M12273, which encompasses a broader review of its impact on customers. Accordingly, a final decision in this matter will be deferred pending the outcome of those proceedings. The Board reminds NS Power that no interest shall accrue on any outstanding amounts related to this billing dispute while the matter remains under review.

Yours truly,



Darlene Willcott, LL.B.
Member

c. Kathleen Murray, Regulatory Counsel, NS Power

