

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE PUBLIC UTILITIES ACT

- and -

IN THE MATTER OF AN APPLICATION by **NOVA SCOTIA POWER INCORPORATED** for Approval of its Demand Side Management Plan for 2010 and Demand Side Management Rider for 2010 and beyond

BEFORE: Peter W. Gurnham, Q.C., Chair
Kulvinder S. Dhillon, P.Eng., Member
Murray E. Doehler, CA, P.Eng., Member

AMENDED ORDER

WHEREAS on April 7, 2009, Nova Scotia Power Incorporated (“NSPI”) filed an application with the Nova Scotia Utility and Review Board (the “Board”) for Approval of its Demand Side Management Plan (“DSM Plan”) for 2010 and Demand Side Management Rider (“DSM Rider”) for 2010 and beyond;

AND WHEREAS an oral hearing was held on June 3,4, and 5, 2009, and the Board was pleased to render its decision on August 4, 2009.

IT IS HEREBY ORDERED that the DSM Plan for 2010 and DSM Rider are approved as amended. NSPI is to file the DSM Rider for 2010 in the fall of 2009 for approval by the Board.

IT IS FURTHER ORDERED that:

1. Settlement Agreement is approved including the proposed method of cost allocation between different rate classes. The cost allocation method is to be reviewed in 2013.
2. Proposed 2010 DSM Plan expenditures are approved with the exception of the Large Industrial rate class.
3. The Large Industrial rate class expenditures for 2010 DSM are reduced to \$800,000.

4. Activities in individual programs which have a Total Resource Cost (“TRC”) ratio of less than one are to be undertaken only if they are critical and their exclusion will jeopardize the whole program.
5. Self-administration option, Energy Savings Account (“ESA”), to be continued in the 2010 DSM Plan.
6. Halifax Regional Municipality’s (“HRM”) proposed amendments to the ESA are not approved.
7. Environmental credits created by DSM funded projects are to remain with the DSM Administrator.
8. Study to consider the use of fuel choice to be undertaken now so that its results can be considered in the 2011 DSM Plan.
9. The Commercial and Industrial (“C&I”) program is not to be expanded in 2010 as suggested by Dr. Nichols.
10. NSPI to work with the Municipal Electric Utilities of Nova Scotia Co-operative (“MEUNSC”) to establish a preferred approach for the calculation of their portion of DSM costs.
11. Each municipal utility to propose an amendment to its formula to pass DSM costs to its customers.
12. DSM costs are to be recovered as an annual expense and not amortized.
13. Single true-up mechanism is approved.
14. Lost Contribution to Fixed Costs (“LCFC”) is not approved.
15. Program Cost Rider (“PCR”) is approved. NSPI to make a filing in the fall of 2009 for the 2010 DSM Rider.
16. Regulatory hearing schedule is approved.
17. Program Development Working Group (“PDWG”) to continue in its current form until the DSM Administrator is in place.
18. NSPI to provide a revised DSM Rider by August 31, 2009.

DATED at Halifax, Nova Scotia, this 31st day of August, 2009.

Clerk of the Board