

October 21, 2026

[REDACTED]

S. L. Doward

[REDACTED]

Dear Mr. Doward:

M13021 - Nova Scotia Power Incorporated - Appeal of a Decision of the Dispute Resolution Officer

On August 5, 2026, you filed a complaint with the Nova Scotia Energy Board (Board) regarding the placement of new electrical distribution infrastructure by NS Power. Your complaint also relates to the brightness of streetlights installed on a NS Power pole, which you claim illuminate your front bedroom throughout the night and cause disruption to your enjoyment of the property. On September 11, 2026, Board staff issued Information Requests (IRs) to NS Power and received responses on October 5, 2026.

The Board's review of your complaint included a review of the following documentation:

- Your complaint dated August 5, 2026.
- NS Power's response to your complaint dated August 6, 2026.
- Your correspondence dated August 6, 2026.
- NS Power's response to your complaint dated August 20, 2026.
- NS Power's response to Board IRs dated October 5, 2026.

BACKGROUND

You are a customer of NS Power. In your complaint, you stated that you are a resident of the property located at [REDACTED]. You filed a complaint raising concern and requesting a remedy regarding proposed NS Power electrical distribution infrastructure intended to be installed along Norwood Street on the south side of your property. In addition, you requested that the Board investigate what you believe to be excessive streetlighting and crosswalk lighting near your property, as you claim it is causing disruptions to your enjoyment of the property.

The Board issued its acknowledgement letter regarding your complaint on August 6, 2026, and requested a response from NS Power by August 20, 2026. On the same day, in its initial response, NS Power stated that the complaint appeared to fall outside the scope of NS Power's *Regulations* and was more akin to a day-to-day operational complaint. As such, NS Power indicated that it could respond directly to you regarding your complaint, while copying the Board on any related correspondence. The Utility also noted that it would defer to the Board's discretion on how to proceed with the matter. Before commenting on NS Power's

initial response, the Board asked you if you would be in agreement with such an approach. You replied that you wished to proceed with the Board's formal complaint process rather than work directly with NS Power.

On August 20, 2026, NS Power provided its formal response to your complaint. The response stated that the proposed electrical distribution work is a result of another customer's request for an electrical service upgrade to provide additional power supply needed to accommodate that customer's proposed renovation project. The associated upgrade design includes replacing an existing pole on Norwood Street and adding a new transformer at that location. The proposed pole to the south side of your property will be a stub pole, complete with a buried anchor with a non-energized overhead guy wire. The combined pole and guy wire structure will support a new pole and conductor further down Norwood Street. The Utility also indicated that the proposed stub pole will not affect access to your driveway and should not impact the use of your courtyard door.

NS Power stated that the proposed work is within Halifax Regional Municipality's (HRM) right-of-way, and HRM is required to approve any work undertaken within that right-of-way. The Utility further noted that the current design minimizes the amount of tree trimming which would be required on Norwood Street and largely preserves the existing tree canopy, subject to the HRM vegetation management requirements.

With regard to your concerns related to existing street and crosswalk lights, NS Power stated that the lighting is owned and operated by HRM. As such, NS Power has no input into the placement and intensity of the lighting. The Utility suggested that any concerns you have about the lighting should, therefore, be directed to HRM.

After receiving NS Power's formal response to your complaint, Board staff issued IRs to NS Power, to which the Utility subsequently responded.

ANALYSIS

In response to IR-1, NS Power stated that based on the existing electrical load in the area, coupled with the requested increase in load for the other customer's upgrade, additional transformation capacity is required. The Utility stated that its proposed electrical distribution system design represents the best means of providing this capacity while bringing existing infrastructure up to current standards, maintaining the existing streetscape, and minimizing the amount of tree clearing required to complete the work.

In IR-2, the Board asked NS Power to provide the applicable *Regulations*, standards, and electrical clearance measurements for your residence. In response, the Utility submitted the clearance measurements and the distribution standard used to determine the minimum clearance requirements. NS Power stated that it relied on its Distribution Standard V-4M when assessing the minimum horizontal and vertical clearances for your property.

In response to IR-2(a-c), NS Power provided the following response regarding the stub pole and guy wire, noting that neither will be energized:

Under NS Power Distribution Standard V-4M, the applicable clearance requirements for the proposed guy wire are a minimum horizontal clearance of 0.3 metres and a minimum vertical clearance of 0.8 metres. Based on field measurements, the proposed guy wire will be located approximately 2.5 metres from the closest point of the building, which substantially exceeds the required horizontal clearance



The Utility also provided the following response, including the measured vertical and horizontal clearances with respect to the existing energized conductors adjacent to the residence:

The field measurements and clearance assessment demonstrate that the existing energized conductors maintain adequate separation from the residence.

In response to IR-3 regarding street lighting, NS Power stated that HRM owns the streetlights attached to NS Power's utility poles within its municipal boundaries. NS Power noted that it does not maintain information regarding the mounting height or luminance of the fixtures, and that HRM is the appropriate source for information on the mounting height, luminance levels, lighting design, and other specifications of the fixtures.

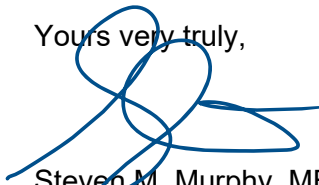
FINDINGS

Under the *Public Utilities Act*, RSNS 1989, c 380 (*Act*), the Board is responsible for the general supervision of all public utilities, including NS Power. In reviewing matters such as yours, the Board's role is to determine, based upon the evidence before it, whether the Utility is following its Board approved *Regulations* and, more generally, is meeting its obligations under the *Act*. Section 52 of the *Act* requires NS Power to furnish service and facilities reasonably safe and adequate and, in all respects, just and reasonable.

The Board has reviewed the electrical distribution system routing options that NS Power considered to serve the existing and proposed new load in the area. The Board is satisfied that the selected option is appropriate and justified. The Board has also reviewed the vertical and horizontal clearance measurements for the pole installed at the front of your house and for the proposed stub pole with a guy wire. The Board is satisfied that there is sufficient clearance from your property. Accordingly, your complaint is dismissed.

The Board also accepts NS Power's explanation that the street and crosswalk lights are owned and maintained by HRM. As such, the Board has no authority regarding this lighting and suggests that you discuss your concerns with HRM.

Yours very truly,



Steven M. Murphy, MBA, P.Eng.
Member

c. Jennifer Ross, Regulatory Planning & Compliance, NS Power
Don Farmer, Dispute Resolution Officer

