NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF: ***The Public Utilities Act*** **and the** ***MARITIME LINK ACT*** **and the** ***MARITIME LINK COST RECOVERY PROCESS REGULATIONS***

– and –

IN THE MATTER OF: **AN APPLICATION by NSP MARITIME LINK INC. to end the holdback mechanism in accordance with the parameters set by the Nova Scotia Utility and Review Board in Matter M11009**

INFORMATION REQUESTS

To: **Shellie Woolham**
Director, Regulatory Affairs
NSP Maritime Link
Email: shellie.woolham@emera.com

From: The Consumer Advocate

Responses Due: April 9, 2026

Copies: 1 electronic copy (PDF searchable)

Contact Person: **David J. Roberts**
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Request IR-1:
With respect to Exhibit N-1, p. 10 and Appendices A and C, please provide an excel workbook with the data included in the graphs and tables, for the period August 2021 through December 2025.

Request IR-2:
On p. 3 of Exhibit N-1, NSPML states:

> In its October 2023 Decision in that matter, the Board ordered that the Holdback would continue until (1) at least 90% of the NS Block (excluding Make-up Energy) is received during each of twelve consecutive months with flexibility to account for Good Utility Practice (defined in Concentric Evidence, Attachment 1, A24) outages and/or exceptional circumstances) and (2) the net outstanding balance of undelivered energy is less than 10% of the NS Block annual contracted amount.

On p. 11 of Exhibit N-1, NS states:

> Deliveries of Base NS Block and Make-up Energy exceeded 90 percent of Contract Amounts every month and were over 100 percent in every month but September 2023 which fell short due to a planned outage in advance of the winter period.

(a) Is the statement on p. 11 intended to suggest that NSPML has complied with provision (1) of the October 2023 Board Decision as summarized above?

(b) If not, please explain how and when NSPML has complied with provision (1).

(c) Please state during which months NSPML has met the requirements in provision (2) and provide a workbook with the data included in the graph shown in Exhibit N-1, p. 14.

Request IR-3:
With respect to Exhibit N-1, Appendix B,

(a) Please explain the reason(s) for under delivery in each month in which the holdback was retained, including the start and end date for each reason and the total under delivery related to the reason.

(b) To the extent that under delivery was due to a combination of causes (e.g., maintenance of the LIL and reduced power output from Muskrat Falls), please provide NSPML's best estimate of the monthly under delivery that would have occurred, and the resulting holdback, if each concurrent cause was the only cause, understanding that the sum of each monthly under delivery amount by cause may be greater than the actual monthly under delivery amount.

(c) Please provide calculations of the holdback amounts in a workbook, with formulas intact.

(d) For the month of August, 2024, please provide a calculation of what the holdback amount would have been but for the $4 million cap.

(e) Please explain whether the following LIL outages were materially related to the underperformance of the LIL (see p. 5, lines 31-32) such as installation of improved software or testing related to the continuing failure of the LIL to be commissioned at the full, planned 900 MW delivery level. If NSPML's opinion is that these outages were primarily caused by some other factor (e.g., weather or routine scheduled maintenance that would have occurred irrespective of the LIL's ongoing underperformance), please explain in detail.

i. July 2023
ii. April 2024, specifically the planned three-day outage "to correct deficiency respecting cable switching"
iii. July – October 2024
iv. January 2025
v. April 2025
vi. September 2025

(f) Please provide the WACC calculations in a workbook, with formulas intact.

Request IR-4:

On p. 6 of Exhibit N-1, NSPML requests that in addition to distributing $15.4 million in retained holdback (see Appendix B), the Board also require that NS Power distribute $1.1 Million in "updated WACC consideration." However, on p. 32 of Exhibit N-1, NSPML's request to the Board does not include the "updated WACC consideration."

(a) Please confirm that NSPML is requesting the $1.1 million in "updated WACC consideration."

(b) Please identify where in Exhibit 1, other than Appendix B, NSPML puts forward a justification for recovery of the $1.1 million in addition to the retained holdback.

(c) Please explain why NSPML has delayed applying for the review of the holdback mechanism for nearly two years, resulting in the accumulation of the $1.1 million amount.

(d) In its Final Costs Decision (*NSPML Final Project Costs Decision* (February 23, 2022), Matter No. M10206, p. 16, para. 32), the Board noted that the holdback may ameliorate intergenerational equity concerns resulting from the fact that customers have paid for the Maritime Link without receiving anything close to the full benefits. Considering that perspective, please provide NSPML's view on whether the accumulation of "updated WACC consideration" ameliorates or exacerbates intergenerational equity concerns.