



October 19, 2026

SENT VIA E-MAIL

Crystal Henwood
Clerk of the Board
Nova Scotia Energy Board (the "Board")
1601 Lower Water Street, 3rd Floor Halifax,
Nova Scotia B3J 3S3

**M13042 - Application for Approval of the Green Choice Power Purchase Agreement ("PPA")
Under the Renewable Electricity Regulations ("Application")
Procurement Administrator Reply to Board Letter of October 15, 2026**

Dear Ms. Henwood,

Power Advisory LLC ("Power Advisory"), in its capacity as Procurement Administrator for the Green Choice Program procurement, is responding to the Board letter of October 15, 2026 ("the Board Letter"). All capitalized terms in this letter have meanings ascribed to them in the Amended PPA accompanying our Reply Comments of September 28, 2026, for this matter.

We thank the Board for the three issues it has raised in the Board Letter. We respond as follows to each issue in the following paragraphs.

Requirement for the Scheduled Commercial Operation and Commencement Date

The Early Completion Incentive is provided to encourage the Seller to have its Facility achieve Commercial Operation before 2030 to meet a policy objective, which is set out in the following regulations:

Renewable Electricity Regulations made under Section 5 of the *Electricity Act*
S.N.S. 2004, c. 25¹

Renewable electricity standard 2030

6B (1) Each year beginning with the calendar year 2030, each load-serving entity must supply its customers with renewable electricity in an amount equal to or greater than 80% of the total amount of electricity supplied to its customers as measured at the customers' meters for that year.

¹ [Renewable Electricity Regulations - Electricity Act \(Nova Scotia\)](#)

Environmental Goals and Climate Change Reduction Act, SNS 2021, c 20, s 7(l)²

Climate change response and greenhouse gas emissions reduction goals

7 (l) to have 80% of electricity in the Province supplied by renewable energy by 2030;

Both the Scheduled Commercial Operation Date and Commencement Date must occur before December 31, 2029, as a practical matter of planning for the projects. For system planning purposes, the System Operator needs to understand what projects are committed to come in before the end of December 31, 2029, that could contribute to the province's clean energy goals.

Interaction of ERIS Provisions and Section 33(4) of the *Electricity Act*

Section 33(4) of the *Electricity Act* is silent on the type of Interconnection Service that a generation facility selects when determining eligibility to receive curtailment compensation.

“(4) Where a generation facility's curtailment exceeds five per cent of its total energy bid, the generation facility shall be compensated for the curtailment by the purchaser of the generation facility's generation output at the rate set out in the power-purchase agreement unless

(a) the generation facility was not generating electricity at the time the system operator instructed the facility to decrease or stop its generation output; or
(b) the instruction to decrease or stop the generation facility's generation output was sent due to an unforeseeable emergency or force majeure event.”

Accordingly, Power Advisory understands that if curtailment is due to transmission constraints, the ERIS Interconnection Customer will be compensated above the 5% threshold contained in the regulations regardless of entitlement to firm transmission service.

The deliverability assessment included in this procurement process is intended to identify the set of transmission system upgrades associated with proposed facilities that provides the best value for customers, as opposed to requiring the construction of network upgrades on a project-by-project basis and ensuring deliverability under all system conditions as required under NRIS Interconnection Service. This approach is anticipated to have multiple benefits including:

- An optimized set of transmission upgrades associated with the selected project portfolio can be identified, balancing transmission system upgrade costs with project deliverability

² [Environmental Goals and Climate Change Reduction Act](#)



- The risk of uncertain network upgrade costs, which cannot be finalized until the Interconnection Study process is completed, is not carried by project proponents nor is it built into the proposed Energy Rate of potential projects

As part of this analysis, there will necessarily be a trade-off between the deliverability of a portfolio of facilities versus the net cost (net of system benefits) of network upgrades; the deliverability assessment process is intended to appropriately assess this trade-off.

Local Benefits Report

Regarding the submission of the Local Benefits Report being a requirement for achievement of Commercial Operation, while provision of Local Benefits is not a mandatory requirement in the RFP, we propose to amend Section 2.4(a)(iv) of the Amended PPA as follows:

"If applicable, the Seller has submitted a Local Benefits Report prepared by an independent third party."

We also propose to delete "Not Used" in item 6 of the Commercial Terms and add the following:

"Local Benefits Report is Required at COD (Yes/No) [Strike out the inapplicable response]"

We trust that this letter satisfactorily addresses the issues raised in the Board Letter.

Sincerely,
POWER ADVISORY LLC

Michael Killeavy

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Commercial Director