

June 1, 2026

[REDACTED]
Hunter Cooling
[REDACTED]

Dear Mr. Cooling:

**M12732 – Nova Scotia Power Inc. – Appeal by Hunter Cooling of a Decision of the
Dispute Resolution Officer**

On March 4, 2026, you filed an appeal with the Nova Scotia Energy Board (Board) regarding a decision made by Nova Scotia Power Dispute Resolution Officer (DRO). The appeal concerns your claim that you were not properly compensated by Nova Scotia Power Inc. (NS Power) for your solar generation. You are seeking compensation for the excess generation in 2025 and a revision to Section 7(4) of the Nova Scotia *Electricity Act* to allow compensation.

The Board reviewed the following documents:

- Your initial complaint, dated March 4, 2026;
- NS Power's reply, dated March 23, 2026;
- Your response to NS Power's reply, received on April 7, 2026;
- Your response to Board staff Information Requests (IRs), received May 27, 2026; and
- NS Power's response to Board staff IRs, received May 27, 2026.

NS Power noted that you first became a self-generating customer on February 23, 2024, and fall under the Self-Generation Option (SGO). Section 7(4) of the *Electricity Act* requires that utilities only purchase electricity from you up to the maximum of your usage per calendar year and are not required to compensate you for any excess generation.

In your responses, you indicated that you had received payment for excess power generation in 2024 as supporting evidence. However, in its response, NS Power had stated that they did not compensate you for any excess generation during the 2024 calendar year, and explained that:

In 2024 his consumption was 12027 kWh (including a proration of 2799 from January 1 to February 5, and 768 kWh from December 9 to December 31, 2025). During the year, Mr. Cooling generated 10180 kWh. Over the course of the billing periods from April 2024 to December 2024, Mr. Cooling was credited with 7291 kWh generation. The adjustment at the end of the year reflected the difference of 2889 kWh generation

(10180 kWh – 7291 kWh = 2889 kWh) and he was provided a total net meter surplus payout of \$511.44. In 2024 Mr. Cooling did not have any “excess” generation – his net generation was below his net consumption for the year.

[Exhibit C-6, p. 5]

In the response to Board staff IRs, you and NS Power both agreed that there are no concerns about meter accuracy. NS Power further confirmed that all readings and credits are based on actual meter readings.

Under the *Energy and Regulatory Boards Act*, the Board is established as an administrative tribunal, and exercises the powers and duties conferred or imposed by various statutes, including the *Electricity Act* and the *Public Utility Act*. Its responsibility for general supervision of all public electric utilities operating in Nova Scotia has arisen primarily from the *Public Utility Act*, and NS Power is one such utility. Among other things, the Board’s jurisdiction includes approval of Regulations for the provision of electric service to customers. The Regulations also establish the DRO appeals process. In reviewing matters such as yours, the role of the Board is to determine whether the utility has properly applied the Board’s approved Regulations and Nova Scotia *Electricity Act* in its dealings with customers. The Board reviews the evidence and reaches a decision based on the evidence, considering whether NS Power has followed the Board-approved Regulations to provide customer service.

In 2022, the *Electricity Act* in Nova Scotia was amended to allow any NS Power customer to install a 27 kW or smaller solar generator as of right, with no requirement to participate in any NS Power program. Under this legislation, the customer can only use their solar generation to offset their total consumption on a calendar-year basis. NS Power is not required to compensate the customer for any excess generation beyond their consumption. The relevant provisions of the Act are as follows:

Customer may generate and sell electricity

7 (1) A Nova Scotia Power customer may, as of right, with no requirement to participate in a Nova Scotia Power program, install a renewable low impact generator or energy storage device with a total nameplate capacity of 27 kilowatts or less.

(2) A customer who generates the customer’s own electricity shall ensure the equipment meets the standards prescribed by the regulations.

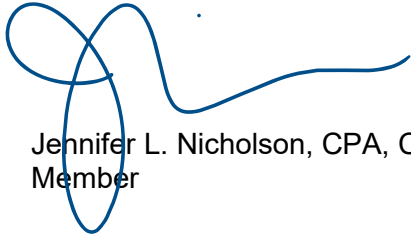
(3) Subject to subsection (4), Nova Scotia Power shall purchase excess electricity from a customer who has installed a renewable low-impact generator or energy storage device with a nameplate capacity of 27 kilowatts or less to generate electricity for the customer’s own use.

(4) Nova Scotia Power shall purchase electricity under subsection (3) up to a maximum of the customer’s total usage per calendar year at a rate equivalent to the rate paid by the customer but is not required to compensate a customer for electricity generated by the customer in excess of the customer’s total consumption in a calendar year.



The Board finds that the request for compensation for electricity generated exceeding your annual consumption falls outside the scope of the current *Electricity Act*. The Board does not have the authority to change the legislation or to direct NS Power to pay more than the statute requires. As such, your appeal is dismissed.

Yours very truly,

A handwritten signature in blue ink, consisting of a large loop followed by a series of smaller loops and a trailing line.

Jennifer L. Nicholson, CPA, CA
Member

c. Nova Scotia Power Inc.

