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NOVA SCOTIA ENERGY BOARD

4 **IN THE MATTER OF:** *The Public Utilities Act and the Maritime Link Act and the*
5 *Maritime Link Cost Recovery Process Regulations*

6 **IN THE MATTER OF:** **An Application by NSP Maritime Link Inc. to end the holdback**
7 **mechanism in accordance with the parameters set by the Nova**
8 **Scotia Utility and Review Board in Matter 11009**

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INFORMATION REQUESTS

To: John D. Wilson
The Consumer Advocate ("CA")

From: The Industrial Group

Responses Due: June 11, 2026

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12 Issued at Halifax, Nova Scotia, this 21th day of May 2026.

13 **Request IR-1:**

14 **Reference: N-8, Evidence of John D. Wilson (CA), p.5.**

15 (a) Please set out the full definition or standard that Mr. Wilson applied in
16 determining whether Event 4 (the March-April 2024 unplanned icing
17 outage) constitutes "exceptional circumstances" for the purposes of the
18 Board's "consistent deliveries" threshold.

19 (b) Did Mr. Wilson consider or rely on any regulatory, contractual or legal
20 precedents in formulating this standard? If yes, please identify them.

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- 1 (c) Does Mr. Wilson's standard for "exceptional circumstances" require that
2 the causal event be unforeseeable, beyond design standards, or both?
3 Please explain how each element was assessed in relation to the March-
4 April 2024 event.

5 **Request IR-2:**

6 **Reference: N-8, Evidence of John D. Wilson (CA), p.5, lines 14-15.**

7 **Preamble: Mr. Wilson describes the March-April 2024 event as an "ice-accumulation**
8 **event [that] caused damage to the LIL during an event that exceeded design standards."**

- 9 (a) What evidence did Mr. Wilson rely upon to conclude that the March-April
10 2024 icing event "exceeded design standards"? Please identify and
11 reference all source documents or data underlying this conclusion.

- 12 (b) Is Mr. Wilson aware of and does he agree with Bates White that unbalanced
13 ice loading events also caused LIL forced outages in January 2021 and
14 December 2022, prior to the March-April 2024 event?

- 15 (c) If so, does Mr. Wilson consider this prior history in relation to the same
16 asset relevant to whether the March-April 2024 event constitutes
17 "exceptional circumstances"? Please explain.

- 18 (d) If the design standards were insufficient, should that factor into whether the
19 event was "exceptional" or does Mr. Wilson's analysis proceed
20 independently of LIL design adequacy? Please explain.

- 21 (e) Does the fact that the Haldar Report (N-2, NSPML (BW) IR-15, Attachment
22 1, completed in March 2021) identified LIL design vulnerabilities with
23 respect to unbalanced ice loading affect Mr. Wilson's characterization of
24 the March-April 2024 event as "exceptional"? Please explain how, if at all,
25 this was considered.

1 **Request IR-3:**

2 **Reference:** N-8, Evidence of John D. Wilson (CA), p. 6, lines 17-22.

3 ***Q: Does the frequency of continued under-deliveries of the NS Block***
4 ***since April 2024 concern you?***

5 ***A: Yes, the NS Block 14% outage rate (both planned and forced) seems***
6 ***concerning. However, it is not concerning enough to undermine my opinion***
7 ***that NSPML has met its burden to demonstrate that deliveries are occurring***
8 ***consistent with good utility practice. I have three specific concerns.***

9 (a) With respect to the three specific concerns described, are these simply
10 observations or, by outlining them, does Mr. Wilson intend the Board
11 should act on and address these concerns?

12 (b) If so, what do you recommend?

13 **Request IR-4:**

14 **Reference:** N-8, Evidence of John D. Wilson (CA), p.7, lines 9-11.

15 ***I recommend the Board accept NSPML's request to end the Holdback***
16 ***effective April 2024. The Board may also wish to direct NSPML to undertake***
17 ***some action in response to the two icing events.***

18 (a) Please specify the "action in response to the two icing events" that Mr.
19 Wilson recommends the Board direct NSPML to undertake.

20 (b) Does this action include a review by the Board and interested parties? If
21 so, please specify the nature of the review, the deliverables to be produced,
22 and the proposed timeline for completion.

23 (c) Please state whether Mr. Wilson considers it appropriate for the Board to
24 make the return of any holdback amounts conditional on NSPML
25 completing, or committing to complete, such action. Please explain why or
26 why not.

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