

David T. MacLeod



Email: dt_macleod@glenalpine.ca

May 12, 2026

Nova Scotia Energy Board
Attention: Clerk of the Board
1601 Lower Water Street
Halifax, NS

Re: Matter No. M12600 – Request for Pre-Approval of Intervenor Costs

Ms. Henwood,

I write as an intervenor in Matter No. M12600 to request pre-approval of my participation costs in accordance with the Costs Rules made under sections 20 and 34 of the Energy and Regulatory Boards Act, S.N.S. 2024, c. 2, Sch. A, N.S. Reg. 260/2025.

Status and role in the proceeding

By email dated March 27, 2026, the Board approved me as a formal intervenor in this matter on the basis that I appear to offer a somewhat unique perspective. I participate in my personal capacity, without institutional or commercial backing. I am not the applicant, a utility, or a regulated party, and I do not represent any for-profit interest.

Public interest perspective and alignment with the non-profit intervenor framework

My intervention is focused on a specific public interest that is not otherwise represented. I speak for Nova Scotians who hold or have held security clearances and whose personal information may have been exposed by the cyber breach at issue. My professional background as a former intelligence analyst allows me to explain, using open sources, how the exposure of such data can increase the risk of targeting, coercion, and exploitation by foreign states and state-sponsored criminal actors.

This security-oriented perspective bears directly on the health, safety, and economic well-being of a distinct population, and on public confidence in regulated services that must manage sensitive personal information responsibly. It also has implications for systems that support the defence of Canada. No other party appears to represent this group or to bring this perspective before the Board.

Although I am an individual rather than a formal non-profit organization, my role is substantively aligned with the non-profit intervenor model contemplated in sections 7 to 15 of the Costs Rules. I advance a specific public interest, not a private commercial interest, and I aim to assist the Board's understanding of the broader consequences of the breach.

Limited financial resources and burden of proof

I am a disabled veteran living on a fixed income, without any institutional or organizational support for my participation. I do not have access to a budget that can absorb several hundred dollars in travel, accommodation, meals, parking, courier, and related disbursements in addition to my regular living expenses. Because I reside approximately 217 kilometres from Halifax, any in-person participation requires significant out-of-pocket costs for transportation and multiple nights of accommodation. My disability also means that, to participate safely and effectively, I must build in additional nights of rest in Halifax to manage fatigue associated with travel and a full hearing day.

Unlike larger entities or organizations, I have no ability to spread these costs across a membership, recover them through rates, or offset them against other revenue streams. I have no prospect of cost-sharing or institutional reimbursement. Without meaningful cost recognition by the Board, my participation would require me to divert resources from basic needs in a way that is not sustainable or reasonable.

Under section 6 of the Costs Rules, the burden of establishing eligibility for a cost award rests with the party requesting costs. Through this letter, I seek to provide the information the Board requires to consider pre-approving an award of costs that is proportionate, focused on necessary disbursements, and subject to review at the close of the proceeding. In doing so, I aim to demonstrate that I meet the criteria in section 9(b)(i) as a participant with limited financial resources, and that the modest pre-approved disbursements I request are both reasonable and necessary for my effective participation in the public interest.

Proposed scope of participation

If the Board grants pre-approval of costs, my participation in Matter No. M12600 will include:

- a. Attending at the Board's offices in Halifax to participate in the hearing presently scheduled for Monday, July 27.
- b. Preparing and filing written evidence and information requests, confined to the issues that fall within my experience and that are directly relevant to the interests of security-cleared individuals and the public interest in secure and trustworthy regulated services.
- c. Making focused oral and written submissions designed to avoid duplication of other parties' evidence and argument and to assist the Board in understanding the implications of the breach for the affected community and for the public interest more broadly.

I intend to participate responsibly and efficiently, in a way that supports the timely conduct of the proceeding and that respects the Board's directions, consistent with the considerations in section 10(1)(d) and section 16 of the Costs Rules.

Relation to the proceeding and contribution to the record

My evidence and submissions will be grounded in open-source information and in my professional experience in assessing security risks and state and non-state actor behaviour. Within that frame, I expect to address:

- a. The specific vulnerabilities that arise when the personal data of individuals with security clearances is compromised, including the potential for blackmail, insider recruitment, or other forms of leveraged access.

- b. The impacts of those vulnerabilities on the health, welfare, and family life of affected individuals, including stress, uncertainty, and reputational concerns.
- c. The potential economic and systemic effects for Nova Scotia, including implications for recruitment and retention in sensitive roles, and for the stability of sectors that depend on a reliable security-cleared workforce.
- d. The ways in which the breach may indirectly affect Canada's defence posture and allied relationships, insofar as it undermines confidence in the management of sensitive personal information and the resilience of supporting systems.

These issues relate to the Board's concern for the public interest and for the integrity and reliability of regulated services. They bear directly on a group with a direct local interest in the proceeding, in the sense described in section 9(a)(iii) of the Costs Rules, and they reflect a public interest or policy perspective not otherwise anticipated in the proceeding, as referenced in section 10(1)(a).

Anticipated costs and request for pre-approval

I seek pre-approval only for out-of-pocket disbursements that are actually and reasonably incurred, supported by receipts, and necessarily related to my participation. At this stage, my anticipated costs fall into the following categories:

Travel

I reside near [REDACTED] Nova Scotia. The one-way distance from my home at [REDACTED], NS to the Board's offices at 1601 Lower Water Street, Halifax, NS is approximately 217 kilometres.

Based on the current schedule, I anticipate one round trip:

- A return trip for the hearing [REDACTED] to Halifax in advance of the hearing on July 27 and Halifax to [REDACTED] following the conclusion of that hearing.
- In total, this amounts to approximately 434 kilometres of travel (two one-way trips of 217 kilometres). I propose that mileage be reimbursed at the current federal mileage rate of \$0.73 per kilometre, which would yield an estimated travel cost of approximately \$316.82, subject to any adjustment required by the Board and to the actual distance travelled.

Accommodation

To attend the Board's offices and be ready to participate in person, it will be necessary to stay in Halifax. Considering my disability and the fatigue associated with travel and a full hearing day, I must add additional nights of rest at either end of the trip. At this time, I anticipate:

- Accommodation for the nights of July 26, 27, and 28, and, if the hearing schedule requires, possibly the night of July 29, in connection with the hearing. The inclusion of the night of July 26 and July 29 is specifically to manage fatigue related to my disability and to allow me to arrive in Halifax and be rested before the hearing.
- On a precautionary basis, this could involve four nights of accommodation. I propose a reasonable rate of approximately \$480 per night, inclusive of taxes and fees, for a modest business-class hotel within convenient distance of the hearing venue. On that basis, the maximum accommodation cost would be approximately \$1,920, subject to the Board's direction and to the actual number of nights required.
- In connection with my stay in Halifax, I will incur hotel parking costs for my vehicle. Based on the anticipated hotel rate, I expect parking charges of approximately \$35 per night. Four nights of accommodation would result in total

parking costs of approximately \$140, subject to the Board's direction and to the actual number of nights required.

Meals

To establish cost, I used the federal daily meal allowance. Daily meal costs: \$119.40 CAD (\$29.05 breakfast, \$29.60 lunch, \$60.75 dinner) plus a \$17.50 incidental allowance. On a precautionary basis, this could involve four days of meals. On that basis the daily meal allowance would be approximately \$477.60.

Printing & copying

To comply with the Board's filing requirements and to ensure I have working copies of key materials for the hearing, I will need to print and copy documents related to my written evidence, information requests, and submissions. I expect these costs to be modest, and I propose a cap of up to \$500 for printing and copying, to be claimed only to the extent actually incurred and supported by receipts.

Courier

I will need to courier hard-copy materials to comply with its filing requirements and ensure timely receipt. Based on current estimates, I anticipate courier costs of approximately \$200.00 for the preparation and delivery of my documents.

I am not requesting any advance of funds. Instead, I ask the Board to pre-approve the categories and approximate limits described above, with the understanding that I will submit a complete and detailed costs claim at the conclusion of the proceeding, consistent with sections 12 and 13 of the Costs Rules.

Fit with sections 7 to 15 of the Costs Rules

Although I appear as an individual, my situation and participation align with the considerations the Board applies to non-profit intervenors under sections 7 to 15:

- a. I represent a specific public interest and policy perspective that would not otherwise be advanced, within the meaning of sections 9(a)(ii) and 10(1)(a).
- b. I represent a group of individuals with a direct local interest in the proceeding, within the meaning of section 9(a)(iii).
- c. I have limited financial resources and no institutional funding, consistent with section 9(b)(i).
- d. I intend to participate in a focused and responsible manner, to avoid duplication, and to contribute positively to the Board's understanding of the issues, as contemplated in sections 9(b)(ii) and (iii) and section 10(1)(d).
- e. I seek only those costs that are reasonable and necessarily related to my participation, which is consistent with section 7.

For these reasons, I submit that treating my request in a manner analogous to a non-profit intervenor's cost request is consistent with both the wording and the underlying policy of the Costs Rules, even if the Board ultimately relies on its general authority under sections 4 to 6.

Summary of request

Considering the foregoing, I respectfully request that the Board:

- Confirm, in principle, that it is prepared to consider an award of costs in my favour in respect of Matter No. M12600, subject to a final assessment of reasonableness and necessity at the conclusion of the proceeding.

- Pre-approve, on that basis, reimbursement of my reasonable and documented travel, accommodation, printing, and administrative disbursements as outlined above.
- Provide any further directions it considers appropriate with respect to the form, content, and timing of my detailed costs submission following the Board's final order in this matter.

I appreciate the Board's consideration of this request and remain committed to assisting the Board by providing a focused, evidence-based contribution within my area of expertise.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David T. MacLeod', with a stylized flourish extending from the end.

David T. MacLeod
Intervenor, Matter No. M12600