Nova Scotia
Energy Board

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May 22, 2026

[redacted]

Charles Howatt
[redacted]

Dear Mr. Howatt:

M12633 - Nova Scotia Power Inc. - Appeal by Charles Howatt of a Decision by the Dispute Resolution Officer

The Board has completed its review of your appeal regarding the December 16, 2025, decision issued by the Dispute Resolution Officer (DRO) concerning your Nova Scotia Power (NS Power) account. The Board reviewed your appeal submission, the DRO decision, NS Power's response, and the supporting account records and correspondence filed in this matter.

You explained that you filed for bankruptcy on August 8, 2023, moved out of the property at the subject address on or before that date, and did not believe you should remain responsible for power charges after leaving the premises. You also stated that you did not consent to keeping the account active in your name and believed the remaining balance should either be transferred to another occupant or included in your bankruptcy.

Under the *Bankruptcy and Insolvency Act* (BIA), bankruptcy generally applies to debts that exist as of the date of bankruptcy. In this matter, August 8, 2023, was the date of bankruptcy filing. Amounts owing up to that date are treated as pre-bankruptcy debt and are included in the bankruptcy proceeding. However, charges incurred after the date of bankruptcy are generally considered new post-bankruptcy obligations and remain payable unless otherwise addressed through a trustee, court order, or separate arrangement.

Importantly, filing for bankruptcy does not automatically terminate a utility account or disconnect electrical service. Utility service continues unless the customer requests that the account be closed or another customer assumes responsibility for the service. As a result, if electrical service continues to be supplied after the date of bankruptcy and the account remains active in the customer's name, charges may continue to accrue on the account.

The evidence before the Board shows that NS Power received your bankruptcy documentation on June 19, 2024. At that time, the Company reviewed the account and transferred $4,295.07, representing charges incurred up to the August 8, 2023, bankruptcy filing date, into the bankruptcy process. The remaining balance of $489.03 relates only to service provided after the bankruptcy filing date, specifically between August 8, 2023, and November 21, 2023.

NS Power's records show that the account remained active in your name until November 21, 2023, when another customer requested service at the property in their own name. The main issue before the Board was therefore not whether you were physically living at the property after August 2023, but whether the utility had been formally notified to terminate the service account in your name.

Under NS Power's Board-approved *Regulations,* the customer of record remains responsible for service charges until the Company is notified that service is to be disconnected or transferred. The Board acknowledges your position that you believed NS Power was aware you had moved out and entered bankruptcy. However, the evidence before the Board does not establish that a formal request to terminate electrical service was received by NS Power before November 21, 2023. As a result, the account remained active in your name during that period.

The Board also does not find evidence that NS Power attempted to recover debt that should have been included in your bankruptcy. Rather, the evidence demonstrates that the Company separated the account into:

- Pre-bankruptcy charges incurred before August 8, 2023 ($4,295.07), which were transferred into the bankruptcy proceeding; and
- Post-bankruptcy charges incurred after August 8, 2023 ($489.03), which remained on the active account because service continued in your name.

After reviewing all of the information filed in this matter, the Board finds that the DRO correctly applied the applicable Regulations and that NS Power appropriately distinguished between pre-bankruptcy and post-bankruptcy debt. Accordingly, your appeal is denied and the DRO's decision is upheld.

The Board recognizes the circumstances surrounding the bankruptcy and change in occupancy at the property. However, based on the evidence before it, the Board finds that the remaining balance relates to electrical service supplied while the account remained active in your name and after the date of bankruptcy.

Considering the remaining balance, the Board directs NS Power to offer a reasonable payment arrangement for the outstanding post-bankruptcy balance of $489.03 if requested.

Yours very truly,

Darlene Willcott, LL.B.
Member