

From: dlinc08 [REDACTED]
Sent: Thursday, April 23, 2026 1:52 AM
To: Smith, Chase <Chase.Smith@novascotia.ca>
Cc: info@macgillivraylaw.com <info@macgillivraylaw.com>; Wallace, Lisa <Lisa.Wallace@novascotia.ca>; Chris Lanteigne <chris.lanteigne@nspower.ca>; Blake Williams <Blake.Williams@nspower.ca>; Carley Freeman <Carley.Freeman@nspower.ca>; Forsey, Lisa <Lisa.Forsey@nspower.ca>; Jennifer Ross <jennifer.ross@nspower.ca>; Kathleen Murray <kathleen.murray@nspower.ca>; Ross, Jennifer <Jennifer.Ross@nspower.ca>; Sofia Reiner <sofia.reiner@nspower.ca>; Lawson, Hollie <Hollie.Lawson@novascotia.ca>; Penney, Nicole <Nicole.Penney@novascotia.ca>
Subject: FINAL NOTICE: Technical and Regulatory Breach regarding Matter M12733

** EXTERNAL EMAIL / COURRIEL EXTERNE **

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Dear Chase,

As a retired military computer technician, who spent 8 years of his career working at NORAD, I am putting the Ombudsman on notice regarding the integrity of the evidentiary record in Matter M12733.

NS Power and the Board have twice failed to produce the **Regulation 6.5(3)** signed agreements. I wish to state for the record that **no such signed documents exist**, as I have never been provided with, nor signed, any such instruments since 2017.

If the utility or the Board attempts to produce "new" agreements at this stage, I request that the Ombudsman demand the **original digital metadata** and **server audit logs** for those files. Any document created or modified after the start of this dispute (Feb 2026) would constitute **forgery and a corruption of the regulatory process**. I shouldn't have to say this but as NS Power and the Board have failed to prove to be honest, professional and trustworthy I must make the above statement.

The total absence of these signatures in the "Complete File" provided yesterday confirms that the utility's claims are baseless

Based on the evidence in **Exhibit L-7**, Nova Scotia Power has admitted to overbilling me by over **\$300/month** this year alone (\$805 charged vs. \$496 usage).

However, because these unsigned "agreements" date back to my move-in in **September 2017**, this is a systemic multi-year fraud. The \$496 figure is only for current usage; in 2017, rates were lower, and my actual consumption was different.

Facilitating Unjust Enrichment: By continuing to bill me based on "ghost" agreements while the appeal is active, the Board is arguably facilitating **unjust enrichment**, which is a core claim in current class-action litigation against the utility.

· **The Burden of Proof:** Under **Regulation 6.5(3)**, the burden is on **NS Power** to prove the agreement exists. If they cannot produce my signature, the agreement is **void ab initio** (void from the start).

I am requesting the Ombudsman recommend a Full Forensic Audit because:

1. **Systemic Non-Compliance:** NSP admits to multiple "agreements" since 2017 but has **failed to produce a single signature** as required by **Regulation 6.5(3)**.

2. **Unverifiable Arrears:** The current "arrears" are "ghost debts" created by these illegal, unsigned contracts.

3. **Data Anomalies:** NS Powers own provided records show meter glitches (0.00 reads/negative entries) that prove the utility's billing data is unreliable for a simple "review."

I request a **zero-based audit** where my account is recalculated to **actual metered usage** from September 2017 to present, stripping away every cent charged under these null and void "deals." And fully refunding these amounts to the disabled Veteran they stole them from with fraudulent and void "agreements" that have no legal evidence of and have continued to fail to provide after repeated requests.

Furthermore, I wish to state for the record that Nova Scotia Power has **never** possessed a copy of my signature. Any document produced at this stage claiming to bear my signature would be a verifiable forgery and a criminal corruption of these proceedings.

Lastly, the fact that NS Power is attempting to justify these "ghost arrears" by using a **fired case manager** as an excuse—effectively exploiting a disabled veteran through unauthorized third-party contracting—is a **massive PR and legal nightmare** for the utility and the Board.

Finally in closing, The fact that I am forced to conduct this forensic review and defend my rights at 2:00 AM, while dealing with service-related health issues, is a direct result of the Board and Utility's refusal to follow their own regulations and is further evidence of the Intentional Infliction of Emotional Distress (IIED) being caused by these proceedings.

Kind regards,
Dave Lincoln

Sent from my Galaxy