

Date: November 22nd, 2025

Tye Laframboise



To: Nova Scotia Energy Board Tribunal

Re: Formal Challenge to Denial of Overhead Electrical Service and Barriers to 200-Amp Upgrade

File No.: M12536 – Tye Laframboise

1. Introduction

Dear Board Members / NS Power,

I am writing to respectfully request a review and reconsideration of Nova Scotia Power's decision and response on November 13, 2025, regarding my request for overhead service at 30 Bareng Court and the available options for upgrading to 200-amp service.

First, I want to acknowledge NS Power's efforts in responding to my inquiry, and I fully appreciate the importance of safety, code compliance, and maintaining consistent service standards. My goal is not to dispute these principles, but rather to better understand whether my property may still be eligible for an overhead service configuration, or whether alternative approaches may be feasible.

2. Reason for Requesting Reconsideration

After reviewing the letter from NS Power, I am seeking clarification and further evaluation for a few reasons:

A. Undue Hardship Associated with Underground-Only Option

The underground upgrade requires excavation across property lines, which creates financial and logistical barriers for homeowners in my neighborhood.

NS Power's interpretation of "customer responsibility" under Section 2.11 of the Regulations and Sections 13.4(7) and (10) of the Utility Service Requirements creates barriers and limits equitable access to modern electrical capacity, unless a homeowner is able to afford the cost of excavation, which I have been informed would cost a minimum of 10,000 dollars. It also seems like an unreasonable cost for individuals in a middle-class, townhome neighborhood to incur, since customers on overhead wired streets and single dwelling homeowners are able to upgrade to 200 amps at a far lower cost.

The hardship associated with underground-only options, in combination with NS Power's interpretation of Section 2.11 of the Regulations and Sections 13.4(7) and (10) of the Utility Service Requirements also seems to be inconsistent with past UARB decisions that have required NS Power to share or assume costs when routing is unreasonable or when service design limitations are caused by NS Power's own infrastructure layout. The underground route serving my property was designed almost 50 years ago and it did not account for modern electrical capacity needs, and I am hoping that the burden of this outdated planning will not fall solely on the customer.

Of note, I was approved for the Homewarming program through Efficiency Nova Scotia, which can only be accessed once in a person's lifetime. I have a 40 year old oil furnace that I cannot afford to replace, but I may have an opportunity to access a centralized heat pump through the program. From an equitable standpoint, I am hoping that I will not miss out on that opportunity because I cannot change my wiring from underground to overhead, or afford the extra cost of upgrading my underground service wires.

B. A Need to Consider Less Intrusive or More Affordable Options

NS Power recommended excavating along the existing service route, which runs beneath mine and my neighbour's driveway and yard. With this option, I would not only incur the cost of excavation but also the cost of repairing mine and neighbour's concrete driveway and front yard. I am hoping that there are less intrusive and/or more affordable options that could be explored, for instance, assessing for overhead wire capability and weatherhead locations, routing options that avoid neighbour property encroachment, cost-sharing arrangement for upgrading underground service etc.

C. A Need for a Site-Specific Engineering Assessment

The letter noted safety risks, and potential challenges with the roof slope, window and weatherhead placements. These concerns are understandable; however, I am wondering if there is evidence to support these claims at this time.

I am not aware of whether a site-specific engineering assessment or CEC clearance measurement were completed. I would greatly appreciate the opportunity for a more detailed review—either by NS Power Engineering or a qualified electrical engineer—so that we can determine with certainty whether an overhead installation could meet all applicable Canadian Electrical Code requirements.

B. A Need for Consultation with the Neighbourhood

Nova Scotia Power indicated that a mixed configuration of overhead and underground service is not an option, but the neighborhood has not been provided the opportunity to move solely to overhead wiring. Instead, multiple homeowners in my neighbourhood have individually been denied access to overhead wiring. It is my hope that NS Power will provide the Bareng Court neighbourhood with the option to switch to overhead wiring, along with information on the process and costs associated with it, so that my neighbours are able to make an informed decision about their electrical services.

3. NSE-RBT Cost-Sharing Precedents

The following regulatory provisions and Board decisions demonstrate that the Nova Scotia Energy and Regulatory Board Tribunal has repeatedly exercised oversight over cost allocation between Nova Scotia Power and customers, and has required NS Power to assume or share costs in appropriate circumstances. These precedents support the principle that cost responsibility for electrical infrastructure is not absolute, and must be assessed in context and with fairness.

4. Approved Regulations Establishing Cost-Sharing Principles

A. Regulation 2.6 – Overhead Line and Service Extensions

Board-approved Regulation 2.6 provides a free-distance allowance for customers, under which NS Power must install up to 92 metres of line/service extension at no charge and that costs incur when distances exceed this threshold.

This provision outlines that the Board requires NS Power to cover part of infrastructure costs.

B. Regulation 2.11 – Underground Electric Services

Regulation 2.11 outlines that when an existing underground system is replaced or reconfigured, NS Power is responsible for the “best (generally lowest cost) supply option”. Customers are only

responsible for paying the difference if they want to continue with underground service, when overhead is recommended.

This establishes a principle that NS Power is responsible for absorbing the least-cost supply options, when there is a need for it to be replaced, and that the financial burden does not solely fall on the customer. Based on modern day electrical needs and to reduce oil consumption, I am hoping that this will be taken into consideration on the need for my electrical system to be replaced/upgraded.

5. Decisions Addressing Fairness in Cost Allocation

A. Matter M08935 – 2019 NSUARB 22 (Regulation 2.6 Amendments)

In this decision, the Board considered NS Power's proposed amendments to Regulation 2.6 relating to line extension costs. The Board declined to approve the amendments, emphasizing its responsibility to ensure the fair allocation of infrastructure costs between NS Power and its customers.

This decision confirms that cost allocation practices are subject to Board review and must not place unfair burdens on individual customers.

B. Matter M09420 – 2020 NSUARB 44 (Port Hawkesbury Paper Demand Response Tariff)

In this decision, the Board reviewed NS Power's proposed Demand Response Tariff for Port Hawkesbury Paper. The Board approved the tariff with conditions that ensured added value and less variable costs for customers.

This decision reinforces that tariff and cost allocation structures must not place disproportionate or unjustified burdens on individual customers.

6. Application to the Present Case

Taken together, these regulations and decisions reflect a consistent principle that NS Power is not automatically entitled to assign all infrastructure-related costs to an individual homeowner.

Where system layout, shared property configurations, or neighbourhood design constraints create unique barriers or inequitable burdens, the Board has a precedent to require NS Power to either assume or share costs, and to reassess routing options to ensure fairness and consistency.

In this present case, as the owner of a centre-unit townhouse, I am facing disproportionate expenses because I have been denied access to overhead services and the existing underground routing crosses neighbouring properties, which contributes to higher costs associated with upgrading my electrical panel in order to replace my oil heating system. I believe the above precedents and principles support a request for a fair allocation of costs and a comprehensive review of feasible service options.

7. In Summary: Request for Guidance or Re-evaluation

To support a constructive path forward, I kindly request:

1. A consideration of whether the cost allocation for upgrading underground wiring is equitable and fair
2. A review of whether overhead services could be installed in the neighbourhood of Bareng Court, and clarification on whether homeowners could collectively decide to switch their electrical services
3. Clarification on whether a site-specific engineering evaluation was completed, or whether one can be arranged.
4. Guidance on the most practical, reasonable and financially conscious options available for upgrading to 200A service, whether overhead or underground

I am fully committed to working collaboratively with NS Power and the Board. My only goal is to determine the safest and most feasible way to modernize my home's electrical service.

Respectfully,

Tye Laframboise