Nova Scotia Energy Board

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April 1, 2026

[redacted]

Ralph Doncaster
[redacted]

Dear Mr. Doncaster:

M12554 – Nova Scotia Power Inc. – Appeal by Ralph Doncaster of a Decision by the Dispute Resolution Officer

The Board received your Notice of Appeal to appeal a decision by the NS Power Dispute Resolution Officer (DRO) dated November 4, 2025, regarding your final power invoice.

The following documentation was filed with the Board:

- The DRO's file and decision dated November 4, 2025;
- Your appeal of the DRO decision dated November 4, 2025;
- NS Power's response to your appeal, dated November 27, 2025;
- Your response to NS Power's response, dated December 10, 2025;
- Your response to Board staff Information Requests (IRs) dated January 2, 2026;
- NS Power's response to Board staff IRs, dated January 2, 2026.

SUMMARY

You and your wife purchased a rental property located at [redacted], Nova Scotia, in 2017. You have never resided at the rental property. The electricity service account for the property was held in your wife's name, and electricity costs were included in the rent charged to tenants. On October 27, 2022, electricity generated at your principal residence was applied as a credit to the rental property's electricity account to offset power costs.

You terminated the NS Power account for the rental property effective May 9, 2025, at which time responsibility for electricity service transferred to the tenant. The final invoice issued for the rental property was based on an estimated meter reading as of May 9, 2025. You dispute the reasonableness of that estimate and submit that it resulted in an overcharge. You argue that NS Power did not comply with *Regulation 5.1*, as it did not demonstrate that it was unable to obtain an actual meter reading due to circumstances beyond its control. You further submit that NS Power should have either dispatched a meter reader or retrieved retained data from the smart meter.

You filed a complaint with the Dispute Resolution Officer (DRO). After reviewing the record, the DRO issued a final written decision on November 4, 2025, stating:

> N.S.Power estimated usage of 3567 Kwh billed to the Customer, after adjustments, as the basis for the Customer's 9 May 2025 closing bill, is reasonable based on circumstances and available data, and an 30% arbitrary/preferential reduction, as proposed by the Customer, would violate section 67 (1) of the Public Utilities Act.

You filed a complaint with the Board the same day.

The following table summarizes the key events in the evidence before the Board.

Date	Event
February 2017	You and your wife purchased the property as a rental property.
October 28, 2019	Smart meter installed at rental property.
October 27, 2022	Power generated at the property you reside at is applied to the rental property power invoices to offset the costs.
April 17, 2024	Solar power meter installed at the rental property.
March/April 2025	NS Power cyber security incident. NS Power is unable to transmit data remotely via the smart meter network.
April 24, 2025	Last meter read data transmitted to NS Power's system.
May 9, 2025	Your NS Power account for the rental property was closed.
May 26, 2025	Your final power invoice is issued for the rental property (March 18, 2025, through May 9, 2025). May 2024 usage of 86.3 kWh/day was used as the estimate for the final invoice.
September 17, 2025	NS Power obtains a true meter read from the rental property.
October 21, 2025	You requested a revised bill and filed an official complaint with the DRO.
November 3, 2025	NS Power recalculated your estimated power consumption for the final invoice using 68.6 kWh (based on actual meter reads March 18, 2025, and September 17, 2025). This resulted in a credit of 920 kWh, equivalent to $179.29 which was applied to your account.
November 4, 2025	The DRO issued the final written decision finding that you were appropriately invoiced by NS Power. You appealed the DRO's decision to the Board.
November 21, 2025	NS Power added a section to the company website stating the option for customers to submit a photo of their meter reading for invoicing purposes.

In response to IR-6, NS Power provided the historical invoices for the rental property. In response to IR-5(a), NS Power confirmed that all invoices were based on actual meter readings, except for those dated March 30, 2020, and May 9, 2025, which were estimates.

In response to IR-1(c), NS Power provided historical invoice data for March through May, including periods of power generation in 2024 and 2025. After removing the effects of power generation, the historical March–May electricity consumption for the rental property is summarized in the table below.

Historical March through May Consumption

Year	Days	kWh	Consumption (kWh/day)
2017	58	4351	75.0
2018	63	5110	81.1
2019	63	3645	57.9
2020	52	4013	77.2
2021	58	5024	86.6
2022	59	5864	99.4
2023	59	4529	76.8
2024	64	5523	86.3

As a result of the cybersecurity incident, the May 9, 2025, final invoice was issued on an estimated basis using prior-year consumption data. Specifically, electricity consumption from March through May 2024 totaled 86.3 kWh, and this figure was used to calculate the May 9, 2025, invoice.

You filed a complaint with the DRO on October 21, 2025. Following a review of your account, NS Power recalculated the final invoice on November 3, 2025, using an actual meter reading dated September 17, 2025. The recalculation was based on electricity consumption of 68.6 kWh for the period from March 18, 2025, to September 17, 2025, resulting in a credit of 920 kWh, equivalent to $179.29, which was applied to your account.

You subsequently advised the DRO by email that you did not accept the estimated billing, asserting that the consumption pattern of the new occupant was likely higher than that of the previous tenant. You indicated that you would accept a 30% reduction to the estimate.

In response to IR-3(b), NS Power stated that the last date the smart meter successfully transmitted a reading was April 24, 2025. Based on this reading, usage for the period from March 18, 2025, to April 24, 2025, would have been 65.8 kWh. When asked whether historical meter readings could be retrieved from the smart meter, NS Power explained that while the meter has short-term storage for historical load data, the data for the period in question had been overwritten and could not be retrieved.

In response to IR-2, NS Power confirmed that, as of November 21, 2025, it implemented an option allowing customers to submit a photograph of their meter reading for the purpose of calculating consumption. NS Power acknowledged that you were not advised to submit a photograph when the account was closed, explaining that at the time it was managing operational challenges and establishing alternative meter-reading procedures. NS Power also noted that meter readings for disconnected accounts are normally prioritized; however, following the cybersecurity incident, resources were limited to manage the significant volume of manual meter readings required.

NS Power confirmed they could not obtain stored meter data for the time in question. Therefore, the final invoice required an estimate based on the best available data.

CONCLUSION

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 is to 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, NS Power Regulatory Counsel