

August 17, 2026

Lana.myatt@nspower.ca

Lana Myatt
Manager, Regulatory Capital
Nova Scotia Power Inc.
PO Box 910
1223 Lower Water Street
Halifax, NS B3J 3S8

Dear Ms. Myatt:

M12746 - Nova Scotia Power Inc. - CI C0064966 – Tusket Tidal Pool Fish Passage - \$1,763,971

The Board has reviewed an application from Nova Scotia Power Inc. (NS Power) dated March 13, 2026, in which Board approval was requested for the following partially confidential 2026 Annual Capital Expenditure (ACE) Plan Work Order:

CI # C0064966 Tusket Tidal Pool Fish Passage \$1,763,971

This capital item was included in NS Power's 2026 ACE Plan with an estimated cost of \$1,315,495, in the list of capital items for subsequent approval. In its application, NS Power noted that the increase of \$448,476 from the 2026 ACE Plan subsequent submittal estimate of \$1,315,495 is due to changes in the final design compared to the conceptual design. The increase primarily reflects updated material and construction contract pricing.

Board staff issued Information Requests (IRs) with respect to this matter on May 28, 2026, to which responses were received on June 18, 2026. The Board accepts, as filed, the portions of the Work Order and responses to IRs that are marked confidential.

The Board has considered NS Power's request as well as additional information filed by it in support of this Project. The Board understands that this Project is intended to mitigate the risk of fish entrainment at a tidally influenced pool downstream of the Tusket Powerhouse. Significant mortality events occurred in 2022 and 2023. Subsequent investigations by NS Power confirmed that that low water levels, restricted exit routes and reduced water quality can cause fish to become stranded during receding tides.

NS Power implemented temporary measures such as portable diesel trash pumps and a temporary cofferdam during the 2024 and 2025 season. These measures were successful at preventing fish mortality and stranding within the tidally influenced pool during the 2024

and 2025 migration seasons. However, NS Power noted that these measures require ongoing staff intervention and presents risks associated with equipment failures, vandalism, fuel and material releases. These measures do not address the deficiencies in the berm and outlet structure. The Board also understands that NS Power has an environmental regulatory obligation to prevent avoidable fish mortality associated with its hydro operations. NS Power noted that Department of Fisheries and Oceans Canada (DFO) has previously issued formal directions on the Tusket System and has communicated expectations that permanent mitigations be implemented prior to the next migratory season.

The Board also notes that NS Power engaged extensively with various stakeholders including the DFO, the Mi'kmaq of Nova Scotia and representatives of the Yarmouth/Shelburne commercial Gaspereau fishery. This engagement informed the evaluation of the alternatives.

Based on the above, the Board agrees that this project is necessary and the corresponding cost is justified. Accordingly, this will confirm that the Board has approved NS Power's request in the amount of \$1,763,971, with respect to this Work Order.

Yours very truly,



Darlene Willcott, LL.B.
Member





NSEB APPROVAL SHEET

Project Title: Tusket Tidal Pool Fish Passage

CI Number: C0064966

Date: March 13, 2026

Expenditure Profile			Type of Filing	
Year	Budget Amount	Project Estimate	☒	Capital Project Authorization
2024	341,136	341,136	☐	Unforeseen and Unbudgeted (U&U)
2025	597,311	220,149	☐	Planned & Advanced (P&A)
2026	377,048	1,001,669	☒	Subsequent Approval Item
2027		201,017	☐	Authorization to Overspend (ATO)
			☐	Scope Change
			☐	Final Cost (FIN)
Total	\$1,315,495	1,763,971		

COMMENTS

Submitted on behalf of NOVA SCOTIA POWER INCORPORATED

Approved on behalf of NOVA SCOTIA ENERGY BOARD

Authorized Signatory
Dave Pickles
Chief Operating Officer

DATE
March 13, 2026

DATE
August 17, 2026