

October 13, 2026

cape@ns.sympatico.ca

Ashlee Wiseman
Centre for Adults in Progressive Employment (CAPE) Society
40 Lower MacLean Street
Glace Bay, NS B1A 2K7

Dear Ms. Wiseman:

M12792 - Nova Scotia Power Inc. - Appeal of a Decision of the Dispute Resolution Officer

This is the Board's decision on your appeal of a decision by the Dispute Resolution Officer (DRO) on behalf of the Centre for Adults in Progressive Employment (CAPE) Society.

The following documentation was filed with the Board:

- The DRO's file and decision, dated March 31, 2026;
- Your appeal of the DRO decision, dated April 7, 2026;
- NS Power's response to your appeal, dated April 21, 2026;
- NS Power's response to the Board's information requests (IRs), dated August 17 and October 8, 2026;
- Your response to the Board's IRs, dated August 21, 2026; and
- The meter test result dated October 1, 2026.

The Board understands that you are disputing your March 2026 bill due to a large increase in the recorded consumption while the building was closed more due to weather compared to last fiscal year. You are concerned that the cyber incident affected the meter accuracy.

You request a review of the meter accuracy and a usage breakdown for the bill in dispute.

The DRO for NS Power is an independent third party. His role is to address and ideally resolve disputes with NS Power that cannot be resolved through normal customer channels. He is not an employee of NS Power or the Board. Decisions of the DRO are binding on NS Power but not on the customer. Customers may appeal DRO decisions to the Board within 12 days of receipt of the DRO's final written decision.

In his decision, the DRO stated:

In the context of Board approved Regulation 5.1, NS Power has appropriately billed the Customer for service to 40 Lower McLean St (Account #1494601-6).

[Exhibit C-2, page 2]

BACKGROUND & FINDINGS

You opened account #1494601-6 with NS Power for 40 Lower McLean Street, Glace Bay, in January 2008. Meter #2294813 was installed at this property in January 2021 and is not due for recertification until February 2030. On March 25, 2026, you contacted NS Power regarding your March bill. NS Power informed you that the bill was for four months (2 billing cycles) because it did not issue your January 2026 bill, and the previous four bills were estimated. You contacted the DRO to dispute your March 2026 bill two days later.

The tables below show the summary of your historical usage each year from 2024 till now, based on the information before the Board. According to NS Power's response to Board IR-1(e), your meter was set up to measure higher electrical loads. Each unit the meter recorded equals 40 units of your actual consumption, therefore, all your bills included a multiplier of 40 for the meter reads.

Table 1: 2024

Bill date	Reading (before multiplier)	Usage (after multiplier)	Daily usage	Account balance	Service period
January 5, 2024	5089 read Jan 3	16512	266.3	\$3,160.49	November 2, 2023 – January 3, 2024 (62 days)
March 12, 2024	5753 read Mar 4	26568	435.5	\$5,405.27	January 3 – March 4, 2024 (61 days)
May 6, 2024	6238 read May 2	19395	328.7	\$4,048.34	March 4 – May 2, 2024 (59 days)
July 5, 2024	6451 read Jul 3	8528	137.5	\$1,781.48	May 2 – July 3, 2024 (62 days)
September 6, 2024	6570 read Sep 4	4755	75.5	\$1,010.92	July 3 – September 4, 2024 (63 days)
November 6, 2024	6706 read Nov 4	5448	89.3	\$1,153.22	September 4 – November 4, 2024 (61 days)

Your average usage ranged between 75.5 and 435.5 kWh/day in 2024.



Table 2: 2025

Bill date	Reading (before multiplier)	Usage (after multiplier)	Daily usage	Account balance	Service period
January 7, 2025	6961 read Jan 3	10179	169.7	\$2,118.67	November 4, 2024 – January 3, 2025 (60 days)
March 6, 2025	7537 read Mar 4	23064	384.4	\$4,874.25	January 3 – March 4, 2025 (60 days)
May 6, 2025	7816 estimated	11160	177.1	\$2,405.12	March 4 – May 6, 2025 (63 days)
July 7, 2025	7980 estimated	6560	105.8	\$1,431.77	May 6 – July 7, 2025 (62 days)
September 5, 2025	8092 estimated	4480	74.7	\$991.65	July 7 – September 5, 2025 (60 days)
November 5, 2025	8418 estimated	35240	143.3	\$2,802.92	March 4 – November 5, 2025 (246 days)

NS Power's *Regulation 5.1* states:

METER READING

When reasonably possible, meters shall be read bi-monthly; however, the Company may read meters on a monthly basis.

...

ESTIMATED METER READING

If the Company is unable to obtain a meter reading due to circumstances beyond its control ... then the amount of power and energy used by the Customer shall be estimated by the Company using the best available data...

In the event that actual meter readings are obtained subsequent to estimated readings, the Company shall make the necessary adjustments...

According to NS Power's response to Board IR-2, it estimated your usage during a period when an actual meter read was not available by calculating the average daily usage from bills issued the previous year for the same property with the same seasonal code and then multiplied that by the number of days in the current service period.

The Board finds that by using your historical usage to estimate current usage during the periods when an actual meter read was not possible, NS Power complied with Regulation 5.1 by using the best available data.

Your May 2025 bill covers 63 days (March 4 to May 6, 2025). NS Power used your usage in the May, July and September 2024 bills (32,678 kWh total for 184 days) to calculate the average usage of 177.6 kWh/day, then multiplied it by 63 days to get 11,160 kWh (rounded) estimated usage for this billing period.

Similarly, for the July 2025 bill, your usage from the July and September 2024 bills was 13,283 kWh for 125 days, i.e., 106.26 kWh/day. Your usage for this 62-day billing period was estimated at 6,560 kWh (106.26 kWh/day multiplied by 62 days, rounded).



NS Power used the usage in your September 2024 bill (75.48 kWh/day) to estimate your usage for the September 2025 billing period of 60 days at 4,480 kWh (75.48 kWh/day multiplied by 60 days, rounded).

In your November 2025 bill, NS Power used the average usage from your November 2024, January and March 2025 bills of 213.76 kWh/day (38,691 kWh total over 181 days) to estimate your usage during the 61-day period from September 5 to November 5, 2025 at 13,040 kWh. NS Power then divided this 13,040-kWh estimated usage by the multiplier of 40 to find the variance in estimated meter reads between September 5 and November 5 of 326 kWh. With the estimated meter read on September 5 at 8,092 kWh, NS Power arrived at the estimated meter read on November 5 of 8,418 kWh (8,092 kWh plus 326 kWh).

In this bill, NS Power:

- credited you back for the **22,200 kWh** it charged you in the May 2025 bill (11,160 kWh), July 2025 bill (6,560 kWh) and September 2025 bill (4,480 kWh); and
- charged you for the **35,240 kWh** (8,418 kWh estimated in November 2025 – 7,537 kWh read in March 2025, multiplied by 40).

The November 2025 bill, therefore, reconciled your May, July and September 2025 (estimated) bills correctly. Because this bill is still an estimated bill, it did not reflect your actual consumption during the entire period from March 4 to November 5, 2025 (8 months).

Table 3: 2026

Bill date	Reading*	Usage	Daily usage	Account balance	Service period
March 16, 2026	10011 read Mar 3	63716	540.0	\$13,425.24	November 5, 2025 – March 3, 2026 (118 days)
May 11, 2026	10671 read May 4	26374	425.4	\$5,530.28	March 3 – May 4, 2026 (62 days)
July 7, 2026	10846 read Jul 3	7020	117.0	\$1,576.56	May 4 – July 3, 2026 (60 days)
September 4, 2026	10907 read Sep 2	2432	39.9	\$576.10	July 3 – September 2, 2026 (61 days)

NS Power explained in its response to Board IR-2(b) that it did not issue your January 2026 bill due to the lack of a January meter read. Because of this, your March 2026 bill is the first bill that has an actual (not estimated) meter read since your March 2025 bill and covers two billing cycles (4 months). The actual consumption of 540 kWh/day shown in this bill was much higher than the estimated consumption on your May, July, September and November bills. This means NS Power underestimated your usage in those four bills, and this bill is a catch-up bill where NS Power charged you for the difference of 63,716 kWh (10,011 kWh read in March 2026 minus 8,418 kWh estimated in November 2025, multiplied by 40, rounded).

It is unfortunate that NS Power did not issue your January 2026 bill with an actual meter read to catch up with your actual consumption following a long period of estimated consumption. The March 2026 bill, being a catch-up bill for the last four estimated bills and the missed January 2026 bill, carries a large consumption and results in a large balance on your account.



The Board notes that there are a few occasions in the past, highlighted in red in the above tables, where your actual consumption reached over 300 kWh/day. You responded to Board IR-2 that two industrial heat pumps have been the main heating source in the building since 2007 and the only new appliance installed at the property since the beginning of your account in 2008 was a refrigerator. You added that since May 2026, you have had five heat pumps installed on the property, but they would not have been reflected on the March 2026 bill.

The Board understands your frustration regarding receiving a large catch-up bill of over \$13,000, much higher than your previous bills. However, unless the meter is not reading accurately, the amount of actual consumption is the basis for any bill. In your appeal, you indicated that you would like to know with absolute certainty that there are no issues with your smart meter. On October 1, 2026, NS Power provided you with the test result which showed your meter operates within prescribed accuracy limits. The Board accepts the meter accuracy.

CONCLUSION

Pursuant to the *Public Utilities Act*, the Board is responsible for the general supervision of all public electric utilities operating in Nova Scotia, including NS Power. Among other things, the Board's jurisdiction includes approving *Regulations* that determine how NS Power is allowed to provide electric service to customers, and the rules they (and customers) must follow. In reviewing matters such as your appeal, the Board's role is to determine whether NS Power has properly applied the Board's approved *Regulations* in dealing with its customers.

The Board understands your concern with respect to the large increase in consumption on your March 2026 bill compared to previous year and the financial burden of being faced with additional costs you may not have expected. However, the Board finds that NS Power complied with the *Regulations* by using historical consumption data to estimate your usage when actual meter reads were not possible and then reconciling those estimates correctly following an actual meter read.

The Board upholds the DRO's decision and dismisses your appeal. NS Power responded to Board IR-3 and IR-4 that the large outstanding balance resulting from the March 2026 bill has been paid in full and that subsequent bills have been paid as they became due. Accordingly, no further action in this matter is required. The Board notes that it is conducting separate investigations into the cybersecurity incident under M12600 and M12273 which encompasses a broader review of its impact on customers.

Yours truly,



Richard Melanson, LL.B.
Member

c. Kathleen Murray, Regulatory Counsel, NS Power

