

August 21, 2026

[REDACTED]

S. L. Doward

[REDACTED]

Dear Appellant:

**M13021 – Nova Scotia Power Inc. – Appeal by S. L. DOWARD of a Decision of the
Dispute Resolution Officer**

The Canadian Constitution requires that administrative tribunals like the Board adhere to the “open courts principle.” This means that most matters before the Board must be public and transparent except where a party establishes that one or more of the limited exceptions to the “open courts principle” applies. These exemptions have been set out in various Supreme Court of Canada cases. The Board has summarized the essential principles in s. 12 of the *Municipal Government Act Rules*.

The general proposition is that all documents filed with the Board must be on public record, unless:

- they disclose matters of public security; or
- they disclose sensitive financial, commercial or personal matters in relation to which the desirability of avoiding disclosure in the interest of any person affected outweighs the desirability of adhering to the principle that documents be available to the public.

The Board has some residual discretion to consider other matters, but they must be tied to these principles. In this case, the documentation to date does not disclose matters of public security. Nor does it disclose sensitive financial or commercial information.

Note that the Board generally redacts personal information such as email addresses, phone numbers and home addresses. Also, as occurred in this case, the Board generally does not place the DRO file on the public website, but it does form part of the record in this proceeding.

In this case the Board is also prepared to further redact any filed material that contains information related to personal medical conditions. Beyond these specific redactions, the complainant’s application does not convince the Board the desirability of proceeding in private outweighs the important constitutional principles enshrined in the “open courts principle”. As such, beyond the specific redactions noted above, the Board is not prepared to withhold any other material that has been filed in this matter from the public record.

Given the Board's findings related to the confidentiality request, the Board requests that the complainant notify the Board whether they wish to proceed with the complaint application. The complainant is to notify the Board of this intent by **Friday, August 28, 2026**. In the interim, the Board will remove all currently filed material in this matter from the public record.

The Board further notes that if the complainant wishes to proceed, issues about confidentiality raised related to other specific documents that may be filed in the Matter can be addressed as they arise.

Yours very truly,



Lisa Wallace
Chief Clerk of the Board

c. NSPI

