



**Nova Scotia Utility and Review Board
Business Plan
2016-2017**

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A. BOARD MANDATE

Mandate

The Board has a broad quasi-judicial mandate set by legislation. The mandate can be broken down in two ways:

1. Regulatory – having to do with:
 - a. Approving requests from regulated commercial entities such as public utilities (e.g., water, electricity, natural gas), motor carriers, railways, the Halifax-Dartmouth Bridge Commission, payday loan companies, and automobile insurers for things such as rates, capital expenditures, operating permits, and discontinuing or abandoning service;
 - b. Setting the price for gasoline and diesel oil sold to the public; and,
 - c. Resolving complaints against public utilities, natural gas companies, and motor carriers.
2. Adjudicative – having to do with:
 - a. Appeals from the decisions of others relating to such things as property value, fire safety, municipal planning, liquor licensing, movie classifications, and gaming at casinos;
 - b. Setting the value of expropriated land when it cannot be agreed on by the parties involved; and,
 - c. Approving requests pertaining to municipalities and school boards such as changing electoral boundaries, dissolution, amalgamation and annexations.

The specific powers and duties of the Board vary by statute. A complete list of statutes is included as Appendix A.

B. GOVERNMENT PRIORITIES

The Government of Nova Scotia has set out departmental priorities relating to people, innovation, and education. It has also provided overarching direction with respect to provision of core services such as those carried out by this Board. While the priorities are not the sole focus of Government they do provide a framework to inform the Board's business planning process. Recognizing that our unique role imposes certain limits and requirements in law, our challenge will be to support Government priorities in the following ways:

- a. Efficiently and effectively carrying out our legal mandate, including adapting to any changes arising from transition to a competitive energy market, with a view to providing reasonably priced and stable utilities service which business and other consumers can rely on.
- b. Continuing consultations with external stakeholders and reviewing each of our mandates to determine the most efficient and effective way possible to provide our services in order to minimize red tape and shorten overall processing times.
- c. Living within our fiscal means while continuing to find innovative ways to improve service and reduce costs.
- d. Providing information to Government and others seeking to reform policies and cut red tape in order to reduce the effects of regulatory burden on the economy.

The Board will continue to support the intent of Government priorities to the greatest extent possible while respecting its responsibilities under the law and need to maintain its quasi-judicial independence.

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C. BUDGET CONTEXT

Nova Scotia Utility & Review Board			
Program & Service Area	2015 – 2016 Estimate	2015 – 2016 Forecast ¹	2016- 2017 Budget
	(\$thousands)	(\$thousands)	(\$thousands)
Gross expenses:			
Quasi-judicial - budgeted operations	5,665	5,819	5,895
Quasi-judicial - unbudgeted operations ²	0	1,880	0
Total expenses	5,665	7,699	5,895
Revenues:			
Grant from Province of Nova Scotia	1,970	1,970	1,970
Recoveries from utilities and others	3,695	3,783	3,764
Recoveries - unbudgeted operations ³	0	1,894	0
Total revenues	5,665	7,647	5,734
Net income (loss)	0	(52)	(161)
Restricted and unrestricted surplus ⁴ - beginning of year	1,882	1,882	1,830
Restricted and unrestricted surplus - end of year	1,882	1,830	1,669

¹ Figures provided are forecasts. Actual results may differ.

² Unbudgeted operations expenses arise from hearing activities that cannot reasonably be forecast in advance. Most of these expenses are recovered from the applicant or appellant, or party requesting the service.

³ See footnote 2 above.

⁴ Surpluses may be restricted for things such as capital assets in use, working capital requirements, and incomplete projects for which revenues have been received.

D. PERFORMANCE MEASURE

Quasi-judicial Function					
Outcome	Measure	Data Base Year	Trends	Target 2016-2017	Strategies to Achieve Target
Independently and fairly resolve matters in a timely fashion ⁵ .	Percentage of hearing decisions issued within target number ⁶ of writing days from receipt of final submissions.	Base Year 2006-07 94.0%	Trends: See chart on next page	Maintain 95% or more of decisions released within target number of writing days from receipt of final submissions.	<ul style="list-style-type: none"> - Use of electronic filing, information repository and case management programs to aid in processing. - Continue monitoring of member and staff performance through monthly Board meetings. - Periodic consultation with external parties to seek ways to improve services.

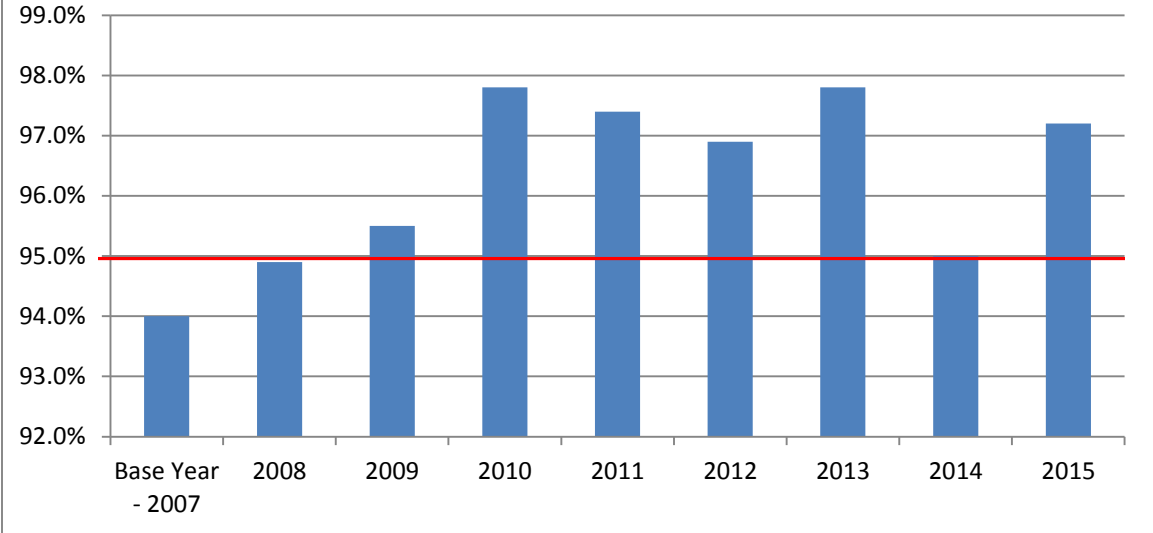
The following chart shows the Board's actual performance in meeting its target of having 95% or more of decisions released within the target writing time.

⁵ While timely production of decisions is important the primary emphasis must always be to fairly resolve matters based on the specific facts of each case and relevant law.

⁶ Target writing times vary by mandate and type of file. Ordinary matters have a target of 90 days. Planning matters have a statutory limit of 60 days unless extended by the Board at the conclusion of the hearing or necessary for the interests of justice. Some insurance matters have statutory limits of 10, 15, 20, or 60 days. At the Board's discretion timelines for some insurance matters can be extended. Interlocutory matters have a target of 10 working days. Note that these timelines are measured from the date of receipt of final submissions.

Decisions Within Target Writing Time

Results by Fiscal Year



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Appendix A: List of Statutes Containing Board Mandate

1. Assessment Act, RSNS 1989, c.23 as amended
2. Consumer Protection Act, RSNS 1989, c.92 as amended
3. Education Act, SNS 1995-96, c.1 as amended
4. Electrical Installation & Inspection Act, RSNS.1989, c. 141 as amended
5. Electricity Act, SNS 2004 c. 25 as amended
6. Energy and Mineral Resources Conservation Act, RSNS 1989, c.147 as amended
7. Expropriation Act, RSNS 1989, c.156 as amended
8. Fire Safety Act, SNS 2002, c. 6
9. Gaming Control Act, SNS 1994-95, c.4 as amended
10. Gas Distribution Act, RSNS, 1997, c. 4 as amended
11. Halifax-Dartmouth Bridge Commission Act, RSNS 1989, c.192 as amended
12. Halifax Regional Municipality Charter, SNS 2008, c.39 as amended
13. Halifax Regional Water Commission Act, Acts of 2007, c. 55 as amended
14. Heritage Property Act, RSNS 1989, c.199 as amended
15. Insurance Act, RSNS, 1989, c. 231 as amended
16. Liquor Control Act, RSNS 1989, c. 260 as amended
17. Maritime Link Act, SNS 2012, c. 9 as amended
18. Motor Carrier Act, RSNS 1989, c.292 as amended
19. Motor Vehicle Transport Act of Canada, 1987 as amended (Federal)
20. Municipal Government Act, SNS 1998, c.18 as amended
21. Nova Scotia Power Finance Corporation Act, RSNS 1989, c.351 as amended
22. Nova Scotia Power Privatization Act, SNS 1992, c.8
23. Petroleum Products Pricing Act, SNS 2005, c. 11
24. Petroleum Resources Removal Permit Act, SNS 1999, c.7 as amended
25. Pipeline Act, SNS 1980, c. 13 as amended
26. Public Utilities Act, RSNS 1989, c.380 as amended
27. Railways Act, SNS 1993, c.11 as amended
28. Revenue Act, SNS 1995-96, c.17 as amended
29. Technical Safety Act, SNS 2008, c. 10⁷
30. Theatres and Amusements Act, RSNS 1989, c. 466 as amended
31. Underground Hydrocarbons Storage Act, SNS 2001, c.37
32. Utility and Review Board Act, SNS 1992 as amended
33. Victims' Rights and Services Act, RSNS 1989, c.14 as amended

⁷ Partially proclaimed in force as of the date of writing of this plan.