2025 **M12619**

NOVA SCOTIA ENERGY BOARD

IN THE MATTER OF: **The Public Utilities Act**

IN THE MATTER OF: **An Application by Nova Scotia Power Incorporated (NS Power) for approval of approximately $284.0 million of its Annual Capital Expenditure (ACE) Plan for 2026 which totals $702.1 million**

INFORMATION REQUESTS

To:	John D. Wilson, Consumer Advocate (CA)
From:	The Industrial Group
Responses Due:	March 30, 2026
Contact Person	Nancy G. Rubin, K.C. Brianne Rudderham Stewart McKelvey Suite 600-1741 Lower Water Street P.O. Box 997 Halifax NS B3J 2X2 Telephone: (902) 420-3200 / Fax (902) 420-1417

Issued at Halifax, Nova Scotia, this 16th day of March 2026.

Request IR-1:

Reference: Exhibit N-10, 2025 Q4 Capital Report

Please advise whether any information contained in the filed 2025 Q4 Capital Report alters or affects Mr. Wilson's opinions as previously expressed in this proceeding.

If so, please:

(a) Identify the specific information in the Q4 Capital Report that gives rise to the change and discuss how it affects Mr. Wilson's opinions; and

(b) Any additional comments, concerns, or conclusions Mr. Wilson has in relation to NSPI's final reporting for 2025 capital spending.

Request IR-2:

Reference: Exhibit N-9, Evidence of John D. Wilson, page 11-12

Preamble: Mr. Wilson observes that NSPI frequently applies a 15% contingency amount to transmission line and transformer project budgets where no risk matrix is prepared and infers that this reflects a *de facto* company policy. He recommends that the Board direct NSPI to cap the contingency amount for projects at 10% where no risk matrix is filed.

(a) Please explain, to the extent possible, the impact that adopting a 10% contingency cap would have on the amount sought by NSPI for approval of its 2026 ACE Plan.

(b) Does Mr. Wilson believe that the 10% contingency cap should only apply to transmission projects with no risk matrix filed? Please elaborate.

(c) Based on Mr. Wilson's experience, do other jurisdictions impose caps on contingency amounts for transmission projects (or other types of capital projects)? If so, please identify the jurisdiction, the applicable cap, and whether the cap applies generally or only in the absence of a risk matrix.

Request IR-3:

Reference: Exhibit N-9, Evidence of John D. Wilson, pages 21 – 24.

Preamble: Mr. Wilson reviewed NSPI's proposed "scope change", finding that significant ambiguity remains, and expressing concern that the proposed definition could shift oversight from proactive approval to retrospective ATO review. Mr. Wilson proposes a two-step process whereby NSPI would be required to file a threshold-triggered letter to the Board, with the two-step process described below:

> ***First, upon identifying a change to deliverables, boundaries, and/or detailed tasks that NS Power believes*** *may* ***result in a budget increase above a Board-specified threshold (e.g., double any applicable ATO threshold), NS Power should file a brief letter in the proceeding in which the project was approved (which may be reopened if necessary) with the following information:***
>
> ***1. The identified change to deliverables, boundaries, and/or detailed tasks.***
>
> ***2. NS Power's current estimate of the potential budget increase relative to the previously-approved budget, which may be expressed in percentage terms as an order of magnitude without detailed support.***

3. Whether or not NS Power has identified any new alternatives to the proposed project as a result of the information which led to the identified change; and, if so, a brief description of the alternative and a general statement as to the reason the alternative was not selected.

4. Whether or not NS Power intends to file a revised capital project application or ATO application prior to proceeding with project construction or implementation (as applicable).

Second, the Board, on its own or in response to any regulatory intervenor, may respond to the letter by identifying a reason that NS Power should more formally evaluate some other alternative. The evaluation would then be included in a revised capital project application or ATO application as directed.

(a) Please provide Mr. Wilson’s proposed language to be included within the revised CEJC, for the definition of “scope change” and the two-step process (ideally, redlined to the current CEJC).

(b) In Mr. Wilson's proposed two-step process:

(i) Does Mr. Wilson specifically recommend a threshold of double any applicable ATO threshold? If so, please discuss the rationale for the suggested trigger threshold, including how it is intended to interact with existing ATO thresholds and CEJC provisions. If not, what factors should the Board consider in setting a trigger threshold?

(ii) In stating it “may” result in a budget increase, what degree of certainty is required to trigger the report? e.g. some risk beyond minimal; 50/50 chance, more likely than not, etc.

(iii) Are there circumstances in the absence of the risk of a budget increase which would or should trigger a scope change report? Please explain.

(c) Please confirm whether Mr. Wilson’s proposed two-step notification process is intended to apply uniformly to all capital projects, regardless of project type.