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December 12, 2025

Ms. Crystal Henwood
Regulatory Affairs Officer/Clerk of the Board
Nova Scotia Energy Board
3rd Floor, 1601 Lower Water Street
Halifax, NS B3J 3P6

Dear Ms. Henwood:

Re: Matter M12551 – Nova Scotia Power Inc. ("NS Power") 2026 Annually Adjusted Rates (AAR) – Request for Interim Approval of 2026 Extra Large Industrial Active Demand Control ("ELIADC") Tariff

On March 31, 2025, NS Power applied to the Nova Scotia Energy Board (the "Board") for approval of a Third Term of the ELIADC Tariff (Matter M12184). On September 22, 2025, the Nova Scotia Energy Board (the "Board") issued its decision with respect to the Application, stating as follows at page 5:

> "The Board grants approval to continue the ELIADC tariff during 2026, but with amendments as noted in the following directives:
>
> - The $4/MWh minimum payment is to be increased to $5/MWh;
> - The fixed costs currently included in the CBL Energy Charge are to be removed and incorporated in the CBL Adder and descriptions of those terms are to be amended;
> - FAM quarterly reports are to include monthly deviations between the ELIADC Energy Charge revenues and actual costs ($/MWh and in total dollars), as well as any monthly top up payments made by PHP;
> - Annual reporting is to include more detailed quantification of actual load shifting benefits (and costs), an identification and discussion of the types of deviations that provide the most benefits and why, ways to improve the tariff or tariff administration, and a comparison of current year outcomes to prior years to help to evaluate ELIADC performance over time."

On October 31, 2025, NS Power filed its Compliance Filing, and the Revised Compliance Filing was approved by the Board on December 10, 2025. At page 3 of 8, the approved Tariff stated as follows with respect to the ELIADC Energy Charge:

> "Information on the CBL Energy Charge and VCC for 2026 will be provided to the Board by November 7, 2025."

On November 7, 2025, NS Power filed for approval of its 2026 AARs, including the ELIADC Energy Charge. Section 8.2 of the Application provided as follows:

8.2 ELIADC Energy Charge Calculation

The ELIADC Energy Charge is composed of the CBL Energy Charge (i.e. CBL Cost net of FCR which is transferred to the CBLA, as described in Section 8.1), CBLA, and VCC.

Figure 15 presents the calculation of the 2026 ELIADC Energy Charge of $75.87/MWh. The proposed ELIADC Tariff is provided in **Appendix G1**. A redline version is provided in **Appendix H**. For clarity, both the proposed ELIADC Tariff (**Appendix G1**) and the redline ELIADC Tariff (**Appendix H**) include the amendments to the ELIADC Tariff as provided in the Company's October 31, 2025 Compliance Filing under M12184.

Figure 15: ELIADC Energy Charge

Energy Charge by Component	**2026 ($/MWh)**
CBL Energy Charge	69.85
CBLA	5.00
Variable Capital Cost	1.02
Total	**$75.87**

PHP has now had the opportunity to review the Application and filed no Information Requests. PHP supports the proposed 2026 ELIADC Energy Charge of $75.87/MWh as filed and does not intend to make further submissions in this matter.

Section 69(1) of the *Public Utilities Act* states (emphasis added):

> "When a public utility has submitted for the approval of the Board a schedule of rates, tolls and charges, or a proposed change in any existing schedule of rates, tolls and charges, which, **in the opinion of the Board, either constitutes a reduction in the existing schedule of rates, tolls and charges at the time being paid by the majority of the customers of such public utility affected by such change in the class of service to which such proposed change applies** or which applies only in respect of a service for which no rates, tolls or charges have been previously approved, **the Board may at any time before finally approving or disapproving of such schedule or change, grant an interim approval thereof, with or without modification**, and thereafter the existing schedule of rates, tolls and charges of such public utility as amended by such schedule of charges, interim approval of which with or without modification, as the case may be, has been so granted by the Board, shall be the only lawful rates,

tolls and charges of such public utility until the Board shall express its final approval or disapproval thereof, with or without modification or amendment."

Section 69(3) of the *Public Utilities Act* further states that: "Notwithstanding any other provisions of this Act, the interim approval referred to in this Section may be given ex parte and without public hearing or notice."

Since the proposed 2026 ELIADC Energy Charge of $75.87/MWh as filed constitutes a reduction in the existing schedule of rates, tolls and charges being paid by PHP, the only customer on the rate, PHP requests that the Board grant interim approval of the proposed 2026 ELIADC Energy Charge effective January 1, 2026, until the Board expresses its final decision in this matter. An interim approval will ensure that the amendments to the ELIADC Tariff that were approved for 2026 are incorporated effective January 1, 2026. This includes the increase in the minimum payment and the incorporation of fixed costs in the CBL Adder.

Interim approval would also be similar to the process followed in Matter M11989, where PHP submitted a letter on January 22, 2025 requesting that the Board grant interim approval to the ELIADC Tariff to be effective January 1, 2025, until the Board rendered its final Decision and Order. The Board found PHP's request reasonable, but noted that where neither the request was made, nor Board approval granted before the proposed effective date, the Board ordered that NS Power's 2025 ELIADC Tariff be approved on an interim basis effective February 1, 2025. The Board also noted that the interim 2025 ELIADC Tariff may be amended, in whole or in part, by the Board in its final 2025 AAR Decision and Order.

PHP has advised NS Power of its intent to apply for this interim approval. Similar to its position in Matter M11989, NS Power has indicated to PHP it does not oppose the Board granting interim approval of the 2026 ELIADC Energy Charge effective January 1, 2026 if the Board deems appropriate.

Accordingly, PHP submits this request for interim approval in this Matter prior to January 1, 2026 to allow for the interim approval to be effective as of that date. Consistent with past practice, the interim approval may be amended, in whole or in part, by the Board in its final 2026 AAR Decision and Order.

Yours truly,

James MacDuff

cc: M12551 Participants