

From: [Painting-MacLean, Kimberly](#)
To: [Painting-MacLean, Kimberly](#)
Subject: FW: M12661 - Nova Scotia Power - Application for approval of an Above-the-Line Tariff applicable to Port Hawkesbury Paper (PHP)
Date: September 11, 2026 3:26:51 PM

From: Henwood, Crystal D

Sent: September 11, 2026 3:24 PM

To: 'MacDougall, David' <david.macdougall@mcinnescooper.com>

Cc: 'Aishwarya Saha Srishty' <aishwaryasaha.srishty@nspower.ca>; 'Andrew McLaren' <andrew@intergroup.ca>; 'Annie Beth Sampson' <AnnieBeth.Sampson@nspower.ca>; 'Bill Mahody' <bill@washingtonmahody.com>; 'Blake Williams' <Blake.Williams@nspower.ca>; 'Brienne Rudderham' <brudderham@stewartmckelvey.com>; Brown, Wendy <Wendy.E.Brown@novascotia.ca>; 'Bryan Pierce' <bpierce@daymarkea.com>; 'Bryce Everist' <bryce.everist@nspower.ca>; 'Carley Freeman' <carley.freeman@nspower.ca>; 'Carly Currie' <Carly.Currie@nspower.ca>; 'Caroline Jonah' <cmjonah@stewartmckelvey.com>; 'Carolyn Berry' <carolyn.berry@bateswhite.com>; Carvery, Kim <Kim.Carvery@novascotia.ca>; Cavanaugh, Marina <Marina.Cavanaugh@novascotia.ca>; 'Charlene MacMullin' <charlene.macmullin@nspower.ca>; 'Collin Cain' <collin.cain@bateswhite.com>; 'David J Roberts' <droberts@pinklarkin.com>; 'David Luther' <david.luther@ieso-ns.ca>; 'David MacDougall' <david.macdougall@mcinnescooper.com>; 'Eric Borden' <eborden@synapse-energy.com>; 'Eric Ferguson' <eric.ferguson@nspower.ca>; 'Erick Too' <erick.too@nspower.ca>; 'Gina Thompson' <gthompson@efficiencyns.ca>; 'Hayitbay Mahmudov' <HMahmudov@intergroup.ca>; 'Heidi Day' <hday@pinklarkin.com>; Henwood, Crystal D <Crystal.Henwood@novascotia.ca>; 'Holly Brown' <hbrown@efficiencyns.ca>; 'Jacqueline Foster' <Jacqueline.Foster@nspower.ca>; 'James MacDuff' <james.macduff@mcinnescooper.com>; 'James R. Gogan' <james.gogan@mcinnescooper.com>; 'Janet MacNeil' <janet.macneil@mcinnescooper.com>; 'Jennifer Power' <jennifer.power@nspower.ca>; 'Jennifer Ross' <jennifer.ross@nspower.ca>; 'Jessie Wallace' <jwallace@efficiencyns.ca>; 'Joni Keeping' <jkeeping@blackburnlaw.ca>; 'Karlie Macpherson' <Karlie.macpherson@ieso-ns.ca>; 'Karynne Munroe' <Karynne.Munroe@nspower.ca>; 'Kate McDonald' <kmcdonald@efficiencyns.ca>; 'Kathleen Murray' <Kathleen.Murray@nspower.ca>; 'Katrin MacPhee' <kmacphee@pinklarkin.com>; 'Kristine Burke' <kburke@efficiencyns.ca>; 'Lana Myatt' <lane.myatt@nspower.ca>; 'Leona Clements' <lmcllements@stewartmckelvey.com>; 'Lisa Forsey' <Lisa.Forsey@nspower.ca>; 'Lori Fancy' <lori.fancy@nspower.ca>; 'Lucia Westin-Eastaugh' <lucia.westineastaugh@mcinnescooper.com>; 'Mark Peachey' <mark.peachey@ieso-ns.ca>; 'Matt Drover' <matthew.drover@nspower.ca>; 'Melanie Gillis' <melanie.gillis@mcinnescooper.com>; 'Melissa Davies' <mdavies@mnydconsulting.ca>; 'Melissa MacAdam' <mmacadam@blackburnlaw.ca>; 'Melissa Whited' <MWhited@synapse-energy.com>; 'Michael Murphy' <mmurphy@pinklarkin.com>; 'Mike Willett' <MICHAEL.WILLETT@nspower.ca>; 'Monique MacLean' <monique.maclea@nspower.ca>; 'Muhammad Syfuddin Tamim' <MuhammadSyfuddin.Tamim@nspower.ca>; 'Nancy Rubin' <nrubin@stewartmckelvey.com>; Painting-MacLean, Kimberly <Kimberly.Painting-MacLean@novascotia.ca>; 'Patrick Bowman' <pbowman@bowmaneconomics.ca>; 'Paul Dandurand' <paul.dandurand@nspower.ca>; Pronko, Steve <Steve.Pronko@novascotia.ca>; 'Rebekah Powell' <rpowell@blackburnlaw.ca>; 'Regulatory

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Subject: RE: M12661 - Nova Scotia Power - Application for approval of an Above-the-Line Tariff applicable to Port Hawkesbury Paper (PHP)

Good afternoon,

Given the request was discussed with Board counsel on July 21st, the Board approves the virtual attendance of Mr. Gorman and the dates for PHP's witness testimony as outlined in your email of September 9th.

Regards,
Crystal

PLEASE NOTE: Effective **Monday, 3 November 2025**, all documents and files sent to the Board must be submitted via the secure file transfer service on our website. The direct link to upload files is <https://board.titanfile.com/NSEB/>

CRYSTAL HENWOOD

Pronouns: She/Her

Clerk of the Board

Nova Scotia Energy Board

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From: MacDougall, David <david.macdougall@mcinnescooper.com>

Sent: September 10, 2026 10:34 AM

To: Henwood, Crystal D <Crystal.Henwood@novascotia.ca>

Cc: Aishwarya Saha Srishty <aishwaryasaha.srishty@nspower.ca>; Alissa Whalen <awhalen@pinklarkin.com>; Andrew McLaren <andrew@intergroup.ca>; Annie Beth Sampson <AnnieBeth.Sampson@nspower.ca>; William Mahody <bill@washingtonmahody.com>; Blake

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Subject: RE: M12661 - Nova Scotia Power - Application for approval of an Above-the-Line Tariff applicable to Port Hawkesbury Paper (PHP)

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Ms. Henwood, in response to your request below please see attached the e-mail exchange with Board counsel on July 21 where PHP advised at that time that Mr. Esaiw would not be available on September 21 and requested confirmation that the PHP and BAI witnesses could proceed on September 22. Board counsel had indicated that PHP's proposal made sense in the circumstances

and requested any other counsel to advise if they took issue with the manner in which PHP proposed to proceed. PHP understood there had been no negative response received and was under the impression that the proposal for it and BAI's witnesses to take the stand on the 22nd was amenable to all parties.

With respect to Mr. Esaiw, as noted in PHP's e-mail of July 21, he was unable to attend on September 21 as he had already made plans to be out of the Province before the hearing was scheduled for his 25th wedding anniversary and his travel arrangements involve his return to the Province on September 21. Thus PHP's request of July 21st.

With respect to Mr. Gorman, again PHP anticipated based on the exchange of July 21, that it was amenable that the BAI witnesses proceed on Sept. 22, albeit that Mr. Gorman will now only be able to attend virtually rather than in person. Mr. Gorman has indicated his sincere apologies for this change, but a conflict with scheduling in another hearing process arose that now requires his attendance on September 21st in that process.

PHP likewise apologizes if there was any misunderstanding on its part arising out of the July 21st exchange with Board counsel.

To the extent that the NS Power witness panel finishes on September 21st and there is sufficient time remaining in the hearing day to move to PHP, if the Board felt it was required or advisable PHP would consider putting Mr. Lock and Mr. Fitzhenry forward to present their opening statements and begin cross-examination as a single panel, with them joined as necessary on September 22 by Mr. Esaiw and Mr. Gorman.

Apologies again for any inconvenience or misunderstanding.

Regards,
David MacDougall

From: Henwood, Crystal D <Crystal.Henwood@novascotia.ca>

Sent: Thursday, September 10, 2026 8:23 AM

To: MacDougall, David <david.macdougall@mcinnescooper.com>

Cc: Aishwarya Saha Srishty <aishwaryasaha.srishty@nspower.ca>; Alissa Whalen <awhalen@pinklarkin.com>; Andrew McLaren <andrew@intergroup.ca>; Annie Beth Sampson <AnnieBeth.Sampson@nspower.ca>; William Mahody <bill@washingtonmahody.com>; Blake Williams <Blake.Williams@nspower.ca>; Brianne Rudderham <brudderham@stewartmckelvey.com>; Brown, Wendy <Wendy.E.Brown@novascotia.ca>; Bryan Pierce <bpierce@daymarkea.com>; Bryce Everist <bryce.everist@nspower.ca>; Carley Freeman <carley.freeman@nspower.ca>; Carly Currie <Carly.Currie@nspower.ca>; Caroline Jonah <cmjonah@stewartmckelvey.com>; Carolyn Berry <carolyn.berry@bateswhite.com>; Carvery, Kim <Kim.Carvery@novascotia.ca>; Cavanaugh, Marina <Marina.Cavanaugh@novascotia.ca>; Charlene MacMullin <charlene.macmullin@nspower.ca>; Collin Cain <collin.cain@bateswhite.com>; David J

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Subject: [EXTERNAL] M12661 - Nova Scotia Power - Application for approval of an Above-the-Line Tariff applicable to Port Hawkesbury Paper (PHP)

Good morning, Mr. MacDougall,

While NS Power's witnesses may very well take up most or all of the first day and the Board appreciates that PHP has a vested interest in ensuring as early a decision as is possible in this matter, the Board is concerned that neither of PHP's panels will be ready to start if that is not the case. This would require either an adjournment or hearing evidence in an order that would not be ideal.

Although the matter was converted to an oral hearing later in the process, the current hearing dates have been set for some time, and the Board expects witnesses to be available when called. The Board appreciates that sometimes events occur that are beyond a person's control and reasonable accommodations must be made. However, the Board is unable to assess whether reasonable accommodations are necessary when, as in this case, no reasons for the

sudden unavailability of witnesses are provided.

The Board will require additional reasons to excuse the witnesses from being called in order, when required. If the reasons are personal or sensitive, those reasons can be raised with Board counsel.

Regards,
Crystal

PLEASE NOTE: Effective **Monday, 3 November 2025**, all documents and files sent to the Board must be submitted via the secure file transfer service on our website. The direct link to upload files is <https://board.titanfile.com/NSEB/>

CRYSTAL HENWOOD

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Clerk of the Board

Nova Scotia Energy Board

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From: MacDougall, David <david.macdougall@mcinnescooper.com>

Sent: September 9, 2026 11:35 AM

To: Henwood, Crystal D <Crystal.Henwood@novascotia.ca>; Nancy Rubin <nrubin@stewartmckelvey.com>; Aishwarya Saha Srishty <aishwaryasaha.srishty@nspower.ca>; Alissa Whalen <awhalen@pinklarkin.com>; Andrew McLaren <andrew@intergroup.ca>; Annie Beth Sampson <AnnieBeth.Sampson@nspower.ca>; William Mahody <bill@washingtonmahody.com>; Blake Williams <Blake.Williams@nspower.ca>; Brianne Rudderham <brudderham@stewartmckelvey.com>; Brown, Wendy <Wendy.E.Brown@novascotia.ca>; Bryce Everist <bryce.everist@nspower.ca>; Carley Freeman <carley.freeman@nspower.ca>; Carly Currie <Carly.Currie@nspower.ca>; Caroline Jonah <cmjonah@stewartmckelvey.com>; Carolyn Berry <carolyn.berry@bateswhite.com>; Carvery, Kim <Kim.Carvery@novascotia.ca>; Cavanaugh, Marina <Marina.Cavanaugh@novascotia.ca>; Charlene MacMullin <charlene.macmullin@nspower.ca>; Collin Cain <collin.cain@bateswhite.com>; David J Roberts <droberts@pinklarkin.com>; david.luther <david.luther@ieso-ns.ca>; Eric Borden <eborden@synapse-energy.com>; Eric Ferguson

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Subject: RE: M12661 - Nova Scotia Power - Application for approval of an Above-the-Line Tariff
applicable to Port Hawkesbury Paper (PHP)

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Ms. Henwood,

Further to your e-mail below setting out the Board's intention with respect to the sequence of parties
witnesses, we can advise that Port Hawkesbury Paper ("PHP") will be putting forward two panels,
consistent with the evidence they have filed in the proceeding. The first panel will consist of PHP
company witnesses Mr. Bevan Lock, Co-Mill Manager and Mr. John Esaiw, Energy Manager at PHP.
The second panel will consist of independent experts Mr. Colin Fitzhenry and Mr. Michael Gorman of
Brubaker & Associates ("BAI").

Mr. Lock and Mr. Esaiw will appear in person for their panel. Mr. Fitzhenry will appear in person for his
panel and will be joined virtually by Mr. Gorman.

We had previously advised that all witnesses testifying on behalf of PHP would be testifying in person, but an unforeseen conflict has arisen with respect to Mr. Gorman's schedule which now makes him unavailable for the first day of the hearing September 21 and only virtually available on the 22. Mr. Esaiw also now has a conflict with the 21st. We anticipate that the first day of the hearing will be largely taken up by cross-examination of NS Power, and the PHP and BAI panels will be available on the 22nd. We appreciate the Board's consideration in this regard, and anticipate this will not negatively impact the overall scheduling of witnesses.

Thank you

David MacDougall

From: Henwood, Crystal D <Crystal.Henwood@novascotia.ca>

Sent: Friday, August 28, 2026 2:55 PM

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Subject: [EXTERNAL] RE: M12661 - Nova Scotia Power - Application for approval of an Above-the-Line Tariff applicable to Port Hawkesbury Paper (PHP)

Good afternoon,

The Board intends to call upon the parties (and their witnesses) in the following sequence:

NS Power
Port Hawkesbury Paper
Consumer Advocate (Mahmudov/McLaren)
Industrial Group (Bowman)
Board Counsel (Synapse and Bates White)

When this matter was converted to an oral hearing, the Board determined it should reserve four days. Due to scheduling conflicts, it was not possible to schedule four consecutive days without unduly delaying the completion of the proceeding. So, the Board scheduled the matter for four days over two consecutive weeks (September 21, 22, 28 and 29).

At this stage, it is not clear whether all four days will be necessary. However, the Board considers it important to complete this matter as quickly as possible. As such, Mr. Bowman will be called immediately after the Consumer Advocate's witnesses have finished, whenever that happens to be. If that occurs very late in the day on the 22nd, and it is clear that the proceeding will need to resume on the 28th in any event, the Board may, at that time, consider holding Mr. Bowman's testimony until the 28th (if requested to do so).

Regards,
Crystal

PLEASE NOTE: Effective **Monday, 3 November 2025**, all documents and files sent to the Board must be submitted via the secure file transfer service on our website. The direct link to upload files is <https://board.titanfile.com/NSEB/>

CRYSTAL HENWOOD

Pronouns: She/Her

Clerk of the Board

Nova Scotia Energy Board

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