

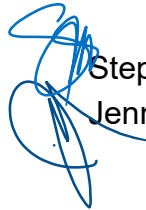
NOVA SCOTIA UTILITY AND REVIEW BOARD**IN THE MATTER OF THE PUBLIC UTILITIES ACT**

- and -

IN THE MATTER OF AN APPLICATION by the **BERWICK ELECTRIC COMMISSION** for Approval of Amendments to its Schedule of Rates and Charges for the provision of electric supply and services to its customers and its Schedule of Rules and Regulations

ORDER

BEFORE:



Stephen T. McGrath, K.C., Chair

Jennifer L. Nicholson, CPA, CA, Member

The Berwick Electric Commission (BEC) filed a general rate application (GRA) with the Nova Scotia Utility and Review Board on June 22, 2023, for approval of certain revisions to its Rates, Charges and Regulations.

The Board issued its Decision on November 24, 2023. BEC filed its Compliance Filing on December 11, 2023, and revised Compliance Filings were filed on December 15, 2023 and December 20, 2023.

The Board is satisfied that the revised Compliance Filing reflects the Board's Decision.

The Board orders that:

1. The Schedule of Rates for Electric Supply and Service is approved, effective November 24, 2023, attached hereto as Schedule A.
2. The Schedule of Rules and Regulations Governing the Supply of Electric Services is approved, effective November 24, 2023, attached hereto as Schedule B.
3. BEC is directed as follows:
 - a. In its next general rate application, BEC must:
 - i. update the Board about its ability to determine class coincident and non-coincident peaks and the accuracy of the peaks determined for its general service class; and

- ii. assess the cost basis and reasonableness of its time of use rates.
- b. BEC must undertake a dam safety assessment and update its emergency preparedness plan before it files its next general rate application, or before December 31, 2024, whichever is earlier. BEC must file the dam safety report and an updated emergency preparedness plan with the Board upon completion.

DATED at Halifax, Nova Scotia, this 20th day of December 2023.

Crystal Henwood
Clerk of the Board



SCHEDULE A

BERWICK ELECTRIC COMMISSION

SCHEDULE OF RATES FOR ELECTIC SUPPY & SERVICES

(Effective for services rendered on and after November 24, 2023)

RATES

The rates set out below are the rates for electric supply and service when payment is made within 30 days from the date rendered as shown on the bill.

Bills which are not paid within 30 days will be subject to interest rate of 1.5% per month or part thereof to a maximum of 19.56% per year.

Each bill shall show the amount payable by the due date as shown on the bill and the interest rate of 1.5% per month or part thereof which is charged on amom1ts unpaid after the due date.

"Nova Scotia Power Inc. (NSPI) Increases" (non-FAM and / or DSM)

In order to recover increased costs due to NSPI increases and upon notice by the Berwick Electric Commission to the Nova Scotia Utility and Review Board, (the "Board"), the Board may amend the Rates for Domestic service, Small General, General, Domestic Service Time-of-Day (Optional), Industrial, Street Lighting, Yard Lighting, and Other Lighting and Miscellaneous Small Loads, based on the following formula, without the necessity of a public hearing.

1) $A \times B = C$
 $C \div D = F \%$

2) $G \times H = I$
 $I \div J = K\%$

3) $\frac{F \% + K \%}{2} = L \%$

- A = 2nd previous years' power cost from NSPI;
- B = NSPI approved increase %;
- D = 2nd previous total sales for the above classes;
- G = Previous years power costs from NSPI;
- H = NSPI approved Increase %;
- J = Previous years' total sales for the above classes;
- L = Average % increase required to the Berwick Electric Commission rates to recover increased Power costs.

Where the Nova Scotia Demand Side Management ("DSM") Rider, as approved by the Board, is charged on energy purchased by the BEC for distribution to its customers, the Commission shall recover the total billed under that Rider by the following formula:

Using the BEC's most recent projection of sales, losses, production and purchases in the spreadsheet SALES ~ HYDRO ~ w ~ w Budget, produced annually during BEC's budgeting process:

(1) $A \times B = C$ where

A = the DSM Rider approved for the year, in dollars

B = the total kWh projected to be billed to BEC with the DSM Rider attached;

C = the total DSM cost to BEC for the year, in dollars.

Then

(2) $C/D = E$ where

D is the total projected sales in kWh to all BEC customers, including street and yard lighting and various small unmetered services

And

E is a Rider in dollars to be applied to all energy sales including street and yard lighting and small unmetered services.

Where the kWh (energy) portion of street and yard lighting or small unmetered charges is incorporated into a monthly charge then the charge for the energy portion shall be adjusted by the Rider and the result incorporated into the monthly charge. For street and yard lighting the energy portion of such charges shall be as represented in NSPI's current Rates and Regulations, and where no monthly kWh value is available, upon the calculated monthly energy.

Where the NSPI Fuel Adjustment Mechanism (FAM) is applied to energy purchased by the BEC for distribution to its customers, the net result of the FAM applied to such purchases shall be rebated to or recovered from all BEC customers by an adjustment to the kilowatt-hour rates charged in all rate classes, and in the street and yard lighting and small unmetered, the adjustment will be to the energy portion incorporated into the monthly charges only. For street and yard lighting the energy portion of such charges shall be as represented in NSPI's current Rates and Regulations, and where no monthly kWh value is available, upon the calculated monthly energy. The formula for calculating the adjustment shall be as follows:

Using the BEC's most recent projection of sales, losses, production and purchases in the spreadsheet SALES ~ HYDRO ~ yy ~ yy Budget, produced annually during BEC's budgeting process:

Ax B = C where A= the FAM adjustment charged to BEC and

B = the total energy in kWh projected to be purchased from NSPI to which the FAM applies and

C = the total FAM effect on BEC for the subject year.

And

C/D = E where D is the total projected sales in kWh to all BEC customers, including street and yard lighting and various small unmetered services and

E is the FAM adjustment to be applied to all energy distributed to BEC customers

The rates shown in this Schedule shall be those adjusted by the FAM and the amount of the FAM adjustment E shall be shown in all rates.

For street lighting, yard lighting, other lighting and miscellaneous small loads, the rates shown in this Schedule shall be those adjusted by the FAM and the DSM Rider.

DOMESTIC SERVICE

<u>Service Charge:</u>	\$20.19 per month.
<u>Energy Rate:</u>	\$0.1749 per kilowatt hour for all consumption.
<u>DSM Rider:</u>	\$0.00 per kilowatt hour for all consumption (included in energy rate above).
<u>Minimum Bill:</u>	\$20.19 per month.

SMALL GENERAL

<u>Service Charge:</u>	\$18.63 per month.
<u>Energy Rate:</u>	\$0.1762 per kilowatt hour for all consumption.
<u>Minimum Bill:</u>	\$18.63 per month.

GENERAL SERVICE

<u>Demand Charge:</u>	\$20.40 per month of maximum demand.
<u>Energy Rate:</u>	\$0.1248 per kilowatt hour for all consumption.
<u>Minimum Bill:</u>	\$20.40 per month.

OFF PEAK CHARGING RATE

The rate is available to customers entitled to receive energy at the Domestic Rate as set out in Section 73 (3) of the *Public Utilities Act*, which Section is reproduced below.

“(3) Subject to subsection (4), the rate or charge for electric energy supplied by an electric public utility to a customer that is a senior citizens’ club, service club, volunteer fire department, a Royal Canadian Legion, community hall or recreational facility owned by a community and used for general community purposes, a charitable or religious organization shall be at a rate or charge not in excess of the domestic rate.”

And who have installed energy storage equipment with a minimum of 500 KWH storage and Minimum 200 KW charge/discharge capacity and agree that the BEC shall have the right to manage charging and discharging of the equipment for purposes of load control and peak demand management.

Should the BEC on any given calendar day discharge more energy than the customer’s own usage, the customer will be compensated for that energy at the Off Peak Rate.

Service Charge: \$23.19 per month.

Energy Charge: \$0.1749 per kilowatt hour for energy between hour ending
\$0.1339 per kilowatt hour for energy between hour ending
0100 to hour ending 0630.

Minimum Bill: \$23.19 per month

DOMESTIC SERVICE TIME-OF-DAY RATE (OPTIONAL)

Base Charge: \$23.19

Energy Charge:

December, January and February

07:00 am to 01:00 pm	\$0.3182 per kilowatt hour
01:00 pm to 04:00 pm	\$0.1749 per kilowatt hour
04:00 pm to 10:00 pm	\$0.3182 per kilowatt hour
10:00 pm to 07:00 am	\$0.1244 per kilowatt hour

The above rates apply weekdays (Monday to Friday inclusive) excluding statutory holidays. For Saturdays, Sundays, and statutory holidays, all consumption will be billed at the rate of \$0.1244 per kilowatt hour.

March to November

<u>07:00 am to 10:00 pm</u>	\$0.1749 per kilowatt hour
<u>10:00 pm to 07:00 am</u>	\$0.1244 per kilowatt hour

The above rates apply weekdays (Monday to Friday inclusive) excluding statutory holidays. For Saturdays, Sundays, and statutory holidays all consumption will be billed at the rate of \$0.1244 per kilowatt hour.

MINIMUM MONTHLY CHARGE:

The minimum monthly charge shall be \$23.19.

AVAILABILITY:

This rate is only available to customers employing Electric Thermal Storage (ETS) equipment and electric in-floor radiant (i.e. hydronic) heating systems utilizing time shifting technology approved by the Utility.

GENERAL DEMAND TIME-OF-USE RATE (OPTIONAL)

The rate is available to customers meeting the availability criteria of the General Demand rate class who install heat storage systems and controls to enable time shifting of heating and other loads.

Customers choosing to take this rate are required to remain on this rate for one year following the date of inception. One month's notice is required prior to the anniversary date to revert to the General Demand rate. If such notice is not given, it is understood the customer is committing to another 12-month period on the rate. Date of initial service under this rate must be after March 1 and prior to December 1.

Customers taking service under this rate will be billed for energy and demand at the same rates as under the General Demand rate. However, demand charges for demand peaks set outside of the winter peak period and exceeding the winter peak demand period will be discounted. The winter peak demand shall be the maximum demand recorded during winter peak hours; that is non-holiday week days between the hours of 7:00 AM and 11:00 PM during the months of December, January and February. The customer's winter peak demand will be as determined using the highest 15 minute interval data recorded by BEC metering times 4. This winter peak demand will be ratcheted for the succeeding eleven months. Outside of winter peak hours, demand in excess of the ratcheted winter peak demand will be billed at the difference between \$6.82 and the BEC General Demand Rate to account for Berwick's billing demand costs, plus 15% to account for power factor, demand losses, and administration.

BEC staff shall be given the opportunity to inspect the storage and control systems to ensure Canadian Electrical Code compliance and to be satisfied the systems will perform as intended. If BEC staff are not confident the systems will perform as intended they may decline to offer the rate.

GENERAL DEMAND PEAK CO-INCIDENCE RATE (OPTIONAL)

The rate is available to customers meeting the availability criteria of the General Demand rate class who install heat storage systems and/or controls to enable load shedding upon receipt of a signal sent by electronic means by BEC'S peak shaving software. Customers choosing to take this rate are required to remain on this rate for one year following the date of inception. One month's notice is required prior to the anniversary date to revert to the General Demand rate. If such notice is not given, it is understood the customer is committing to another 12-month period on the rate. Date of initial service under this rate must be after March 1 and prior to December 1.

Customers taking service under this rate will be billed for energy and demand at the same rates as under the General Demand rate.

Customers choosing to take this rate will be sent a Demand Control signal when the BEC system is approaching a peak demand defense point during the winter peak period. The winter peak period is all hours between 7:00 AM to 11:00 PM on non-holiday weekdays during December, January, and February. The customer will then be expected to reduce load, until another signal to restore load is sent by BEC. The number and duration of demand control intervals will be limited as set out below.

Customers will receive a demand control credit equal to the customer's demand reduction measured in kilowatts, co-incident with the BEC's winter peak, times 85% BEC's Demand costs. For clarity the formula is:

Demand reduction in kW x (\$6.82 x .85) x 12

The customer's demand reduction shall be as reflected in interval data recorded by BEC metering and the BEC winter peak will be the current forecast 7500kW.

Each November BEC establishes a peak demand defense point, based on the experience of the previous winter and known and predicted changes to the system. Factorydale hydro is dispatched to defend this demand defense point and the point may be adjusted over the winter peak period if the demand defense point is exceeded. BEC shall set the initial demand defense point at a reasonable level using best judgment and forecasting, and shall dispatch all of its own resources prior to issuing demand control signals; the demand defense point shall not be lower than 90% of the forecasted level.

BEC staff shall be given the opportunity to inspect the storage and control systems to ensure Canadian Electrical Code compliance and to be satisfied the systems will perform as intended. If BEC staff are not confident the systems will perform as intended they may decline to offer the rate.

Demand control intervals shall not exceed 8 hours in duration and 12 hours in any calendar day, and the number of demand control intervals shall not exceed 8 intervals in each of December, January, and February.

INDUSTRIAL

Demand Charge: Energy Charge: DSM Rider: \$17.90 charge per month per kilovolt ampere of maximum demand.

Energy Charge: \$0.1171 charge per kilowatt hour for the first 100 kilowatt hours per month per kilovolt ampere of maximum demand.

Voltage Adjustment: Where a customer takes service under this rate and where the metering point is at 4kV or higher voltage, energy consumption shall be reduced by 1.75% for billing purposes.

Demand Reduction Rider

Where it can be shown, that a customer, with 6 out of 12 monthly billing demands in the calendar year in excess of 1000 kVA, has contributed through a concentrated effort at reducing his winter peak demands at a time co-incident with the Utility's peak demand requirement, to a reduction in the Utility's billing peak established with NSPI, any resultant savings to the Utility shall be shared on a 50/50 basis with said customer. To qualify, the average of the customer's monthly billing demands in the months of December, January, February must amount to no more than 80% of the average in the following July/August/September (1600 kVA versus 2000 MVA for example). The Utility will work closely with the customer to co-ordinate the time co-incident requirement of this rider. The savings will be applied to the customer bills for the months of October and November and shown as equal credits on the bills. The savings will be calculated based on rates in effect at the time the demand reduction took place and reflected as a "Demand Reduction Credit".

Import Electricity Rebate:

The Utility will undertake good faith efforts to purchase imported electricity when it is more economic to make such purchases than to purchase the same amount of electricity from NSPI. The Utility shall provide a monthly Import Electricity Rebate (the "Rebate") to customers taking service under this Industrial Rate to account for any such economic purchases. The monthly Rebate shall be determined by calculating the differential between (i) the total cost that the Utility would have otherwise incurred had it purchased that same amount of electricity from NSPI.

The monthly Rebate will be provided to individual customers taking service under this Industrial Rate in proportion to the percentage of each customer's usage under this Industrial Rate. The amount of Rebate to be paid to individual customers pursuant to this mechanism shall be capped at the point at which the amount paid by the customer to the Utility for electricity service for the previous 12 months is equal to the amount that would have been paid by the customer in the same period if it was a customer of NSPI and had made its payments for electricity pursuant to the applicable NSPI tariff. The customer's monthly bill will show the calculation of the Rebate.

STREET LIGHTING

(Lamps burning 4,000 hours per year, lighting system supplied and maintained by the commission, consisting of luminaries' bracket-mounted on existing wood poles and energized from existing secondary circuits).

88 watt LED streetlight	\$15.8102 per lamp per month
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CROSSWALK LIGHTING

(Crosswalk lighting: fixtures supplied by the Town of Berwick; power, energy and maintenance supplied by the Commission.)

40 watt fluorescent fixture	\$11.10 per fixture per month
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400 watt fluorescent fixture	\$43.43 per fixture per month
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YARD LIGHTING

(Lamps burning 4,000 hours per year, lighting system supplied and maintained by the Commission, consisting of luminaries' bracket-mounted on existing wood poles and energized from existing secondary circuits.)

55 watt LED yard light	\$11.56 per lamp per month
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88 watt LED yard light	\$15.81 per lamp per month
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125 watt mercury vapour	\$14.04 per lamp per month
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175 watt mercury vapour	\$18.82 per lamp per month
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250 watt mercury vapour	\$23.62 per lamp per month
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400 watt mercury vapour	\$33.36 per lamp per month
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400 watt mercury vapour floodlamp	\$33.36 per lamp per month
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70 watt high pressure sodium lamp	\$14.18 per lamp per month
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100 watt high pressure sodium lamp	\$17.51 per lamp per month
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150 watt high pressure sodium lamp	\$22.70 per lamp per month
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250 watt high pressure sodium lamp	\$29.11 per lamp per month
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400 watt high pressure sodium floodlamp	\$33.43 per lamp per month
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250 watt metal halide floodlamp	\$23.65 per lamp per month
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250 watt high pressure sodium floodlamp	\$23.65 per lamp per month
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400 watt MH halide floodlamp	\$33.36 per lamp per month
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70 watt high pressure sodium cobra head	\$16.25 per lamp per month
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OTHER LIGHTING & MISCELLANEOUS SMALL LOADS

(Applicable to street lighting, sign lighting and similar unmetered loads where demand, time of use and energy consumption are known and the Commission supplies power and energy only.)

<u>Demand Charge:</u>	\$19.56 per month per kilowatt.
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<u>Energy Charge:</u>	\$0.1259 per kilowatt-hour.
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SCHEDULE B

BERWICK ELECTRIC COMMISSION

REGULATIONS FOR THE PROVISION OR SUPPLY OF ELECTRICAL SERVICES

EFFECTIVE: NOVEMBER 24, 2023

1.0 APPLICATION FOR SERVICE

The Commission may, before rendering service, require a regular application form signed by the prospective customer.

1.1 NO CONTRARY REPRESENTATION BINDING ON THE COMMISSION

No agent, employee or representative of the Commission shall have the authority to make any promise, agreement or representation, whether verbal or otherwise, which is inconsistent with these Regulations, and no such promise, agreement or representation, if made or given, shall be binding on the Commission.

1.2 AGREEMENT

An agreement is deemed to exist between a customer and the Commission for the supply of electric power and energy at appropriate rates (as in Schedule A) and payment therefore in accordance with these regulations by virtue of:

- a) A customer applying and receiving approval for electric service; or
- b) A customer using or paying for electric service;
- c) Notwithstanding the application of clause (b) when a customer is deemed to have entered an agreement, that customer is jointly and severally liable for any electricity used on their electric service account until the Commission receives satisfactory notice that the customer wishes to have the supply of electricity to their account terminated.

1.3 REFUSAL OF ELECTRIC SERVICE

The Commission may refuse to provide or discontinue electric service to any premise if:

- a) The customer applying for electric service has an outstanding electric service account and satisfactory arrangement for settlement have not been made; or
- b) The customer applying is an agent for another customer and that customer has an outstanding electric service account and satisfactory arrangements for settlement have not been made; or
- c) An occupant of the premises has an outstanding account incurred when occupying any premises at the same time as the customer applying for service and satisfactory arrangements for settlement have not been made.

1.4 LIABILITY OF THE CUSTOMER

The application for electric service cannot be assigned or transferred without the written consent of the Commission. If the customer leaves or abandons the premises or discontinues in any way the use of electric service, the customer shall give the Commission notice of such action. If the customer fails to give such notice, he/she shall continue to be liable to the Commission for the value of all electric service supplied to the said premises both before and after his/her departure or abandonment thereof. In the event of dispute, proof of notice must be provided by the customer.

1.5 STANDARD ELECTRIC SERVICE VOLTAGES

The following electric service voltages are to be considered as standard:

- a) Single-Phase 3 wire 120-240 volts
- b) Three-Phase 4 wire 120/208 volts
- c) Three-Phase 4 wire 347/600 volts

In addition, three-phase electric service at other voltages may be provided with special permission of the Commission. Any additional costs incurred by the Commission will be borne by the customer.

2.0 DEPOSITS

When required by the Commission, each applicant for service shall deposit with the Commission a sum equal to estimated charges for two months' service. This deposit shall be held by the Commission as collateral security for the payment of its bills, and when the customer ceases to use the service and pays all bills, the deposit shall be returned, with interest at the rate to be established at the beginning of each calendar year. The rate shall be set equal to the Royal Bank of Canada's average prime rate for the month of January of the same year minus 2.75%.

3.0 CONNECTION CHARGE

A connection charge of \$20.00 shall be payable for the initial connection of any electric service and for the reconnection after disconnection at the customer's request or for non-payment of bills. This charge shall also be payable when an account is transferred from one customer to another, even if service has not been disconnected.

4.0 PAYMENT OF BILLS

Bills shall be rendered to each customer at intervals of not more than two months and shall be payable within thirty (30) days after the date rendered.

5.0 INITIAL AND FINAL BILLS

When a customer has service initiated or discontinued part way through the Commission's regular billing period for that address and account type, initial and final bills shall be calculated, where the regular billing period is monthly, using the one-month service or demand charges and energy blocks. Where the billing period is bi-monthly, initial or final bills for forty-five (45) days service or less shall be calculated using the one-month service or demand charge and energy blocks, initial or final bills of more than 45 days service shall be calculated as a two-month bill.

6.0 INTEREST CHARGES

The net rates set by the Nova Scotia Utility and Review Board shall be applicable only when electric bills are paid within thirty (30) days after the date rendered, which date shall be shown clearly on the bill. Amounts outstanding after the due date shall be subject to the interest rate set out in the Schedule of Rates.

7.0 DISCONNECTION FOR NON-PAYMENT OF BILLS

The Commission shall have the right to discontinue service if a bill remains unpaid for more than forty-five (45) days after the date rendered. The regular connecting charge established by Clause 3 shall apply upon reconnection of a delinquent account.

8.0 SEAL OF THE METER

If the seal of a meter is broken, or if from any cause the meter does not register correctly, the amount of energy consumed shall be estimated by the Commission on the basis of available billing history, or in the absence of billing history, on the basis of comparable loads or test measurements, and a bill so calculated and rendered shall be payable.

8.1 BILLING ADJUSTMENTS

Where a customer's billing has been in error for whatever cause the Commission shall establish what the correct billing should have been. Where the customer has been underbilled, the Commission shall have the right to recover such underbilling for a period of one year prior to written notice to the customer. Where the customer has been overbilled, the Commission shall refund any overpayment for a period of one year prior to its knowledge of the error, except when a customer has been overbilled because of an error in the amount of electricity consumed, in which case, the Commission will reimburse the customer for the full amount of any error contrary to, and as directed in accordance with, the Electricity and Gas Inspection Act, R.S., 1985, c. E-4 and Regulations, as amended. In the absence of metering data, consumption shall be estimated as prescribed in 8.0.

8.2 METER INTERFERENCE

Notwithstanding the foregoing, in the event that a customer was underbilled as a result of willful interference with, or damage to, the Commission's metering equipment, then the billing adjustment shall not, in such circumstances, be limited to a period of one year.

9.0 ACCESS TO METERS

Representatives of the Commission shall have the right of access to meters or other Commission equipment at all reasonable hours for the purpose of reading, testing or removing the same.

10.0 TEMPORARY SERVICE

When the Commission is called upon to furnish temporary service, the customer may be billed for the cost of installing and removing the necessary connections. If the service is discontinued within thirty (30) days, the service charge and the kilowatt hours block on the bill shall be pro-rated at the regular monthly rate, but shall not be less than one-half the regular monthly charge. Temporary service shall mean service provided for temporary and non-permanent purposes, including but not limited to construction jobs, garden parties, picnics, circuses, exhibitions and the like.

11.0 SHORT-TERM SERVICE

Where electric energy is used for a period of less than twelve months, a customer shall pay to the Commission the cost of energy consumed, at the applicable regular rate, plus the cost of making and discontinuing the connection.

12.0 CUSTOMER'S INSTALLATION TO BE SATISFACTORY

The installation of all conductors, conduit, control and other devices and equipment for conveying, distributing, controlling or utilizing electric power and energy which are used by a customer and are not the property of the Commission shall comply in all respects with the requirements of the Electric Installation Act. The Commission shall not be required to make a connection to the said electrical installation until it is satisfied that these requirements have been met. The supply of electricity to any customer may be discontinued at any time, if, in the opinion of the Commission, the electrical installation

fails in any way to comply with the above requirements. Service shall not be re-established until such condition has been corrected to the satisfaction of the Commission.

13.0 DISPUTED METERING

Where a customer disputes the accuracy of the Commission's metering of their account and the meter is removed for verification, the Commission may charge \$50.00 to offset in part its costs. Should such a meter be found to be outside of allowable tolerance as established by Industry Canada, any charge may made shall be refunded and the customer's account adjusted in accordance with these regulations.

14.0 PROHIBITED APPLIANCES

Service may be refused or discontinued by the Commission to any customer who installs or used any device or appurtenance which may occasion such large demands of short or long duration, thereby overloading the Commission's plant and equipment or interfering with voltage regulations thereof, or which, in the opinion of the Commission, is unsafe or hazardous or has not been properly designed or constructed or satisfactorily maintained.

15.0 DISCONTINUED SERVICE FOR VIOLATION

Whenever, in the opinion of the Commission, violation of any of these rules and regulations exists or has occurred, the Commission may discontinue service to the premises where such violation exists or has occurred. Service shall not be re-established until the Commission is satisfied that the cause for discontinuance has been removed.

16.0 SERVICE EXTENSIONS

This section applies to line and service extensions for customers, other than those customers subject to Regulation 16.1. Such extensions shall be erected and owned by the Commission. Where it is necessary to build on private property other than the customer's property, the customer is responsible for obtaining a registrable right-of-way in the Commission's name and in a form satisfactory to the Commission. Where it is necessary to build on the customer's property, the customer must grant to the Commission a registrable easement in a form satisfactory to the Commission.

In all cases involving private property, the customer is responsible for having the right-of-way suitably cleared of trees, bushes and undergrowth to the Commission's satisfaction.

The Commission will normally provide to its customers, a maximum of 100 metres of line or service extension, or 100 metres of line and service combined. The Commission shall provide to a year-round residence, which the Commission is satisfied is the customer's permanent, primary, or principal residence, an additional 100 metres of line extension along a public road for each year that the residence has been continuously occupied prior to the request for service, to a maximum of 1,600 metres. The customer shall contribute to the cost of all extensions over and above these provisions.

However, in an area where line and/or service provisions previously existed, the Commission shall provide a similar new extension at a reduced cost to the customer, based on the following formula, wherein the indicated timeframes represent that period of time which has elapsed since the previous line/service facilities were removed.

Elapsed Time	Percent of Customer Contribution
Up to 1 year	0%
Year 1- 2	20%
Year 2-3	40%
Year 3-4	60%
Year 4-5	80%
After 5 years	100%

Where the new requirement represents or indicated an expansion or upgrade of the prior facilities, the reduced contribution will only be applicable to costs associated with an equivalent service provision.

A service extension is normally terminated on the customer's building. Should it be necessary to terminate a service on a pole, or if the customer, for any other reason, requires that the Commission provide an additional pole not normally required in the opinion of the Commission, the customer will be required to make a capital contribution towards the cost of a pole supplied, installed and owned by the Commission. The customer must supply the weather head, conduit and meter base necessary to receive the service.

16.1 LINE EXTENSIONS FOR SUBDIVISIONS

Line extensions constructed under this sub-section, whether constructed by the Commission or by others, shall be owned by the Commission.

Where a developer requires a line extension to serve building lots being developed or subdivided, the developer will be required to make a capital contribution equal to the as-built cost of the line extension. The Commission will provide an estimate of the cost and will require the developer to pay this estimated cost prior to the construction of the line extension. Where as-built cost exceeds this contribution, the developer will be invoiced for the balance. Where as-built cost is less than the contribution, the Commission will refund the difference to the developer.

Estimates for contributed costs are subject to review after 60 days. The developer of the subdivision is entitled to a credit equivalent to 46 m of the line extension for each customer who is ready to connect at the time the line is constructed. Customers "ready to connect" are those who have submitted all applicable permits for a temporary and/or permanent electrical connection and have commenced construction on their building. For clarity, credit for customers "ready to connect" will reduce the capital contribution to be paid and is not subject to an administration fee. Once the capital contribution has been paid, the developed will be entitled to a refund equivalent to 46 m of the line extension minus 10% administration fee for each customer who is connected to the contributed line extension within 10 years from when the line extension was made available. The maximum refund a developer can receive is 90% of the original contribution.

17.0 UNDERGROUND DISTRIBUTION SYSTEMS

Where the Town of Berwick Subdivision By-Law has force, a sub divider shall be bound by that By-Law, and shall be responsible for the design and construction of an underground distribution system as required by the By-Law. On request of the sub divider, the Commission will provide its best estimate of the cost of construction of an acceptable underground distribution system and the sub divider may elect to have the Commission's forces construct the system. In the case where the sub divider elects that the

Commission's forces construct the system, the sub divider shall deposit with the Commission an amount equal to the total of the Commission's estimate and further shall pay to the Commission, upon completion of the system, any amount expended in the construction of the system in excess of the deposit. Likewise, should the system be constructed at a lower cost, the Commission shall upon completion of the system return to the sub divider any unexpended funds. Title to the underground system shall be to the Commission as required by the Subdivisions By-Law. The sub divider shall be entitled to refunds based on an estimated cost of overhead construction as provided by the Commission using the formula set out in Section 16.1. In no case shall the sum of the refunds exceed the estimate of overhead construction cost.

Where the Town of Berwick Subdivision By-Law does not have force, the Commission may supply, install, own and maintain underground distribution systems. A sub divider or other party requesting the installation of an underground system may request the Commission provide its best estimate of the cost of construction of an acceptable underground distribution system and the sub divider may elect to have the Commission's forces construct the system. Where the election is made, the sub divider shall deposit with the Commission an amount equal to the total of the Commission's estimate and further shall pay to the Commission, upon completion of the system, any amount expended in the construction of the system in excess of the deposit. Likewise, should the system be constructed at a lower cost, the Commission shall upon completion of the system return to the sub divider any expended funds. Title of the underground distribution system shall be vested in the Commission.

Alternatively, the sub divider may choose to have an underground distribution system designed and constructed by others. Such a system shall be designed by a professional engineer and shall be designed and constructed in accordance with the Nova Scotia Power Incorporated Distributed Standard (Underground). The construction shall be inspected and approved by the Commission's Superintendent or other agent as designated by the Commission. Title to the underground distribution system shall be deeded to the Commission upon completion and upon approval by the Superintendent or other designated agent of the Commission.

In either case, the sub divider shall be entitled to refunds based on an estimated cost of overhead construction as provided by the Commission using the formula set out in Section 16.1. In no case shall the sum of the refunds exceed the estimate of overhead construction cost.

17.1 UNDERGROUND CUSTOMER'S SERVICES

The Commission generally will not install underground customer's services; however, in the event the Commission installs an underground distribution system, consideration will be given to the supply and installation of such services by the Commission at the customer's expense, or by the customer at his/her expense and to the requirements of the Commission. The customer will be responsible for the ownership, maintenance and replacement when necessary. The Commission will not allow the customer credit for the equivalent cost of an overhead service it would otherwise provide because of the additional costs associated with connecting underground systems.

18.0 TRANSFORMER VAULTS

Any customer having a connected load or a normal operating demand of more than 100 kilowatts must, if required by the Commission, provide a suitable transformer vault, or

enclosure, or concrete pad and barriers for installation of a pad mount transformer, on the customer's premises for the necessary transformers.

Whenever a transformer vault or enclosure is required by the Commission, the customer shall also provide:

- a) A suitable underground conduit encased in concrete from the vault or enclosure to the Commission's supply pole;
- b) The necessary low-tension bus and connections to the low-tension terminals of the Commission's transformers; and
- c) Space for the Commission's metering equipment.

DOMESTIC RATES

19.0 AVAILABILITY

The rate for domestic service shall be applicable to all electric energy used by any customer in his private residence for his own domestic or household lighting, cooking, heating, or refrigeration purposes and for ordinary domestic or household appliances except as provided elsewhere in these regulations.

20.0 PREMISES JOINTLY USED FOR RESIDENCE AND COMMERCIAL PURPOSES

When a customer uses part of his premises as a residence and part for a small store or office or other commercial use, the domestic rate shall be applied to the entire premises, provided the connected load in the commercial portion is not greater than 5,000 watts. Otherwise, the General rate shall be applied to the entire premises, or, at the customer's option, the domestic service and the general service shall be separated and the Commission shall install one meter on each. Then the service shall be billed at the Domestic Service Rate and the General Rate.

20.1 Those customers made eligible by Section 73 (3) of the Public Utilities Act may, upon application, receive electric service at the Domestic Rate. They are: a senior citizen club, service club, volunteer fire department, a Royal Canadian Legion, community hall, or a recreational facility owned by a community and used for general community purposes, a charitable or religious organization or institution.

20.2 Customers eligible under Section 73 (3) of the Public Utilities Act to receive energy at the Domestic Rate and having at least 500 kWh of energy storage installed and minimum 200 kW charge/discharge capacity, may, upon application, receive energy under the Off-Peak Charging Rate.

21.0 FARMING OR FISHING UNITS

Farming or fishing units may receive electric service at the Domestic Rate providing the following conditions are met:

- a) Each unit may have connected up to 200 amps single or combined service capacity, at voltages up to 240 volts, billed on the domestic rate; service capacity in excess of the 200-amp allowance will be billed at the applicable non-domestic rate; and
- b) The service capacity must be served by no more than three separately metered services.

The residence or residences will be metered separately for the purpose of this regulation.

A single metered service with capacity in excess of 200 amps will be billed on the applicable non-domestic rate.

Service capacity of an accessory farm or fishing building served through the residence meter will be considered part of the unit total.

GENERAL RATE

22.0 AVAILABILITY – SMALL GENERAL RATE

This rate is applicable to electric energy for use where the annual consumption is less than 12,000 kWh and for which no other rates are applicable.

23.0 AVAILABILITY – GENERAL SERVICE

This rate is applicable to electric power and energy where the annual consumption is 12,000 kWh or greater and for which no other rates are applicable.

24.0 MEASUREMENT OF MAXIMUM DEMAND

Where maximum demand is the basis of demand charges, a demand meter with recorded maximum of a type approved for revenue billing shall be installed and the maximum recorded during each billing period shall be used as the billing demand.

25.0 POWER FACTOR

When changes are based on maximum demand they may, at the option of the Commission, be adjusted for power factor in the following manner:

- a) The demand shall be measured in kilovolt amperes. The maximum recorded demand shall be multiplied by 0.95 and the result shall be treated as the kilowatt demand for billing purposes.
- b) Where the customer's distribution system prohibits the use of a KVA meter or a type approved for revenue billing, the average of three measurements taken when demand is not less than 75% of maximum demand shall be treated as the power factor and the kilowatt demand shall be the KVV meter demand multiplied by 0.95 and divided by the power factor.

INDUSTRIAL RATE

26.0 AVAILABILITY

This rate shall apply to industrial loads where the maximum demand exceeds 200 KVA in at least six (6) months of each year and the average of billing demands also exceed 200 KVA.

27.0 MEASUREMENT OF MAXIMUM DEMAND

The demand shall be measured in kilovolt amperes.

STREET LIGHTING – MUNICIPAL RATE

28.0 AVAILABILITY

This rate shall apply to the provision of street or area lighting service to the Town of Berwick or other municipal units, including the provision of street lighting fixtures, mounting

brackets and photo-electric cells, supply of electricity for 4,000 hours per year operation, lamp replacement and all other necessary maintenance.

29.0 BILLING

Bills for municipal street lighting shall be rendered monthly unless deemed otherwise by the Commission.

YARD LIGHTING RATE

30.0 AVAILABILITY

This rate shall apply to the provision of street or area lighting to any customer, including the provision of street lighting fixtures, mounting brackets and photo-electric cells, supply of electricity for 4,000 hours per year of operation, lamp replacement and all other necessary maintenance. For some lamp ratings, equipment may differ from that provided under Street Lighting – Municipal Rate.

31.0 ADDITIONAL SERVICE

All equipment or services which may be required in certain street or yard lighting installations and which is additional to the standard equipment and service defined in regulations 31 and 33, shall be provided at the customer's cost.

32.0 BILLING

If the customer is being billed under other rates, bills for Yard Lighting shall be rendered with the same frequency. Otherwise, billing shall be monthly or bi-monthly at the discretion of the Commission.

33.0 POLE ATTACHMENT RATES & CHARGES

All pole attachments for communications utilities, tele-communication common carriers, or broadcasters, where a joint use agreement is not in effect. As of January 1, 2023 the rate is \$22.44, increasing to \$22.86 as of January 1, 2024.

34.0 NET METERING

34.1 DEFINITION

Net Metering service is a metering and billing practice that enables electricity consumers to generate electricity from renewable, low-impact generators to offset part or all of their own electrical requirements. Excess self-generation, over a customer's own consumption needs, is credited against purchased energy for billing purposes over a period of one year.

Customers taking this service will be referred to as "customer-generators."

34.2 AVAILABILITY

Net metering is available to all of the Commission's customers who are served from the Commission's Distribution system (ie. 24,940 volts or less), who are billed under the Commission's metered service rates and who install a qualifying generating facility, as defined under Sub-Section (b) in the Special Conditions Section 34.5. The maximum capacity of the customer's generating facility shall be sized to meet the expected annual consumption of the customer and will fall into the following Class of Service:

- 1) Class 1 Net Metering service means a generating facility of aggregate nameplate capacity of up to 100 kW.

- a) Net Metering is not applicable for Unmetered service.
- b) The customer must provide a written request to take the Net Metering service. The service is available on a first-come, first-serve basis.

34.3 APPLICABILITY

The service is available to any metered electric service accounts which are electrically connected to the same Commission Distribution Zone as the generator, and which are owned by the same customer.

34.3.1 DISTRIBUTION ZONE

The Distribution Zone is defined as all of the Commission's distribution feeders emanating from a single distribution supply transformer within a substation. The Commission reserves the right to broaden this definition if in the opinion of the Commission this is justified by a customer-specific circumstance and is consistent with the spirit of the intent of this regulation.

34.3.2 CUSTOMER

For the purpose of the Net Metering regulations, "customer" is defined as a single legal entity.

34.4 BILLING

- a) Customer-generators will be billed under the otherwise applicable metered rate schedules.
- b) If in a given billing period the electricity supplied to the Commission by the customer-generator exceeds that supplied to the customer by the Commission, the customer shall be billed only for the applicable non-kWh monthly charges and shall have the excess self-generation "banked" as energy credits to be applied against future bills over a period not exceeding twelve (12) calendar months.

Banked Excess Self-Generation = Self-Generation supplied to the Commission – Purchased energy from the Commission.

- c) If in a given billing period the combined total of the electricity supplied to the Commission's grid by the customer-generator and the "banked" energy credits from the previous billing periods is less than the electricity supplied to the customer by the Commission, the Commission will bill the customer-generator for the Net Purchased Energy Requirement and the applicable non-kWh monthly charges.

Net Purchased Energy Requirement = Purchased energy from the Commission – (Self-generation supplied to the Commission + "banked" energy credits).

- d) "Banked" excess self-generation will create an energy credit to be held by the customer-generator and will carry over until the customer's annual anniversary date at which time the energy credit will be set to zero with compensation to the customer-generator priced at the appropriate rate as identified in 34.4(a). The customer-generator will set a permanent anniversary date at the time of subscription to the Net Metering service. No changes to the annual anniversary date will be permitted once set. If service is discontinued, any outstanding banked energy credits will be priced in the same manner at those as the time of the annual anniversary date and paid back to the customer-generator.

- e) Any interim energy credit balances on a customer-generator's account other than those covered under item (d) will not have any cash value or be convertible to cash.
- f) Should a customer-generator be billed under more than one electric account connected to the same Distribution Zone as the generating facility, the customer will propose a method to apportion its surplus energy against its consumption under multiple accounts for billing purposes. The customer will either designate the order in which the apportionment of surplus generation is to be applied to individual accounts or nominate the fraction of surplus generation to be apportioned to each account or choose a combination of both approaches. Should a customer-generator subscribe to more than one Net Metering application within the same Distribution Zone, each account will have only one generating facility assigned to it for billing purposes. The proposed method of surplus allocation and the account assignment to generating facilities will be approved upon the subscription to the Net Metering service and will stay in effect until such a time when customer submits a written request for change. The Commission may, at its sole discretion, approve such changes provided they remain in place for a minimum of twelve (12) months.
- g) For accounts billed under domestic time-of-day service, the Commission will measure and bank self-generation sold to the grid by distinct time-of-use periods for billing purposes. Any surplus generation remaining at the time of the annual anniversary date or at the time the service is discontinued will be compensated by distinct time-of-use periods at the appropriate time-of-use energy rate.
- h) Any environmental credits which may be created through the generation of energy through Net Metering will be for the benefit of the Commission.

34.5 SPECIAL CONDITIONS

- a) Special conditions in this regulation do not supersede, modify or nullify special conditions accompanying the otherwise applicable metered rate schedules.
- b) A qualifying generating facility must meet the following requirements:
 - i. Utilizes only a renewable, low-impact source of energy as defined in the Renewable Electricity Regulation for the purpose of Section 3A of Chapter 25 of the Electricity Act.
 - ii. Has a manufacturer's nameplate rating of not more than 100 kilowatts, which the Commission has the right to verify through inspection or testing.
 - iii. Is located within the same Distribution Zone as all the customer's premise(s) for which the customer is requesting Net Metering electric service in conjunction with this facility.
 - iv. Subject to special condition (b) (iii), at the discretion of the customer, the generator may be connected to the grid either at any of the existing points of delivery of purchased power from the Commission or at its separate point if approved by the Commission. If a separate point of delivery is used, all additional costs will be the responsibility of the customer-generator.
 - v. The Net Metering facility shall meet all applicable safety and performance standards established by Measurement Canada, the Canadian Electrical Code, and the Commission's guidelines.
 - vi. The customer-generator shall meet all municipal zoning guidelines in place at the time of installation.
 - vii. Any "Non-standard" metering required will be supplied at cost to the customer-generator.

WIRING AND INSPECTION AND SCHEDULE OF WIRING INSPECTION FEES

35 PERMITS AND INSPECTIONS

Permits and inspections will normally be of three types:

- a) Regular Permits and Inspections
- b) Annual Permits and Inspections
- c) Special Permits and Inspections

a) Regular Permits and Inspections

All persons, firms or corporations with the Berwick Electric Commission's Inspection Authority who are eligible to install electrical installations for the use of electrical energy shall, before commencing or doing any electrical installation of new equipment, or repairs, or altering or adding to any electrical installation or equipment already installed, submit and obtain approval in a manner prescribed by the Inspection Authority.

Individual permits shall be required for temporary and individual miscellaneous services and each dwelling unit of a single, duplex or row type housing, etc., whether supplied via individual or multi-position metering devices. Apartment type buildings, multi-tenant industrial and commercial installations shall be performed under one permit.

Permits are not transferrable.

Permits shall be issued only to the firm or persons performing the work described on the Permit and in compliance with Section 4, "Permit" of the regulations made by the Fire Marshal pursuant to the Electrical Installation and Inspection Act. Permit holders shall immediately notify the Electrical Inspection Authority upon the completion of an electrical installation requesting a FINAL inspection.

The fee for a Regular Permit and Inspection will be based on the Installed Value, including labour, material and sundries of the electrical installation, alteration, upgrade, repair or extension.

When a dispute arises regarding the cost of an electrical installation the permit applicant may be required, at the Inspection Authority discretion, to supply a letter from the owner indicating the value of the contract and/or a bill of materials for the project.

The fees for a Regular Permit and Inspection, including the number of Inspection Visits, shall be based on the Installed Value of the installation as shown in the Inspection Fee Schedule.

b) Annual Permits and Inspections

An annual maintenance permit shall be issued for an establishment to cover all minor repairs as required under sections 4(a) (8), (2) and (3) of the regulations made by the Fire Marshal pursuant to the Electrical Installation Act/

Such a permit does not entitle the holder to effect major electrical alterations or additions.

The number of inspection visits shall be at the discretion of the Inspection Authority. Notwithstanding the above, at least one inspection visit shall be made in the year for which the permit is issued.

c) Special Permits and Inspections

Where the fee for a Regular Permit and Inspection are inappropriate, the special permit and inspection fee shall apply (ex. Carnivals and travelling shows).

35.1 LATE APPLICATION FEE

Where an electrical contractor fails to obtain an electrical wiring permit prior to commencing the electrical work, an additional fee shall be payable in the amount of fifty percent (50%) of the regular fee, up to a maximum additional fee of \$100.00.

35.2 PAYMENT OF FEES

Fees for permits and inspections shall be paid at the time of requesting the permit unless otherwise indicated by the Inspection Authority. Permits having fees in arrears in excess of 120 days shall be subject to cancellation and at the discretion of the Inspection Authority; no additional permits shall be issued to the holder of the unpaid permits until such time the outstanding fees have been adequately dealt with.

35.3 REFUND OF FEES

The holder of a permit may apply to the Inspection Authority for a refund less a \$10.00 non-refundable portion of the permit fee with respect to a cancelled or unused permit. No refund shall be issued for a permit where an inspection call has been made at the request of the permit holder.

35.4 EXPIRY OF PERMITS

A permit for electrical work is valid for twelve (12) months from the date of issue in respect of residential and twenty-four (24) months in respect of all others unless otherwise noted on the permit. Upon expiry, a renewal fee to a maximum of 50% of the cost of the original permit shall be charged.

35.5 REVIEW OF PLANS AND SPECIFICATIONS

The Inspection Authority may, prior to issuing a permit, request the submission of plans and specifications for any proposed electrical installation. Plans shall be submitted for all commercial, industrial institutional installations exceeding 250 volts or 250 amperes.

35.6 INSPECTION FEE SCHEDULE

a) Regular Permits and Inspections

The fee for a regular permit and the maximum number of inspection visits, with respect to an installation will be calculated as follows:

INSTALLED VALUE OF ELECTRICAL INSTALLATION	INSPECTION VISITS	PERMIT FEE
\$ 0,000 to \$ 2,000	1	\$115.00
\$ 2,001 to \$ 4,000	2	\$230.00
\$ 4,001 to \$ 6,000	2	\$384.00
\$ 6,001 to \$ 8,000	2	\$460.00
\$ 8,001 to \$ 10,000	2	\$537.00
\$ 10,001 to \$ 15,000	3	\$920.00
\$ 15,001 to \$ 25,000	3	\$1,266.00
\$ 25,001 to \$ 50,000	3	\$1,611.00
\$ 50,001 to \$ 100,000	3	\$1,956.00
\$100,001 to \$ 300,000	4	\$3,068.00
\$300,001 to \$ 500,000	5	\$3,835.00
\$500,001 to \$750,000	6	\$4,602.00
\$750,001 to \$1,000,000	8	\$6,137.00
+ \$1,000,000	10	\$7,671.00
+ 0.15% of cost in excess of \$1,000,000		

New installations are subject to the following minimum inspection fees:

RESIDENTIAL-ALL INSTALLATIONS	\$230.00
COMMERCIAL/INDUSTRIAL INSTITUTIONAL	
Up to 100 AMPS	\$230.00
Over 100 to 400 AMPS	\$537.00
Over 400 to 800 AMPS	\$920.00
Over 800 to 1000 AMPS	\$1266.00
Over 1000 AMPS	\$1611.00

b) Hourly Rate Inspections - Note: All fees are per inspection visit.

Normal Working Hours

i) For the first hour or fraction thereof	\$153.00
ii) For each additional half-hour or fraction thereof	\$77.00

Outside Normal Working Hours

Extension of a regular workday (before or after)

i) For the first hour or fraction thereof	\$155.00
ii) For each additional half-hour or fraction thereof	\$77.00

Weekends and Statutory Holidays

i) For the first hour or fraction thereof	\$417.00
ii) For each additional half-hour or fraction thereof	\$77.00

c) Inspections in Excess of Maximum Number of Visits

For an inspection visit, in excess of the maximum number of visits permitted under the Regular Permit and Inspection Fee, the Special Permit and Inspection Fee shall apply.