

From: [REDACTED]
To: [Penney, Nicole](#)
Cc: [Wallace, Lisa](#); [Lawson, Hollie](#); [Blake Williams](#); [Carley Freeman](#); [Chris Lanteigne](#); [Jennifer Ross](#); [Kathleen Murray](#); [Lisa Forsey](#); [Sofia Reiner](#); [Sonia Liao](#); info@macquillivraylaw.com; [Kings West Constituency Office](#); [Smith, Chase](#)
Subject: RE: Matter M12733 – Formal Objection to "Usual Process" without Legal Evidence
Date: April 23, 2026 4:11:15 PM

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

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Dear Ms. Penney,

Thank you for your response. However, your email fails to address the threshold legal issues I raised in my 01:52 AM formal notice, specifically the total absence of the Regulation 6.5(3) signed agreements in Exhibit L-7.

My formal objections to your response are as follows:

1. Legal Validity of "Agreements": The Board cannot "reconcile" usage against "agreements" that are void ab initio. Under Regulation 6.5(3), no valid agreement exists without my signature. By continuing with the "usual process" without these signatures, the Board is facilitating regulatory fraud.
2. Continued Financial Harm: You state that "not paying your bills may increase the amount owing." This is a threat of financial penalty for a debt that has no legal instrument to justify it. I am being billed for "ghost arrears" while the Board "seeks information" that the utility has already failed to provide twice.
3. Failure to Accommodate: Your response entirely ignores my status as a Disabled Veteran and the Intentional Infliction of Emotional Distress (IIED) being caused by this delay. Forcing a veteran to defend against a \$20,000+ fraudulent claim while withholding evidence (Exhibit L-7) is not a "usual process"; it is administrative negligence.
4. Institutional Bias: The Board's refusal to enforce the mandatory Stay of Enforcement—which explicitly states I do not have to pay the disputed amount until the Board issues its written decision—is a direct violation of [NS Power's Board-approved Dispute Policy](#).

I reiterate my demand: The Board must immediately declare all unsigned agreements null and void and order a Full Forensic Audit back to 2017. I will not be pressured into paying "current bills" that are derived from a fraudulent and unsigned arrangement. And the fact your own Chief Clerk incorrectly stated a regulation and was corrected but has failed to address this clear violation and now threatening me a disabled Veteran that has literally done nothing wrong but ask for accountability for the clear injustices forced upon me is absolutely shameful and unprofessional.

Respectfully,

Dave Lincoln
Disabled Veteran

Sent from my Galaxy

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

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

Date: 2026-04-23 3:33 p.m. (GMT-04:00)

To: [REDACTED]

Cc: "Wallace, Lisa" <Lisa.Wallace@novascotia.ca>, "Lawson, Hollie" <Hollie.Lawson@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>, Sonia Liao <sonia.liao@nspower.ca>

Subject: M12733 FINAL NOTICE: Technical and Regulatory Breach regarding Matter M12733

Mr. Lincoln,

The Board will not pre-judge this complaint at this early stage and will continue with its usual process, which will include seeking additional information to reconcile your actual usage with the amounts charged to determine if there has been any overpayment. If the Board finds that you have been overbilled, the utility will be required to reimburse you with interest. If the Board finds that you have been billed appropriately, not paying your bills may increase the amount owing. As noted previously, no disconnection notices can be issued until the Board makes its decision. Also, interest will not accrue during the appeal period.

Regards,

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



Statement of Confidentiality

This message (including any attachments) may contain private or protected information meant for a specific person or organization.

If you received this by mistake, please let the sender know, do not communicate the content, and delete the email from your system.

Thank you.

From: [REDACTED]
Sent: April 23, 2026 2:16 AM
To: Energy and Regulatory Boards Tribunal <Board@novascotia.ca>
Subject: FW: FINAL NOTICE: Technical and Regulatory Breach regarding Matter M12733

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Good day,

Following my 01:52 AM formal notice regarding Matter M12733 (CC'd below), I am redirecting this to the Clerk's Office as per Ms. Wallace's auto-reply.

This matter is **URGENT** as it involves ongoing financial fraud, the lack of mandatory signed agreements under **Regulation 6.5(3)**, and a violation of the **Stay of Enforcement**. I am a disabled veteran being billed \$800+/month on a \$496/month admitted usage without a legal

contract. I expect the Board to issue an immediate stay of billing today

Regards,

Dave Lincoln

Disabled Veteran

Sent from my Galaxy

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

From:



Date: 2026-04-23 1:52 a.m. (GMT-04:00)

To: "Smith, Chase" <Chase.Smith@novascotia.ca>

Cc: 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

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