

From: [REDACTED]
To: [Ombudsman; Energy and Regulatory Boards Tribunal](#)
Cc: [Mayhunga, Miranda](#); [Lawson, Hollie](#); [Penney, Nicole](#); [Blake Williams](#); [Carley Freeman](#); [Chris Lanteigne](#); [Jennifer Ross](#); [Kathleen Murray](#); [Lisa Forsey](#); [Sofia Reiner](#); [info@macgillivraylaw.com](#); [Wallace, Lisa](#); [Kings West Constituency Office](#)
Subject: FORMAL NOTICE: Matter M12733 – Systemic Regulatory Fraud, Procedural Unfairness, and Human Rights Violations
Date: April 21, 2026 5:11:08 PM
Attachments: [image001.png](#)
[image001.png](#)
[image002.png](#)

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Dear Members of the Nova Scotia Energy Board and the Office of the Ombudsman,

This letter serves as a formal notice that I am being subjected to systemic regulatory fraud and a gross denial of procedural justice by Nova Scotia Power (NSP), which is now being facilitated by the inaction of the Nova Scotia Energy Board (NSEB) and the biased conduct of the Dispute Resolution Officer (DRO).

As a disabled veteran relying on Veterans Affairs support, I am notifying you of the following clear violations of law and regulatory mandates that remain unaddressed despite being raised multiple times.

1. Violation of Regulation 6.5(3): Fraudulent "Agreements"

NSP has enforced a monthly charge of \$800+—an amount they admit is \$300+ over my actual usage—based on alleged "agreements." Under Regulation 6.5(3), every payment agreement must be in writing and signed by the customer.

The Violation: NSP has failed to produce a single signed agreement. Charging a customer based on a non-existent legal instrument is regulatory fraud and unjust enrichment.

The Board's Failure: The Board Clerk has incorrectly stated I must pay "current bills" derived from these fraudulent arrears, directly contradicting the stay of enforcement required during a live appeal.

2. Unauthorized Third-Party Contracting & Breach of Privacy

NSP admits to establishing a financial "deal" with a third party (a former VAC employee) without my knowledge or consent. This is a violation of Agency Law and the Consumer Protection Act. No utility has the legal authority to bind an account holder to a debt through a third party without a Power of Attorney or explicit written consent.

3. Violation of Regulation 5.5: Refusal to Correct Meter Anomalies

NSP's own data shows 0.00 reads followed by thousands of billed kWh, negative

usage, and duplicate dates. Under Regulation 5.5, the utility is mandated to correct billing for meter errors. The DRO's dismissal of these as "lifestyle issues" is a direct failure of his oversight mandate and demonstrates clear administrative bias.

4. Violation of the Nova Scotia Human Rights Act

As a disabled veteran with service-related PTSD, I have requested hardship accommodations and a billing freeze during this investigation.

The Law: Under the NS Human Rights Act, service providers have a Duty to Accommodate to the point of undue hardship.

The Violation: NSP's repeated threats of disconnection and the Board's insistence on payment of disputed funds constitute a failure to accommodate and the Intentional Infliction of Emotional Distress (IIED).

5. Notice of Systemic Failure & Ongoing Class Action

I am officially notifying the Board that my case is part of a broader pattern of "Billing Integrity Failure" currently being litigated in the Supreme Court of Nova Scotia (MacGillivray v. Nova Scotia Power). The utility's implementation of inaccurate billing systems and its prioritization of corporate interest over consumer protection is now a matter of public and legal record.

MANDATORY DEMANDS:

Immediate Billing Freeze: Instruction to NSP to cease all collection and "current bill" enforcement until this appeal is resolved.

Disclosure of Evidence: Immediate production of Exhibit L-7 and any signed documents NSP relies upon.

Ombudsman Intervention: I request the Office of the Ombudsman investigate the procedural unfairness of the DRO and the Board's failure to adhere to the 12-day stay of enforcement.

Forensic Audit: A zero-based audit of my account from 2017 to present, stripping away every cent not backed by a signed agreement.

I have defended the rights of this country; I will not allow my own rights to be trampled by a regulated monopoly and a silent Board. I expect a formal response acknowledging these legal points within 48 hours.

Respectfully,

David Lincoln
Disabled Veteran
NSP Account: [REDACTED]

----- Original message -----

From: "Wallace, Lisa" <Lisa.Wallace@novascotia.ca>

Date: 2026-04-21 8:50 a.m. (GMT-04:00)

To: [REDACTED]

Cc: "Mavhunga, Miranda" <Miranda.Mavhunga@novascotia.ca>, "Lawson, Hollie" <Hollie.Lawson@novascotia.ca>, "Penney, Nicole" <Nicole.Penney@novascotia.ca>, Blake Williams <Blake.Williams@nspower.ca>, Carley Freeman <carley.freeman@nspower.ca>, Chris Lanteigne <chris.lanteigne@nspower.ca>, Jennifer Ross <jennifer.ross@nspower.ca>, Kathleen Murray <kathleen.murray@nspower.ca>, Lisa Forsey <lisa.forsey@nspower.ca>, Sofia Reiner <sofia.reiner@nspower.ca>

Subject: RE: M12733 - NSPI to NSEB Response to Dave Lincoln DRO Appeal

Good morning and thank you for your email below.

I feel it may be prudent to reiterate the process that the Board follows in these appeals, which is as follows:

- After your written complaint is filed with the Clerk of the Board, the Clerk will acknowledge receipt of your complaint and will provide a copy of it to your utility. At that point, the matter will be assigned to a Board Member for its review. The Board Member will be assisted in its review by an advisory staff member who may be in contact with you about your complaint.
- The Board Member will review the file and obtain any additional information required from you or from your utility. This request for information will normally be in the form of written questions (called Information Requests or IRs) sent by Board staff to you or to the utility. Written responses to these IRs are necessary in order to proceed with the complaint.
- The Board Member will then review the material and, based on the information provided, determine whether further investigation is warranted. If the Board decides no further investigation is warranted, a letter is sent to both parties stating the reasons for this determination.
- If, after reviewing the file material, the Board Member determines that further investigation is warranted, it shall conduct a more detailed investigation. After reviewing the results of the further investigation, the Board will determine whether a hearing is warranted and advise you and the utility by letter in advance of the hearing. Both you and the utility will be given an opportunity to file any further information which is relevant to the matter, according to deadlines set by the Board.
- In most cases, your matter will be considered by way of a paper hearing (an exchange of letters, emails, documents). In rare cases, your matter may be considered in a hearing held in person at the Board offices, or outside of Halifax, in your local town or municipality. Upon review of the information after the paper hearing or in person hearing, the Board will issue its written decision about your complaint.
- If the Board finds that you are successful in your complaint, the Board will issue an Order directing the utility to comply with the Board's directions to remedy the matter.

Right now, we are the stage where we have received NS Power's response to your appeal and your response to that information. Now the Board will determine if further information is required and information requests (IR's) may be issued to one or both parties. Once all information required has been obtained, the Board will proceed to make a decision.

NS Power can continue to bill, and you are responsible for all current bills that are **not** the subject of the dispute.

I hope this is of assistance to you.

Regards,

LISA WALLACE

Chief Clerk

Nova Scotia Energy Board

T 902 424 1332 Ext. 9291

TF 1 833 809 0040

F 902 424 3919



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From: [REDACTED]

Sent: April 20, 2026 5:41 PM

To: Penney, Nicole <Nicole.Penney@novascotia.ca>; Sofia Reiner <Sofia.Reiner@nspower.ca>

Cc: Carley Freeman <Carley.Freeman@nspower.ca>; Chris Lanteigne <Chris.Lanteigne@nspower.ca>; Forsey, Lisa <Lisa.Forsey@nspower.ca>; Wallace, Lisa <Lisa.Wallace@novascotia.ca>; Podolyako, Maryna <Maryna.Podolyako@novascotia.ca>; Murray, Kathleen <Kathleen.Murray@nspower.ca>; Ross, Jennifer <Jennifer.Ross@nspower.ca>; Williams, Blake <Blake.Williams@nspower.ca>

Subject: RE: M12733 - NSPI to NSEB Response to Dave Lincoln DRO Appeal

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Good day,

As i havent heard anything back since and it has been 30 days i was wondering if i could please be provided an update? Also is it possible to get a copy of anything NS Power has uploaded as i have uet to see a single "agreement" or anything.

Also i again got billed today 20 April 2026, by NS Power which yet again shows their non compliance with their own dispute resolution regulations. This is at least 3 times they have billed me since i have stated my dispute. If they arent held to follow their own mandates they will continue to rip people off and steal from the vulnerable. With all of the current ongoing failures of this company this is beyond unacceptable.

Thank you for your time and assistance and holding this company accountable for their clear wilful and blatant disregard for their own regulations and consumer protection laws they dont seem to care about following.

Extremely frustrated,

Disabled Veteran

Dave Lincoln

Sent from my Galaxy

----- Original message -----

From: "Penney, Nicole" <Nicole.Penney@novascotia.ca>

Date: 2026-03-20 1:18 p.m. (GMT-04:00)

To: Dave Lincoln [REDACTED], Sofia Reiner <Sofia.Reiner@nspower.ca>

Cc: Carley Freeman <Carley.Freeman@nspower.ca>, Chris Lanteigne <Chris.Lanteigne@nspower.ca>, "Forsey, Lisa" <Lisa.Forsey@nspower.ca>, "Wallace, Lisa" <Lisa.Wallace@novascotia.ca>, "Nakhatovych, Maryna" <Maryna.Nakhatovych@novascotia.ca>, "Murray, Kathleen" <Kathleen.Murray@nspower.ca>, "Ross, Jennifer" <Jennifer.Ross@nspower.ca>, "Williams, Blake" <Blake.Williams@nspower.ca>

Subject: M12733 - NSPI to NSEB Response to Dave Lincoln DRO Appeal

Good afternoon,

This will acknowledge receipt of your reply to NSPI's response received on March 20, 2026. It has been directed to the Board and staff and posted as Exhibit L-8 in Matter No. M12733 on the Board's public website.

Thank you,

NICOLE PENNEY (she/her)

Administrative Assistant to Lisa Wallace, Chief Clerk of the Board

Nova Scotia Energy Board

T 902 424 1332

TF 1 833 809 0040

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Thank you.

From: Dave Lincoln [REDACTED]
Sent: March 20, 2026 3:03 AM
To: Penney, Nicole <Nicole.Penney@novascotia.ca>; Sofia Reiner <Sofia.Reiner@nspower.ca>
Cc: Carley Freeman <Carley.Freeman@nspower.ca>; Chris Lanteigne <Chris.Lanteigne@nspower.ca>; Forsey, Lisa <Lisa.Forsey@nspower.ca>; Wallace, Lisa <Lisa.Wallace@novascotia.ca>; Nakhatovych, Maryna <Maryna.Nakhatovych@novascotia.ca>; Murray, Kathleen <Kathleen.Murray@nspower.ca>; Ross, Jennifer <Jennifer.Ross@nspower.ca>; Williams, Blake <Blake.Williams@nspower.ca>
Subject: Re: M12733 - NSPI to NSEB Response to Dave Lincoln DRO Appeal
Importance: High

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Dear Ms. Wallace and Board Members,

Re: M12733 – DRO Appeal – Dave Lincoln (Account [REDACTED])

This reply addresses NS Power's **last-minute March 19 Exhibit L-7** (filed on deadline, proving delay tactics), which systematically evades my core complaints while fabricating compliance. Their filing—plus fresh Mar 19 bill enforcing DRO during appeal—confirms **blatant Reg 6.5 violations**, unauthorized contracting, meter anomalies, continued billing in live appeal, and **willful regulatory evasion harming disabled veterans and likely others**.

1. No Signed Payment Agreements Produced (Reg 6.5(3) Violation)

NSPI claims "multiple budget agreements" (2018, 2020, 2024) yet produces **zero signed documents—or any documentation whatsoever**. Regulation 6.5(3) mandates: **"Every Payment Agreement shall be in writing and shall be signed by the customer."** Since NSPI cannot produce a single signed agreement or proof one was offered, **all alleged agreements are void**. Every arrangement was **forced under threat of disconnection**—the only "agreements" ever made or "offered." I deem these **unilateral impositions, not true offers**, with my wife in tears both times, never asked what we could afford. **NSPI must admit clear systematic non-compliance since 2017.**

2. Fraudulent \$800/Month VAC "Agreement" (Unauthorized Contract)

NSPI admits "Mitzi at Veterans Affairs" imposed \$800/month (July 18, 2024) with only my wife's consent—I was never consulted, informed, or asked to agree. After my VAC complaint about this fraudulent deal, Mitzi was removed/terminated for untrustworthiness.

Forcing contracts on disabled veterans via rogue third parties without account holder consent violates consumer protection law. This unilateral \$800/month (far above claimed \$496 usage) is **void ab initio**.

3. Meter Data Anomalies Ignored (Reg 5.5 Violations)

NSPI's table reveals obvious errors never explained/adjusted:

- **2025 Sept: Duplicate dates, -9,635 kWh negative usage, 13,646 kWh**
- **Multiple 0.00 reads with thousands kWh billed**
Reg 5.5 requires billing correction for meter issues. Immediate audit/credits required.

4. Equal Billing Never Recalculated (Reg 6.5 Non-Compliance)

- Hot tub broke 2022 (5KW heater ran year-round for physical injuries/therapy)—never recalculated despite requests, even after disconnected
- NSPI continued charging as if running (**slap in face losing therapy benefits**)
- \$496 "current usage" lacks step-by-step bi-monthly kWh calculation
- Neighbors (same area, some with hot tubs) pay \$250 max—**\$246/month unexplained**
Reg 6.5 requires equal billing "reasonably related to actual usage." Full 2017 audit demanded.

5. Zero Disability Accommodations Despite Known Status + Resulting Harm

NSPI knew my April 2020 medical release, PTSD, sole VAC income since Day 1. No hardship assessment, income-based plan, child assault/custody crisis (May 2021-Dec 2024), or father-in-law cancer death (Nov 2024) accommodations despite **years of awareness**. **NSPI's regulatory violations have caused intense stress worsening my physical injuries and mental health disabilities.** DRO's \$592 ignores disability entirely. **This conduct constitutes Intentional Infliction of Emotional Distress (IIED).**

6. Continued Billing During Live Appeal (Reg 6.4 + DRO Violation)

Two bills in dispute: First (\$3,188 due Mar 11, bal \$2,305.12) Feb 21—19 days post-DRO email Feb 2. Emailed NSPI Feb 21 for hold (cc DRO), got auto-refusal. **Second (\$592 due Apr 7, bal \$3,559.52) March 19—NSPI implemented DRO \$592 despite live appeal**

suspending enforcement (formal notice to DRO), no consent, no signed copy.

Exact issue raised with DRO (Feb 4, page 15 Confidential Att 1), ignored twice. **Appeal suspends DRO—NSPI contempt. Immediate freeze + DRO suspension plus finding on willful non-compliance/evasion.**

NSPI Notified of Appeal Yet Enforced DRO

NSPI got formal Board appeal notice (attached M12733 Formal Ack Let LINCOLN.pdf direct to DRO) before Mar 19 \$592 bill. **Willful enforcement of non-final DRO shows regulatory contempt.**

7. Documentation Gaps Confirm Evasion

- Pre-Jan 2020 invoices "not available" (2017 account open)
- No prior-owner aggregate usage baseline (**privacy excuse invalid**)
- Incomplete ledger/meter history, duplicates unresolved

Core Issues Raised with DRO, Never Addressed—Clear DRO Bias

These violations—Reg 6.5 unsigned agreements, Reg 5.5 meter errors, equal billing failures, disability ignorance—**fully detailed in DRO submission (Feb 4, page 15 Confidential Att 1). DRO showed clear bias by not investigating anything, not even addressing obvious Reg 6.5 violations.** DRO ignored entirely for math-only \$592. **Proves DRO error + bias needing Board correction.**

8. NSPI's Last-Minute Filing Proves Delay Tactics

NSPI waited until March 19 deadline for Exhibit L-7, confirming **pattern of delay + constant reg violations. Targeting disabled veteran proves systemic abuse likely harming many others**—Board must investigate broader pattern, impose penalties as in prior NSPI cases.

Extremely Concerning Regulatory Ignorance

It is deeply troubling that I appear to know NSPI's own Regulations better than NSPI itself, particularly Reg 6.5's written/signature requirements and Reg 5.5 meter corrections. **If NSPI doesn't have to follow their own mandated regulations, which are put in place to protect the consumer, they can easily make up whatever amounts and agreements they want—as proven in this matter.** The fraudulent VAC "agreement" and billing disaster over this entire matter raise **serious easily provable legal concerns. This proves willful disregard of their regulatory responsibilities.**

Demands

1. Void unsigned "agreements," wipe arrears
2. Full 2017-present billing/meter audit + credits
3. Income-based disability plan (VAC-only)
4. Billing freeze during review
5. Mitzi termination explanation post-\$800 "deal"
6. Board finding: NSPI willful non-compliance/evasion

7. Broader NSPI compliance investigation
8. Board investigation of DRO for clear bias and failure to investigate any of the concerns I raised including, Reg 6.5 violations while claiming impartiality

NSPI's response proves DRO erred—billing wrong since 2017. Board must halt overcharges.

I defended this country and defended the rights of each and every Canadian without ever knowing them, only to have NSPI attempt to obliterate my rights and steal from a disabled Veteran, shameful behaviour and scary how many others have been facing the same issues. I have spoken to many others experiencing the same issues. Let alone all of the issues in the news with regards to the horrible billing practices and trying to raise the fees when they cant even follow their own mandates proves systemic change is needed drastically. Even the Premier is frustrated with the blatant disregard for customers needs.

Respectfully submitted,
David Lincoln
Disabled Veteran, Account [REDACTED]

Attachment:

- Mar 19 \$592 bill

From: Penney, Nicole <Nicole.Penney@novascotia.ca>
Sent: 19 March 2026 15:12
To: Sofia Reiner <Sofia.Reiner@nspower.ca>
Cc: Carley Freeman <Carley.Freeman@nspower.ca>; Chris Lanteigne <Chris.Lanteigne@nspower.ca>; Forsey, Lisa <Lisa.Forsey@nspower.ca>; Wallace, Lisa <Lisa.Wallace@novascotia.ca>; Nakhatovych, Maryna <Maryna.Nakhatovych@novascotia.ca>; Murray, Kathleen <Kathleen.Murray@nspower.ca>; Ross, Jennifer <Jennifer.Ross@nspower.ca>; Williams, Blake <Blake.Williams@nspower.ca>; [REDACTED]
Subject: M12733 - NSPI to NSEB Response to Dave Lincoln DRO Appeal

Good afternoon,

This will acknowledge receipt of response to the appeal received on March 19, 2026. It has been directed to the Board and staff and posted as Exhibit L-7 in Matter No. M1733 on the

Board's public website.

Mr. Lincoln's attention is drawn to the response date of **Thursday, April 2, 2026**.

Thank you,

NICOLE PENNEY (she/her)

Administrative Assistant to Lisa Wallace, Chief Clerk of the Board

Nova Scotia Energy Board

T 902 424 1332

TF 1 833 809 0040

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Thank you.

From: Sofia Reiner <Sofia.Reiner@nspower.ca>

Sent: March 19, 2026 1:13 PM

To: Wallace, Lisa <Lisa.Wallace@novascotia.ca>

Cc: Carley Freeman <Carley.Freeman@nspower.ca>; Chris Lanteigne

<Chris.Lanteigne@nspower.ca>; Forsey, Lisa <Lisa.Forsey@nspower.ca>; Wallace, Lisa <Lisa.Wallace@novascotia.ca>; Nakhatovych, Maryna <Maryna.Nakhatovych@novascotia.ca>; Murray, Kathleen <Kathleen.Murray@nspower.ca>; Penney, Nicole <Nicole.Penney@novascotia.ca>; Ross, Jennifer <Jennifer.Ross@nspower.ca>; Sofia Reiner <sofia.reiner@nspower.ca>; Williams, Blake <Blake.Williams@nspower.ca>

Subject: M12733 - NSPI to NSEB Response to Dave Lincoln DRO Appeal

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Ms. Wallace:

Please note that NS Power has uploaded the following documents in relation to the matter referenced above via the Board's secure file transfer service:

- 20260319 M12733 NSPI to NSEB Response to Dave Lincoln DRO Appeal PCON
- 20260319 M12733 NSPI to NSEB Response to Dave Lincoln DRO Appeal RED

The contact for this matter is Jennifer Ross.

Kind regards,

Sofia Reiner ([she/her](#)) | Paralegal, Regulatory Affairs | **Nova Scotia Power**

1223 Lower Water Street, Halifax, NS B3J 3S8 | L6B

E: sofia.reiner@nspower.ca

www.nspower.ca

We acknowledge that we live and work in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people. In Nova Scotia we recognize that We are All Treaty People.

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