

CONSUMER GUIDE TO ELECTRICITY



For many people in Nova Scotia electrical bills are unaffordable. This Guide is for people who need help in accessing electricity.

GETTING CONNECTED

Regulation of Electricity in Nova Scotia?

Power in Nova Scotia is government regulated through legislation called the *Public Utilities Act*. The Nova Scotia Utility and Review Board, (the Board) supervises electricity providers and is responsible for setting the power rates and charges, and approving the Regulations of Nova Scotia Power.

Who Provides Electricity in Nova Scotia?

Nova Scotia Power (NS Power) provides 95% of the electricity to consumers in Nova Scotia. NS Power is a private company that is regulated by the Board. Consumer issues such as “budget plans,” “payments agreements,” disconnections and security deposits are part of those regulations.

Consumers have no choice of electricity service provider in Nova Scotia. In the six Nova Scotia municipalities where NS Power does not provide power to consumers, there are municipal electrical utilities, including Antigonish, Berwick, Canso, Lunenburg, Mahone Bay and Riverport.



While the NS Power Regulations don’t apply directly to the municipal utilities, consumers can use the NS Power Regulations to advocate for similar treatment with these utilities.

Getting Electricity Service

To get electricity service you must be the owner or occupant of the place that will be connected. An occupant is any person who has the right to occupy the residence. There is a \$28 charge to connect or reconnect your power between 8:30 AM and 4:30 PM. If you request that your power be reconnected outside of those hours, you will be charged an additional \$75 fee. These charges are applied to your bill.

Paying your Power Bill

You are responsible for paying the power bill if it is in your name as the “customer of record.” That means if you move out, but do not cancel your electricity service, NS Power may continue to hold you legally responsible for the power bill even after you are no longer living at the residence.

Even if your name is not on the bill (that is, you were not listed as “the customer of record”) if NS Power is aware that you were getting the benefit of the electricity service, they may hold you responsible if the bill is not paid.

Your bill is due on the billing date listed on your bill. If your bill is unpaid for a period of thirty days after the billing date, NS Power can disconnect your power.

Can Nova Scotia Power refuse service?

Yes, Nova Scotia Power can deny you electric services in limited circumstances where:

- You currently owe money from a previous account
- You are applying on behalf of someone who owes NS Power money from a previous account
- You live with someone who owes money to NS Power from a previous account

If NS Power refuses to provide you with electricity and you need more time to pay what you owe, you can ask for more time to pay through a “Payment Agreement” (See below, PAYING YOUR BILL: PAYMENT AGREEMENTS & BUDGET PLANS).

Even where you and NS Power agree on the terms of repayment, the Regulations allow NS Power to ask you to pay a security deposit. You can ask NS Power to make an exception and open your account without a security deposit if you can demonstrate that paying a security deposit will cause you hardship.

Security Deposits

If you are a new customer or if you are a returning customer with poor credit, you may also be asked to pay a security deposit to get your power connected. If you receive social assistance or are on a low, fixed income, you cannot be required to provide a deposit, unless you have a history of poor credit with NS Power.



The amount of the deposit will be equal to three months’ service (if you are billed every two months) or two months’ service (if you are billed monthly).

Nova Scotia Power can ask you to pay a security deposit at any time if:

- You have no credit history with the company and an unacceptable credit rating
- Your service has previously been disconnected for non-payment
- You have a record of moving without notice

- You have filed for bankruptcy and are choosing to claim your electric service account in bankruptcy
- You refuse to give customer data
- You have been sent disconnection notices because of non-payment or your payments have been returned for insufficient funds.

If You Cannot Afford a Security Deposit

If you cannot afford to pay a security deposit, there are options available to get electric service:

- **Waiver:** You can ask for an exception to be made in your case, so that you are not required to pay a security deposit, as long as you keep up with your bill payments or payment agreement. This is called a “waiver.” If you are seeking reconnection after being disconnected for non-payment, or falling behind on your payment agreement, you will then be required to pay a security deposit.
- **Installment Payments:** If a security deposit is unavoidable, you can ask for the deposit to be made in equal monthly payments over 12 months.

Ask NS Power for the return of your security deposit with interest when you close your account, or after two years, whichever comes soonest.

The Board must approve any additional charges on your bill – the amounts in this guide reflect the 2017 charges.

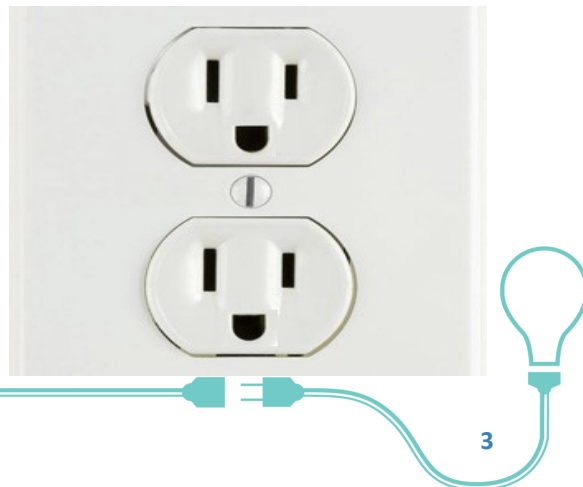
Interest: If you fail to pay your bill on time and owe money to NS Power, you may also be

charged interest, currently set to 1.5% per month, compounded monthly, to a maximum interest rate of **19.75% per year. In negotiating a Payment Agreement, make sure you ask to have your interest charges stopped, starting from the date that you began negotiating with NS Power.**

Returned or “Bounced” Payments: NS Power will charge \$23 for a returned cheque or a returned automatic withdrawal or pre-authorized payment from your bank account. This charge is in addition to any charges by your institution for returned payments.

Meter Testing: If you ask for your power meter to be tested by Industry Canada as a result of a dispute, and the meter is found to be accurate, you will be charged \$38.

NS Power allows you to make payments on your account through these third-party payment services. However, these services charge substantial fees. *You are responsible to pay these fees, not NS Power.*



PAYMENT AGREEMENTS & BUDGET PLANS

If your power bill is unaffordable, or you cannot pay your bill on time, you should contact NS Power (or the electrical company in your area) right away. NS Power has payment options that may help with paying your bill.

If you need more time to pay your bill

You may be able to negotiate a Payment Agreement if you are having a hard time paying your bill. A Payment Agreement lets you pay back the money owing on your bill (the “arrears”) in installments. It also limits the amount of interest NS Power can charge on your unpaid bills.

Your payments may be extended for a period of up to 24 months based on:

- How much money you owe
- Your ability to pay, your source of income, expenses and number of dependents
- Your payment history
- Other factors including medical needs and employment history

Make sure before you sign that the terms of the agreement are reasonable. Otherwise you could be setting yourself up to fail. If you breach a Payment Agreement, it will be harder to negotiate in future with NS Power.

If NS Power refuses to offer you terms for repayment that you think you can manage, you may want to connect with a community organization with experience in advocacy in these matters. You can call 211, Nova Scotia’s referral service, as well as referring to the

organizations listed at the last page of this Guide. You can also ask NS Power to put you in touch with their “Low Income Advocate.”

How to request a Payment Agreement

NS Power provides an automated phone service at 1-800-428-6230. If you want to speak to an employee about a Payment Agreement, select 3, then 1, 1 again, and then when prompted enter your account number. You will then get to speak to a person to negotiate the terms of the a Payment Agreement.

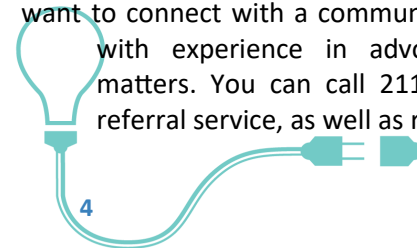
Before calling, it is helpful to consider what your budget is and if you can afford to make an initial payment “up-front”. But remember: NS Power



does not require an up-front payment to set up a Payment Agreement.

What if you have a Payment Agreement and cannot pay?

If you already have a Payment Agreement in place, but your circumstances have changed and you can no longer meet the payments under the



agreement, contact NS Power to let them know about the change. Ask NS Power to amend your Payment Agreement to give you more time to pay. It will be easier to arrange a change in your Payment Agreement if you let NS Power know your situation before missing a payment.

NS Power can refuse to change your Payment Agreement if:

- The amount you owe on your account is more than six months' worth of power bills
- There has been no payment on the account for three months or more
- You have not made the two most recent payments required on your agreement

If you are late on a bill payment more than once, the agreement will be cancelled and you will receive a "Notice of Disconnection" (see below, "DISCONNECTION").

Equal billing/Budget billing plans

Normally, NS Power bills you once every two months. A "Budget Plan" allows you to receive a bill on a monthly basis, for an equal amount each month. It is based on the average power usage for the premises over the previous 12 months. You can ask to include arrears payments, if necessary, in your Budget Plan.

At the end of the 12 months, if you used more than the average, you may face an additional bill, or if you used less, you will receive a credit. To stay on a Budget Plan, you must maintain a good payment history.



DISCONNECTION

NS Power can issue a Notice of Disconnection if:

- **There have been no payments on your account for more than 30 days after the billing date of your last bill**
- **You fail to comply with the terms of your Payment Agreement**
- **You refuse to pay a security deposit upon request**
- **You have misrepresented your identity in order to get electricity connected**
- **There is unauthorized interference or diversion of electricity service delivered to your property**

If you receive a Disconnection Notice, contact NS Power right away. You have the right to ask NS Power to give you additional time to pay. (see section on Payments Agreements above).

When NS Power can disconnect power

Once you have received a Notice of Disconnection, NS Power must wait 12 days before disconnecting the power. This is your opportunity to contact NS Power to make arrangements to pay in order to avoid disconnection.

Before they actually disconnect your power, NS Power must give you written notice.

NS Power must also make reasonable efforts to contact you to ask you to pay what you owe them before any disconnection.

If you receive a Disconnection Notice, contact NS Power right away. You have the right to ask NS Power to give additional time to pay. (See section on Payment Agreements, above.)

NS Power *cannot* disconnect power when:

Cold Temperatures. Your power cannot be disconnected when the temperature falls or is forecast to fall below 0° Celsius at any time in the week following the planned disconnection.

Medical Concerns. If you or somebody who lives with you has a serious medical condition that would be made worse if power was disconnected, you can ask NS Power to postpone disconnection for up to 14 days.

You must provide information to show that disconnection will worsen a serious medical condition for you or somebody who lives with you.

DISPUTE RESOLUTION AND APPEALS

If you disagree with the amount NS Power has billed you, or with the reasons given for disconnection, you can make a complaint to the **Dispute Resolution Officer ("DRO")**.

The DRO is responsible for resolving disputes over **whether you have been billed the proper amount, whether your meter is operating properly, or whether you are responsible for the amount NS Power has charged you**. Contact information for the DRO is available on the NS Power website and appears on the Notice of Disconnection.

If you want to make a complaint to the DRO the most effective way is to send an email to the address on the website (see "Resources" page).



Once you send a complaint, you do not have to pay **the disputed amount** until you receive a decision from the DRO. NS Power cannot disconnect your power until 12 days after you receive the DRO's written decision in response to your complaint. You must continue to pay any charges that are not in dispute



If you disagree with the DRO's decision, you have 12 days from the date you receive the decision to appeal to the Board. You must appeal in writing by sending a letter to the Board with your reasons and any evidence you wish them to consider. NS Power will submit evidence to the Board as well – the Board should send you a copy of any material filed in relation to your complaint – If you do not receive a copy contact the Board to request one.

The DRO is not responsible for arranging Payment Agreements. If you do not dispute the amount you owe, but need more time to pay your account, you should contact NS Power.

NOTE: This Guide contains legal information, not legal advice. Complete answers to questions may depend on individual circumstances. For more information, see the "Additional Information & Resources" section at the end of this guide.

NOTES

RESOURCES

For more information on NS Power or the appeals process, contact:

- NS Power Customer Care: 1-800-428-6230 or (902) 428-6230
- Dispute Resolution Officer: 1-877-428-6202 or (902) 428-6202
- NS Utility and Review Board 1-855-442-4448 or (902) 424-4448
- Nova Scotia Power Regulations can be found at www.nspower.ca under "Approved Electricity Rates and Regulations" in the "About Us" section.
- If you are concerned about the cost of electricity in NS and want to get involved, please join the Affordable Energy Coalition (AEC). Call: 902-423-8105, for more information.

For more information

- 211 Nova Scotia
2-1-1, www.ns.211.ca
A free, confidential information and referral service to more than 3,000 community and social services across Nova Scotia. Available 24 hours a day, 7 days a week by dialing 2-1-1 or online.
- Good Neighbour Energy Fund
(902) 422-3435
www.salvationarmy.ca/maritime/gnef/
An emergency heating program available to Nova Scotian families who meet the criteria. Runs from January 15 through April 15. Families can reapply for the program every 24 months. Applications available online, from your local Salvation Army church or thrift store, and MLA offices.

- Heat Assistance Rebate Program (HARP)
1-800-670-4357 or (902) 424-5200,
www.homeheatinghelp.ca
Helps with the cost of home heating for low-income Nova Scotians. Rebates range from \$100 to \$200. Applications accepted during the winter months, call or go online for specific dates.
- Home Warming
1-877-434-2136, <http://homewarming.ca>
Provides a no-charge energy assessment and home upgrades to income-qualified homeowners. Proof of home ownership and proof of income is required. Applications available online or by phone.



Written by
Dalhousie Legal Aid Service
and the
Affordable Energy Coalition



Published by
The Nova Scotia Public Interest
Research Group
6136 University Ave
Halifax, NS, B3H 4J2
Web: www.nspirg.ca