

January 5, 2026

PARTIALLY CONFIDENTIAL

Lisa Wallace
Chief Clerk of the Board
Nova Scotia Energy Board
1601 Lower Water Street, 3rd Floor
Halifax, NS B3J 3S3

Re: M12633 – DRO Appeal – Charles Howatt

Dear Ms. Wallace:

In the Nova Scotia Energy Board's (Board, NSEB) letter dated December 17, 2025, the Board directed as follows:

By copy of this letter, the Board directs Nova Scotia Power Inc. (NS Power, the Company) to file a response with the Board to the enclosed appeal on or before **2:00 PM on Monday, January 5, 2026**. NS Power must also provide a copy of their response to the appellant, Mr. Charles Howatt.

Mr. Howatt is appealing a decision by the Dispute Resolution Officer (DRO) dated December 16, 2025. The complete DRO file as provided by the DRO pertaining to this decision is included as **Confidential Attachment 1**. Attached as **Confidential Attachment 2** are the relevant customer account and communication notes from NS Power's CIS database.

Please accept the following summary of activities and communications pertaining to the December 16, 2025 DRO decision being appealed by Mr. Howatt:

- January 4, 2024 – Mr. Howatt contacted NS Power regarding his bankruptcy declared on August 8, 2023, and advised that [REDACTED] would assume responsibility for his account, as he was not permitted to maintain service in his name. NS Power noted that no bankruptcy documentation had been received and instructed Mr. Howatt to have his trustee, [REDACTED] submit them. NS Power confirmed that the account had been disconnected

effective November 21, 2023, and that a closing bill had been generated. This is referenced on page 1 of 4 in **Confidential Attachment 2**.¹

- February 13, 2024 – NS Power called the customer regarding the closed account balance of \$4,748.10 and noted that bankruptcy papers had not been received. The customer indicated he would speak to his trustee and have the documents sent in. NS Power sent a reminder email for the balance and noted that if the customer called, the matter should be transferred to the Closed Accounts team. This is referenced on page 2 of 4 in **Confidential Attachment 2**.
- February 27, 2024 – NS Power followed up on the account and noted that no response had been received from the customer. NS Power attempted to reach the customer and flagged the account as closed for handling by the Collections team. This is referenced on page 2 of 4 in **Confidential Attachment 2**.
- May 10, 2024 – NS Power spoke with Mr. Howatt regarding his outstanding bankruptcy documentation and advised that the paperwork had still not been received. NS Power informed him that the account had been referred to a collection agency, provided the agency's name and phone number, and supplied the fax number for submitting the paperwork to Credit Services. This is referenced on page 2 of 4 in **Confidential Attachment 2**.
- June 19, 2024 – NS Power received the customer's bankruptcy package, which had been filed on August 8, 2023. NS Power created a miscellaneous account (No. [REDACTED]) and requested a balance transfer of \$4,295.07, representing the amount owing up to the August 8, 2023, bankruptcy date. NS Power noted that the customer remained responsible for the remaining account balance of \$489.03² and emailed CBBC to adjust the balance in their system. This is referenced on page 3 of 4 in **Confidential Attachment 2**.
- December 12, 2025 – While addressing an escalation related to another account at the same premises, NS Power noted that the collection agency should not be contacting the customer about that account. NS Power confirmed with the Credit Department that the agency had no information on the other account but did have details on Mr. Howatt's account, and the amount owing after bankruptcy.

The customer disputed the matter, stated he would contact the agency, and claimed his account was in the company's name. NS Power noted that if the

¹ Mr. Charles Stephen Howatt is referred to as Stephen within Confidential Attachment 2.

² This amount reflects charges incurred between August 8, 2023, the date of the bankruptcy filing, and November 21, 2023, when the account was disconnected.

customer wished to dispute the amount still owing, he should speak with his trustee. This is referenced on page 4 of 4 in **Confidential Attachment 2**.

- December 12, 2025 – Mr. Howatt emailed the DRO stating that he had declared bankruptcy and questioned why NS Power was claiming he owed \$4,300. He asserted that he did not authorize power in his name after the bankruptcy date and noted that NS Power refused to provide the account number. This is referenced on page 2 of 15 in the DRO file attached as **Confidential Attachment 1**.
- December 12, 2025 – The DRO responded to the customer and NS Power. He summarized his role and asked NS Power to provide its position in the matter as well as relevant account documentation. This is referenced on page 1 of 15 in the DRO file attached as **Confidential Attachment 1**.
- December 15, 2025 – Mr. Howatt confirmed his consent to release his personal information to the DRO. This is referenced on page 3 of 15 in the DRO file attached as **Confidential Attachment 1**.
- December 15, 2025 – NS Power provided its position to DRO, stating the following:

[...] The customer was connected at [REDACTED] between April 12, 2022, and November 21, 2023. NS Power received bankruptcy documents that were filed by the customer dated August 8, 2023. NS Power calculated the balance up to bankruptcy date and transferred that balance off the subject account as to be included in the customer's bankruptcy. This left a remaining balance of \$489.03 on the account for service between August 8 and November 21, 2023.

It is NS Power's position that the customer is responsible for the remaining \$489.03 balance on the account. This is currently with a collection agency.

NS Power attached the account ledger, meter reads, and relevant account notes for the subject account ([REDACTED]). This is referenced on pages 3 to 7 of 15 in the DRO file attached as **Confidential Attachment 1**.

- December 15, 2025 – Mr. Howatt responded to NS Power's response stating that he moved out of the property on August 1, 2023, and was not at the property after that date because it was placed in trust with the bankruptcy and under the responsibility of the trustee. He indicated that the tenants, [REDACTED] and [REDACTED], were responsible for all utilities from August 1, 2023.

Mr. Howatt noted that he had previously complained about this issue in 2023 and was told it had been resolved. He asserted that he never authorized power in his name since declaring bankruptcy and asked NS Power to provide proof of his agreement to keep power in his name or any reconnection order he approved. This is referenced on page 8 of 15 in the DRO file attached as **Confidential Attachment 1**.

- December 15, 2025 – The DRO emailed Mr. Howatt and NS Power asking Mr. Howatt whether he disagreed with the accuracy of NS Power’s notes and requested that NS Power provide a copy of the relevant sections of the bankruptcy package. The DRO also asked NS Power to confirm when [REDACTED] service was connected. This is referenced on page 9 of 15 in the DRO file attached as **Confidential Attachment 2**.
- December 15, 2025 – Mr. Howatt emailed the DRO reiterating his previous statements and alleging that, when he called NS Power about his bankruptcy, he was asked if the power should remain in his name and he responded no. This is referenced on page 10 of 15 in the DRO file attached as **Confidential Attachment 1**.
- December 15, 2025 – The DRO emailed Mr. Howatt asking if he recalled the NS Power representative indicating the last two lines of the notes to him. This is referenced on page 10 of 15 in the DRO file attached as **Confidential Attachment 1**.
- December 15, 2025 – Mr. Howatt emailed the DRO and NS Power a copy of his bankruptcy package. This is referenced on page 11 of 15 in the DRO file attached as **Confidential Attachment 1**.
- December 16, 2025 – NS Power responded to Mr. Howatt’s submissions, confirming that he was connected at [REDACTED] between April 12, 2022, and November 21, 2023. Service was disconnected in his name when another customer requested connection at the address. NS Power stated it had no record of Mr. Howatt requesting disconnection when he filed for bankruptcy. NS Power further noted that, under Regulation 2.2, the customer of record remains jointly and severally liable for the account until the Company is notified that the customer wishes to terminate service. This is referenced on page 11 of 15 in the DRO File attached as **Confidential Attachment 1**.
- December 16, 2025 – The DRO issued his Final Written Decision pertaining to this appeal, finding as follows:

In the context of Board approved Regulation 2.2, the Customer is responsible for payment of charges for service to [REDACTED] incurred over the 8 Aug 2023 to 21 Nov 2023 period.

This is referenced on pages 14 to 15 of 15 in the DRO file attached as **Confidential Attachment 1**.

- December 17, 2025 – Mr. Howatt appealed the DRO's decision with the NSEB.

NS Power agrees with the DRO's decision that Mr. Howatt is responsible for the remaining account balance of \$489.03

The customer's account at [REDACTED] remained active in his name from April 12, 2022, until November 21, 2023, when service was disconnected upon a new occupant's request for connection. NS Power was not advised prior to that date that Mr. Howatt no longer resided at the property or wished to terminate service. On January 4, 2024, Mr. Howatt contacted the Company to advise that he had declared bankruptcy on August 8, 2023, and indicated that his trustee would forward the necessary documentation. At that time, the Company confirmed that the account had already been disconnected and a closing bill generated. The bankruptcy package was subsequently received on June 19, 2024, confirming the filing date of August 8, 2023.

Under the *Bankruptcy and Insolvency Act*, only debts that exist as of the bankruptcy date are included in the bankruptcy and discharged. Any charges incurred after that date remain the responsibility of the individual, unless expressly authorized otherwise by a Trustee or Court order. Based on this principle, the Company transferred \$4,295.07, representing charges up to August 8, 2023, to the bankruptcy account. The remaining \$489.03, for service from August 8 to November 21, 2023, is post-bankruptcy debt and remains payable by Mr. Howatt.

Further, under Regulation 2.2 of NS Power's Board-approved Regulations, the customer of record remains jointly and severally liable for electric service up to the date that the Company is notified to terminate supply. Liability is based on the customer's status as the customer of record, not on physical occupancy or control of the premises. This requirement ensures continuity of service and accurate billing until formal notice is provided. In this case, the Company did not receive any notice from Mr. Howatt to discontinue service prior to the disconnection on November 21, 2023. Accordingly, under Regulation 2.2, Mr. Howatt remained the customer of record and is responsible for charges incurred until that date.

The Company has applied the requirements of the *Bankruptcy and Insolvency Act* and Regulation 2.2 in handling this account. Charges incurred prior to the bankruptcy date were transferred to the bankruptcy account, while charges after that date remained on

January 5, 2026
L. Wallace

the original account because no termination notice was received. The remaining balance of \$489.03 reflects service provided between August 8 and November 21, 2023.

Please consider the enclosed information confidential due to the personal nature of the information that has been provided. NS Power has forwarded a copy of this correspondence to Mr. Howatt by e-mail.

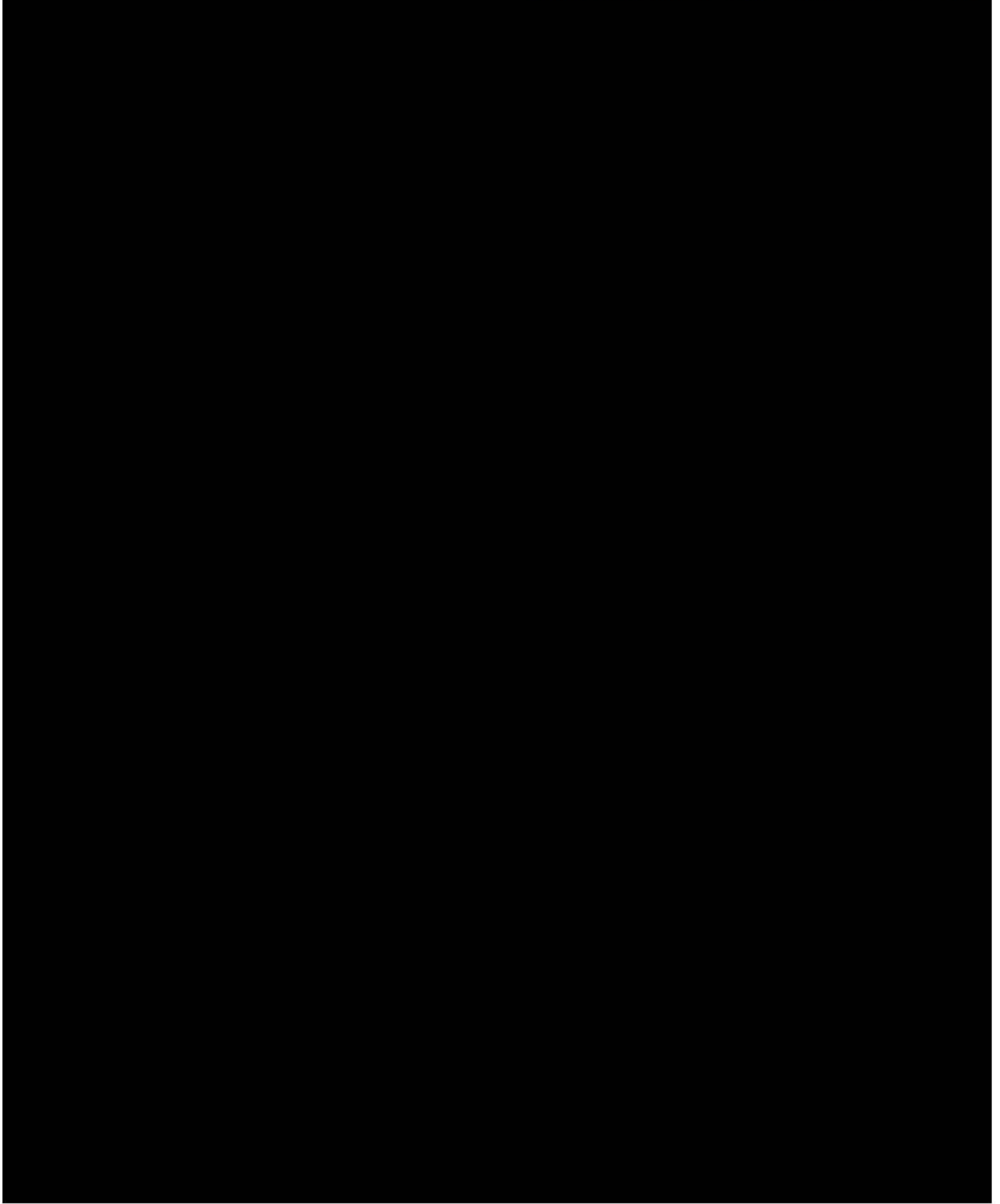
Yours truly,

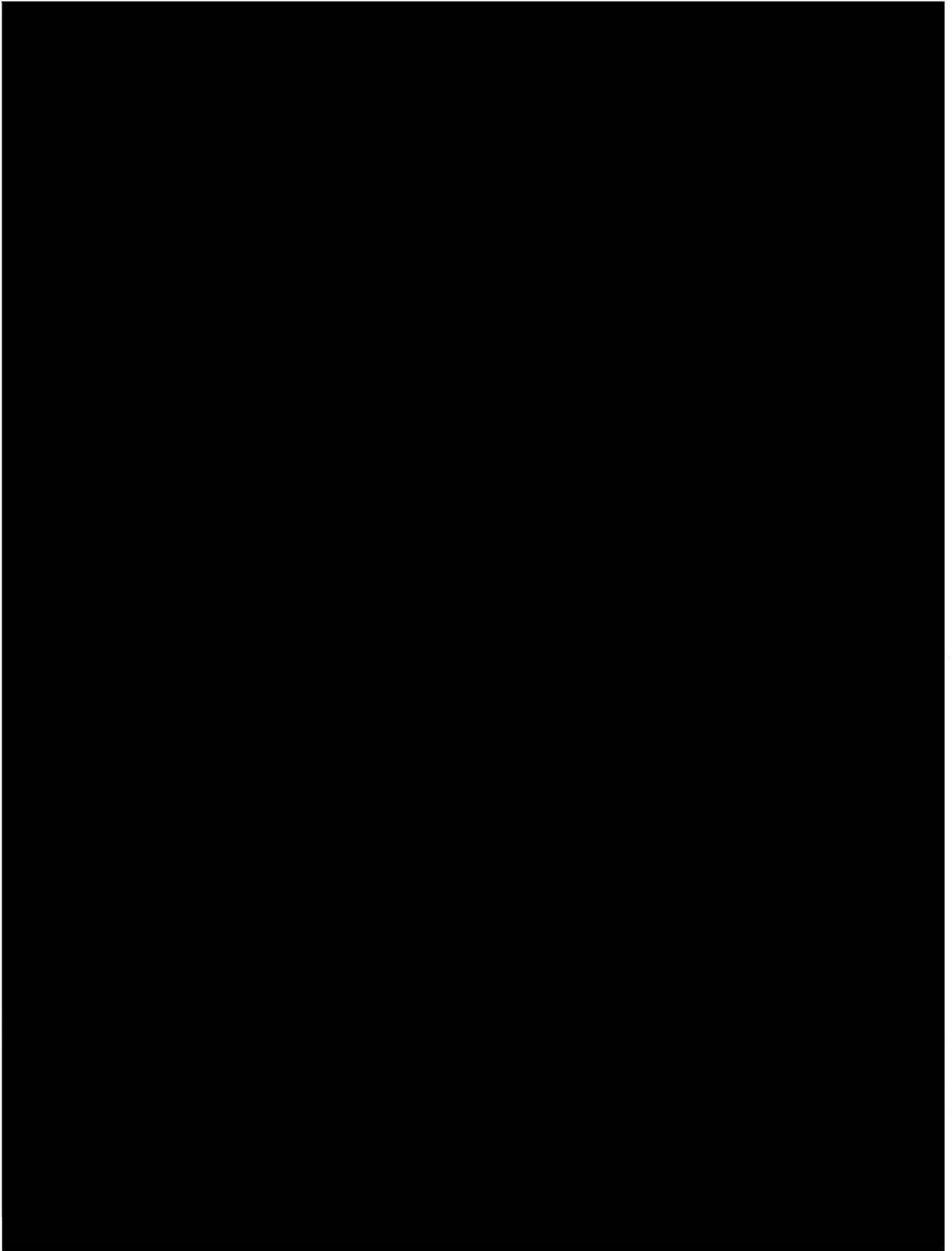
A handwritten signature in cursive script that reads "Kathleen Murray".

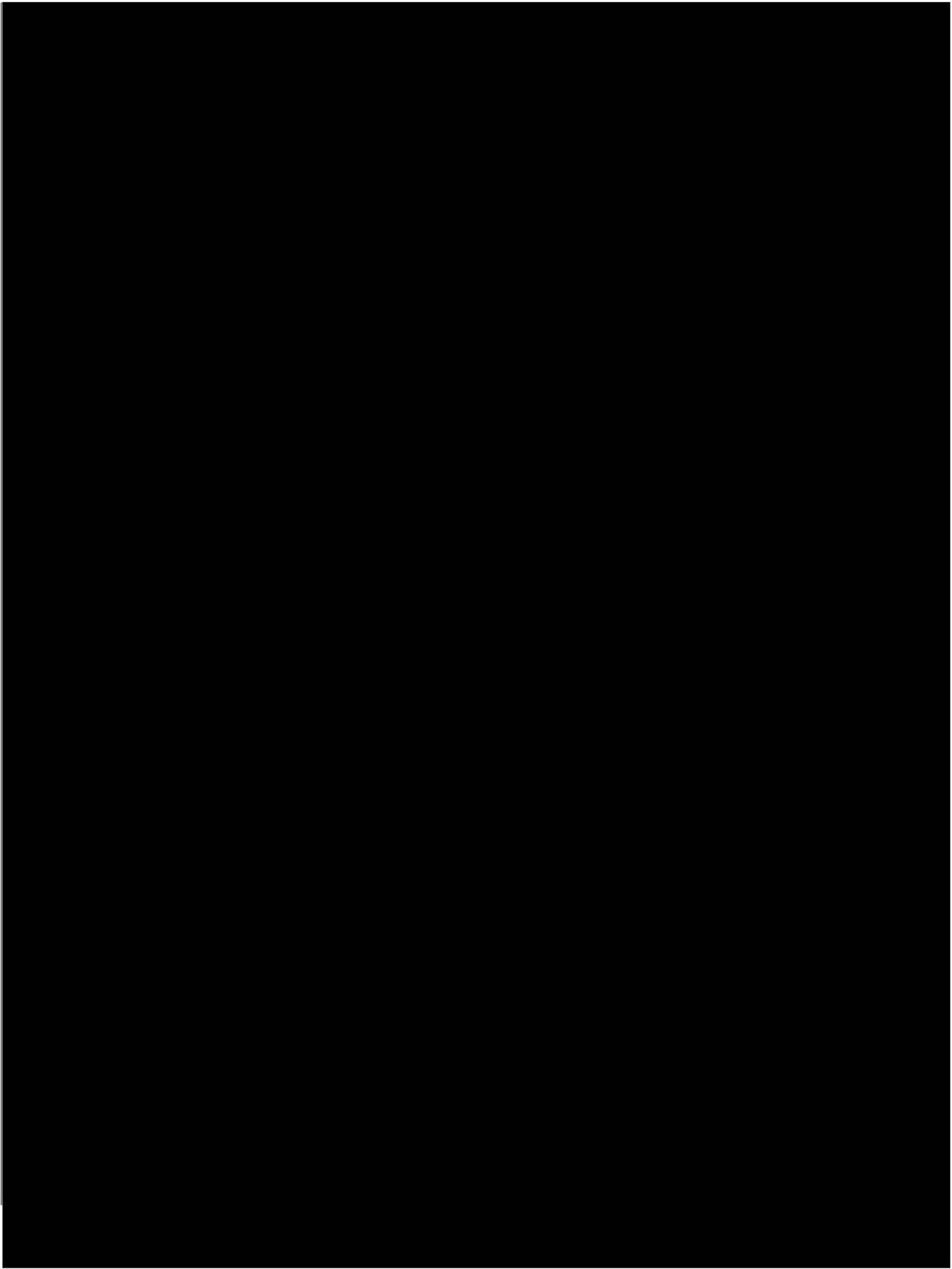
Kathleen Murray
Regulatory Counsel

Encl.

c. Mr. Charles Howatt









1/10/2014

