

Law Amendments Committee

Bill 49 – An Act to Create the Nova Scotia Energy Efficiency Corporation

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On behalf of Affordable Energy Coalition

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Thank you for this opportunity to address this progressive and extremely important piece of legislation. The AEC wants to ensure inclusion of the low income community in reduction of consumption and energy efficiency and make certain that the legislation avoids future interpretation that could adversely affect this already vulnerable group of consumers. In order to do so we will propose the following amendments to avoid conflict with s. 67 of the Public Utilities Act as set out below:

Equal rates and charges for similar services

67 (1) All tolls, rates and charges shall always, under substantially similar circumstances and conditions in respect of service of the same description, be charged equally to all persons and at the same rate, and the Board may by regulation declare what shall constitute substantially similar circumstances and conditions.

(2) The taking of tolls, rates and charges contrary to the provisions of this Section and the regulations made pursuant thereto is prohibited and declared unlawful. *R.S., c. 380, s. 67.*

Bill 49 needs to specify the jurisdiction of the NSUARB to create energy efficiency programs for the low income community. In order to achieve this, we offer the following amendments which we will speak to this evening:

In section 19, we would propose adding (c)

s.19 The Corporation

(a) shall administer electricity demand-side management programs with a view to restraining electricity demand and use; and

(b) may engage in energy efficiency and conservation programs other than electricity demand-side management.

(c) may provide programs specifically to low income residential consumers, including electricity demand-side management, electricity efficiency or other energy efficiency or conservation programs

This is s 37 in its current form

37 The Public Utilities Act applies mutatis mutandis to the supervision of the Corporation under Section 36, except that

(a) the Corporation is not entitled to recover any rate of return through its assessments; and

(b) notwithstanding Section 117 of the Public Utilities Act, where there is a conflict between this Act and the Public Utilities Act, this Act prevails.

We would propose changing the introductory phrase to read as follows:

37 The Public Utilities Act applies mutatis mutandis to the supervision of the Corporation under Section 36, with the exception that s. 67(1) of the Public Utilities Act does not apply to the Corporation to the extent that it excludes consideration of electricity efficiency programs for low income residential electricity consumers.