

NOVA SCOTIA ENERGY 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: **NSP Maritime Link Inc.**
Shellie Woolham
Director, Regulatory Affairs
shellie.woolham@emera.com

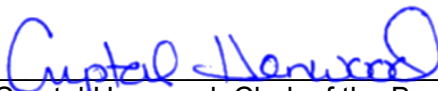
From: **Bates White LLC**

Responses Due: **Thursday, April 9th, 2026**

Copies: 1 electronic copy (PDF searchable)

Contact Person: **Vincent Musco**
Partner
Bates White LLC
Tel: 202.652.2180
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Issued at Halifax, Nova Scotia, this 19th day of March 2026.



Crystal Henwood, Clerk of the Board

Request IR-1: Please refer to Exhibit N-1, page 11 lines 15-16 and footnote 11, and Appendixes A and C.

a) Please confirm that NSPML *has not* included Supplemental Block volumes from the “Make-up Balance” and “Make-up Balance (%)” columns in Appendix A and Appendix C.

If confirmed, please explain why Supplemental Block volumes were not included.

b) Please confirm that NSPML *has* included Supplemental Block volumes from the “NS Block Contract Amount” and “Make-up Delivered” columns in Appendix A and Appendix C. If not confirmed, please explain.

c) Please provide a revised Appendix A and Appendix C that includes Supplemental Block volumes. Please provide in Excel format with equations intact.

Request IR-2: Please refer to Exhibit N-1, page 3 lines 17-18. Does NSPML agree that, if Supplemental Volumes were included in the calculation, the outstanding balance was not below 10% in March 2024?

Request IR-3: Please refer to Exhibit N-1, page 5 lines 30-31, page 7 line 29 to page 8 line 2, and Board Matter M05419.

a) Please provide the actual annual availability (%) of the Maritime Link for 2018, 2019, 2020, 2021, 2022, 2023, 2024, and 2025.

b) Please provide the equivalent forced outage rate (%) of the Maritime Link for 2018, 2019, 2020, 2021, 2022, 2023, 2024, and 2025.

c) Please provide the hourly available total transfer capability (in MW) of the Maritime Link for each hour of the “Compliance Period,” as defined in Exhibit N-1.

d) Please provide the hourly actual flow (in MW) over the Maritime Link for each hour of the “Compliance Period,” as defined in Exhibit N-1.

e) Please provide the expected availability (%) of the Maritime Link, as proposed by NSPML in M05419. Please include the base case and any sensitivities for this assumption used in M05419.

f) Please provide the equivalent forced outage rate (%) of the Maritime Link, as proposed by NSPML in M05419. Please include the base case and any sensitivities for this assumption used in M05419.

Request IR-4: Please refer to Exhibit N-1, page 5 lines 31-32, page 11 lines 24 to page 12 line 2, and Board Matter M05419.

a) Please provide the actual annual availability (%) of the LIL for 2021, 2022, 2023, 2024, and 2025.

b) Please provide the equivalent forced outage rate (%) of the LIL for 2021, 2022, 2023, 2024, and 2025.

c) Please provide the hourly available total transfer capability of the LIL for each hour of the “Compliance Period,” as defined in Exhibit N-1.

d) Please provide the hourly actual flow (in MW) over the LIL for each hour of the “Compliance Period,” as defined in Exhibit N-1.

e) Please provide the expected availability (%) of the LIL, as modeled or assumed by NSPML in M05419. Please include the base case and any sensitivities for this assumption used in M05419.

f) Please provide the equivalent forced outage rate (%) of the LIL, as modeled or assumed by NSPML in M05419. Please include the base case and any sensitivities for this assumption used in M05419.

g) Please provide the CIGRE Report, referenced in footnote 13.

- 1 h) Please provide the actual annual availability (%) of the Muskrat Falls Generating Station
2 for 2021, 2022, 2023, 2024, and 2025.
- 3 i) Please provide the forced outage rate (%) of the Muskrat Falls Generating Station for
4 2021, 2022, 2023, 2024, and 2025.
- 5 j) Please provide the hourly capacity capability (inclusive of any outages or derates) of the
6 Muskrat Falls Generating Station for each hour of the “Compliance Period,” as defined in
7 Exhibit N-1.
- 8 k) Please provide the hourly actual output (in MW) of the Muskrat Falls Generating Station
9 for each hour of the “Compliance Period,” as defined in Exhibit N-1.
- 10 l) Please provide the expected availability (%) of the Muskrat Falls Generating Station, as
11 modeled or assumed by NSPML in M05419. Please include the base case and any
12 sensitivities for this assumption used in M05419.
- 13 m) Please provide the equivalent forced outage rate (%) of the Muskrat Falls Generating
14 Station, as modeled or assumed by NSPML in M05419. Please include the base case
15 and any sensitivities for this assumption used in M05419.

16 **Request IR-5:** Please refer to Exhibit N-1, page 17 line 25 to page 18 line 1.

- 17 a) Please confirm that NSPML’s requested relief associated with Good Utility Practice is not
18 related to the performance of the Muskrat Falls Generating Station or the Maritime Link,
19 but is rather related to the LIL and associated transmission assets. If not confirmed, please
20 explain.
- 21 b) Please confirm that as of February 5, 2026, the LIL remains unable to consistently operate
22 at its designed capacity (900 MW) due to continued issues with the LIL’s software.
- 23 c) Is it NSPML’s view that any “planned outage” on the LIL represents good utility practice
24 by NLH? If not, please explain how NSPML distinguishes between planned outages that
25 are good utility practice and those that are not.

- 1 d) Is it NSPML's view that any outage related to an "icing event" or "extreme weather event"
- 2 on the LIL represents good utility practice by NLH? If not, please explain how NSPML
- 3 distinguishes between icing/extreme weather outages that are good utility practice and
- 4 those that are not.
- 5 e) Please provide definitions for "monopole outage" and "bipole outage," as used by NSPML
- 6 in the Application.
- 7 f) Please explain how monopole outages differ from bipole outages in calculating
- 8 performance metrics, such as availability factors and equivalent forced outage rates.
- 9 g) For the July 2023 "Outage," please provide:
- 10 i. Explanation of the referenced "software."
- 11 ii. Explanation of the "software update" and why the update was needed.
- 12 iii. If the LIL had been able to operate at 900 MW as designed, would the software
- 13 update have been needed?
- 14 iv. Please provide a list of, and detailed explanations, of all "identified deficiencies."
- 15 v. Please provide a detailed explanation of each "correction" for all "identified
- 16 deficiencies."
- 17 vi. Please explain why testing of "SCADA indication points" was needed.
- 18 vii. Please provide all materials NSPML received from NLH regarding this outage,
- 19 work done during the outage, and the need for the outage.
- 20 viii. Did NSPML conduct any independent diligence regarding this outage? If so,
- 21 please provide the results of that diligence.
- 22 ix. Did this outage impose costs on Nova Scotia ratepayers? Please provide NSPML's
- 23 best estimate of those costs.
- 24 h) Regarding the September 2023 "Outage":
- 25 i. Please provide a list and detailed explanations of all "routine maintenance" done
- 26 during this outage.

- 1 ii. Were there any additional maintenance activities that occurred during the outage,
2 other than those identified in response to (i)? If so, please provide a list and
3 detailed explanations of all such maintenance activities.
- 4 iii. Please provide the annual planned maintenance outage timing and duration of the
5 LIL, as modeled or assumed by NSPML in M05419. Please include the base case
6 and any sensitivities for this assumption used in M05419.
- 7 iv. If the LIL had been able to operate at 900 MW as designed, would the timing and/or
8 duration of this outage been different? Please explain.
- 9 v. Please provide all materials NSPML received from NLH regarding this outage,
10 work done during the outage, and the need for the outage.
- 11 vi. Did NSPML conduct any independent diligence regarding this outage? If so,
12 please provide the results of that diligence.
- 13 vii. Did this outage impose costs on Nova Scotia ratepayers? Please provide NSPML's
14 best estimate of those costs.
- 15 i) Regarding the March 2024 "Outage":
- 16 i. Is NSPML aware of the technical cause(s) of this outage or deration? If so, please
17 provide the cause(s) and any supporting evidence.
- 18 ii. Did NSPML receive a root cause analysis (or similar analysis) from NLH related to
19 this outage? If so, please provide that documentation.
- 20 iii. Did the affected components of the LIL perform as designed during the icing
21 event? Please provide supporting evidence.
- 22 iv. Were the affected components designed to endure the icing event? Please provide
23 supporting evidence.
- 24 v. Did design flaws in the LIL contribute to this outage? Please provide supporting
25 evidence.

1 vi. Please provide all materials NSPML received from NLH regarding this outage,
2 work done during the outage, and the need for the outage.

3 vii. Did NSPML conduct any independent diligence regarding this outage? If so,
4 please provide the results of that diligence.

5 viii. Did this outage impose costs on Nova Scotia ratepayers? Please provide NSPML's
6 best estimate of those costs.

7 j) Regarding the March/April 2024 "Outage":

8 i. Is NSPML aware of the technical cause(s) of this outage? If so, please provide
9 the cause(s) and any supporting evidence.

10 ii. Did NSPML receive a root cause analysis (or similar analysis) from NLH related to
11 this outage? If so, please provide that documentation.

12 iii. Did the affected components of the LIL perform as designed during the icing
13 event? Please provide supporting evidence.

14 iv. Were the affected components designed to endure the icing event? Please provide
15 supporting evidence.

16 v. Did design flaws in the LIL contribute to this outage? Please provide supporting
17 evidence.

18 vi. Please provide all materials NSPML received from NLH regarding this outage,
19 work done during the outage, and the need for the outage.

20 vii. Did NSPML conduct any independent diligence regarding this outage? If so,
21 please provide the results of that diligence.

22 viii. Did this outage impose costs on Nova Scotia ratepayers? Please provide NSPML's
23 best estimate of those costs.

24 k) Regarding the April 2024 "Outage":

25 i. Please provide a list and detailed explanations of all "cable switching deficiencies"
26 and the maintenance items done to correct those deficiencies.

- 1 ii. Were there any additional maintenance activities that occurred during the outage,
2 other than those identified in response to (i)? If so, please provide a list and
3 detailed explanations of all such maintenance activities.
- 4 iii. If the LIL had been able to operate at 900 MW as designed, would the timing and/or
5 duration of this outage been different? Please explain.
- 6 iv. Please provide all materials NSPML received from NLH regarding this outage,
7 work done during the outage, and the need for the outage.
- 8 v. Did NSPML conduct any independent diligence regarding this outage? If so,
9 please provide the results of that diligence.
- 10 vi. Did this outage impose costs on Nova Scotia ratepayers? Please provide NSPML's
11 best estimate of those costs.

12
13 **Request IR-6:** Please refer to Exhibit N-1, section 5.0

- 14
15 a) Please explain why NSPML waited nearly two years after the end of the "Compliance Period"
16 to request cessation of the Holdback Mechanism.
- 17 b) NSPML identifies several additional LIL outages taken from May 2024 through October 2024
18 at page 23 lines 17-29. In NSPML's view, were each of these outages reflective of Good Utility
19 Practice or explained by extraordinary circumstances? Please explain.
- 20 c) Is it NSPML's view that, if a utility-owned asset has been poorly designed, and that such poor
21 design leads to increased maintenance needs (and associated outages), that as long as that
22 utility takes steps to conduct needed maintenance in a reasonable manner, that the utility has
23 acted consistent with Good Utility Practice? That is, are design flaws irrelevant to the
24 determination of whether the utility acted in accordance with Good Utility Practice? Please
25 explain.

26
27 **Request IR-7:** Please refer to Exhibit N-1, page 28 line 27 to page 29 line 12.

1 a) What is NSPML’s understanding of “the collective contractual bargain” that “customers”
2 were due?

3 b) Are there costs to “customers” associated with the delay in commencement of the NS
4 Block, the frequent interruptions in NS Block deliveries experienced since 2021, and the
5 need for large quantities of makeup NS Block deliveries at less predictable times than the
6 near-levelized volumes anticipated in matter M05419? Please explain.

7
8 **Request IR-8:** Please refer to Exhibit N-1, Attachment 1, page 6¹, lines 4-5

9 (“...nor should [NSPML] be held accountable for planned outages on another transmission line
10 over which it has no operational control.”) Is the Witnesses’ position conditioned on whether the
11 planned outage is prudent or otherwise consistent with Good Utility Practice? Please explain.

12
13 **Request IR-9:** Please refer to Exhibit N-1, Attachment 1, page 10, lines 7-9

14 a) Please describe the Witness’s efforts to independently verify that the planned outages
15 “were conducted for necessary maintenance and system enhancements.”

16 b) Please provide all documents, workpapers, and analyses that the Witness relied upon to
17 support the view that the planned outages “were conducted for necessary maintenance
18 and system enhancements.”

19
20 **Request IR-10:** Please refer to Exhibit N-1, Attachment 1, page 11, lines 20-21 (“No harm
21 to customers has been evident since the LIL commissioning in April of 2023.”)

22 a) Please describe the Witness’s efforts to independently verify this statement.

23 b) Please provide all documents, workpapers, and analyses that the Witness relied upon to
24 support this statement.

¹ For all Attachment 1 references, we refer to the page number at the top of Attachment 1 pages, not the page number at the bottom of Attachment 1 pages.

Request IR-11: Please refer to Exhibit N-1, Attachment 1, A23, A25, A26, and A27.

a) Please confirm that the Witness's referenced answers address asset maintenance generally, and does not specifically assess the actual maintenance of Muskrat Falls Generating Station, the LIL, the Maritime Link, or any of their associated components.

b) Did the Witness conduct an independent review of the actual maintenance of Muskrat Falls Generating Station, the LIL, the Maritime Link, or any of their associated components? If so, please provide all documents, workpapers, and analyses the Witness relied upon in conducting such a review.

Request IR-12: Please refer to Exhibit N-1, Attachment 1, page 18 lines 9-10. Please provide an electronic copy of "the U.S. Hydropower Market Report issued by the U.S. Department of Energy in January of 2021."

Request IR-13: Please refer to Exhibit N-1, Attachment 1, A32

a) Please describe the Witness's efforts to independently verify the details and necessity of the July 2023 outage.

b) Please provide all documents, workpapers, and analyses that the Witness relied upon to independently assess the details and necessity of the July 2023 outage.

c) Please describe the Witness's efforts to independently verify the details and necessity of the September 2023 outage.

d) Please provide all documents, workpapers, and analyses that the Witness relied upon to independently assess the details and necessity of the September 2023 outage.

Request IR-14: Please refer to Exhibit N-1, Attachment 1, A33

1 a) Please describe the Witness's efforts to independently verify the details and necessity of
2 the March 2024 outages.

3 b) Please provide all documents, workpapers, and analyses that the Witness relied upon to
4 independently assess the details and necessity of the March 2024 outages.

5
6 **Request IR-15:** Please refer to Exhibit N-1, Attachment 1, A34

7 a) Please provide the Witness's source(s) for the statement that "the LIL is designed to resist,
8 without damage, a climatic event of severity seen once every 50 years."

9 b) Is it the Witness's testimony that "the climate is changing," or is the Witness quoting NLH?

10 c) Is it the Witness's testimony that "microclimates are being discovered," or is the Witness
11 quoting NLH?

12 d) Is it the Witness's testimony that climate change and previously-undiscovered
13 microclimates represent climatic conditions that the LIL cannot withstand without damage?

14 Please explain, and please provide all documents, workpapers, and analyses that the
15 Witness relied upon to support this position.

16
17 **Request IR-16:** Please refer to Exhibit N-1, Attachment 1, A35

18 a) Please provide all documents, workpapers, and analyses that the Witness relied upon to
19 provide this answer.

20 b) Did the Witness conduct a review of the "project financing agreement" for the LIL? If so,
21 please provide that document(s).

22
23 **Request IR-17:** Please refer to Exhibit N-1, Attachment 1, A36. Did the Witness conduct an
24 independent review of the reasonableness of the LIL outages shown in Table 1? If so, please
25 provide all documents, workpapers, and analyses the Witness relied upon in conducting such a
26 review.

1
2 **Request IR-18:** Please refer to Exhibit N-1, Attachment 1, A37. Is it the Witness's position
3 that the request to cease the Holdback Mechanism should be determined by whether "outages"
4 were reported by NLH to be "successful?" Please explain.
5

6 **Request IR-19:** Please refer to Exhibit N-1, Attachment 1, page 30 lines 17-18

7 a) Is it the Witness's position that the software issues experienced by the LIL to date are
8 "minor"?

9 b) Please provide all examples of which the Witness is aware of high-voltage transmission
10 lines experiencing software issues like those experienced by the LIL.
11

12 **Request IR-20:** Please refer to Exhibit N-1, Attachment 1, A39

13 a) Please define the length of the "initial period," in a range months, to which the Witness
14 refers.

15 b) Is it the Witness's testimony that the "hurdles" faced by the LIL were anticipated in the
16 Board's review of the Maritime Link proceeding (M05419)? If so, please provide citations
17 to relevant documents in that proceeding supporting the Witness's position.
18

19 **Request IR-21:** Please refer to Exhibit N-1, Attachment 1, A44

20 a) Please explain the Witness's understanding of why the Energy and Capacity Agreement
21 specified monthly firm energy deliveries that are now considered to be potentially
22 impossible to achieve, even within 10% of the target for twelve consecutive months.

23 b) Has the Witness compared the timing and duration of the planned outages on the LIL with
24 the timing and duration of planned outages originally assumed for the LIL? If so, please
25 provide the Witness's assessment and supporting evidence.

1 c) Has the Witness compared the equivalent forced outage rate on the LIL with equivalent
2 forced outage rate originally assumed for the LIL? If so, please provide the Witness's
3 assessment and supporting evidence.

4 d) If the LIL were to consistently operate at 900 MW as designed, would the Witness's view
5 of the achievability of the 12-month requirement change? Please explain.
6

7 **Request IR-22:** Please refer to Exhibit N-1, Attachment 1, page 35 lines 10-12. Did the
8 Witness quantify the "value" of the Muskrat Falls assets to "customers?" If so, please provide that
9 analysis and supporting workpapers.