



July 2026 written submission to IRAC

RE: Written submission from Peter Bevan-Baker on the On-Island Capacity for Security of Supply Project (UE20742)

To the Island Regulatory and Appeals Commission:

I appreciate the opportunity as a Friend of the Commission Intervener to make a written presentation respecting Maritime Electric Company Limited's (MECL's) request for the On-Island Capacity for Security of Supply Project (UE20742). This is an issue of great importance, and the decision of the Commission on this matter will have profound repercussions for Islanders for decades to come.

The history of humanity's progress over the last two centuries is a story of utilising energy and how we have harnessed it to further society's goals. The advent of fossil fuels allowed us to unlock eons of stored energy — quite literally the energy of the sun over millions of years, concentrated and conveniently stored into portable, accessible forms. The fossil fuel era and the invention of the internal combustion engine have given us machines that transport, crush, dig, heat, and more recently even think and communicate. It has also sparked an existential crisis by inadvertently changing the chemistry of our planet's atmosphere, triggering global heating and the climate emergency.

The scientifically proven and accepted reality of anthropogenic climate change has prompted the biggest and most disruptive transformation in energy use in over 150 years: the adoption of non-polluting producers — capturers, really — of energy like wind and solar to transition us away from fossil fuels. That we must stop digging stuff up and setting fire to it is no longer in question. The pace at which we must make that transition is where the debate — like the forest fires currently consuming large swaths of Europe and North America as I write this — continues to rage.

The issue before the Commission today is not a decision that by itself will change the trajectory of Earth's climatic future, but humanity's collective effort to transition away from fossil fuels as our primary energy resource is. Elsewhere that transition is moving forward at full tilt. In the United States, more than ninety per cent of new electricity generating capacity added since 2024 has been solar, wind and battery storage.¹ Closer to home, Ontario's Independent Electricity System Operator recently

¹U.S. Energy Information Administration, "Solar, battery storage to lead new U.S. generating capacity additions in 2025," Today in Energy, and EIA Short-Term Energy Outlook 2026. Of 63 GW of utility-scale capacity added in 2025, solar (32.5 GW), battery storage (18.2 GW) and wind (7.7 GW) accounted for approximately 93 per cent; EIA forecasts that renewables and storage will represent over 99 per cent of net new capacity in 2026. <https://www.eia.gov/todayinenergy/detail.php?id=64586>

awarded contracts for the first new large-scale generation in over a decade — fourteen projects, and every single one of them solar or wind.²

Part of me wishes this were happening as a result of a widespread global awakening to the imminent existential threat of the climate emergency, but the truth is that those bids won in open competition because they represented the best value for money — indeed, at a price twenty-one per cent below the previous Ontario procurement. Renewables paired with battery storage are now consistently the least-cost option around the world, and not just in capital expense but over the lifetime cost of the resources.³ There is no reason that I have read or seen that puts our province in a unique position that would prevent Prince Edward Island from joining this energy transition. It is time for us to step up and make our contribution to this world-wide movement.

From recent communications between the Commission and representatives from Maritime Electric, it appears that the upcoming hearing is to discuss the merits of both the original application dating from December 2024 and the supplemental application dated August 2025. For clarity, I will refer to these distinct proposals as plan A — the original application from December 2024 — and plan B, the supplemental application from August 2025. This presents challenges for interveners such as myself, as the two applications differ substantially in their content and are on occasion contradictory. Crafting a submission of limited length on such a broad scope of possibilities inevitably requires that not all facets of each application can be considered in the depth I would wish. Despite this, my hope is to present a submission that clearly demonstrates that neither of the applications before the Commission represents the best potential energy future for Islanders. Indeed, if followed, either one will lock our province and Islanders into an inordinately expensive, unnecessarily precarious, high-emitting and restrictive energy future for generations to come.

Since I began preparing this submission the ground has shifted once again. On July 24th 2026, Maritime Electric filed its responses to a further set of interrogatories from Commission staff — some five hundred pages of material, including two entirely new expert studies commissioned by the applicant.⁴ I have done my best to absorb this late arrival and to reflect it honestly in what follows. I would ask the Commission to note, however, that the pattern of substantial new evidence arriving very late in a

²Independent Electricity System Operator (Ontario), Long-Term 2 Energy Stream 1 (LT2(e-1)) RFP results, April 2026: 20-year contracts offered to 14 projects — 12 solar (915.1 MW) and two wind (400 MW), totalling over 1.3 GW, at a price 21 per cent below the previous large-scale renewable procurement, each with at least 50 per cent Indigenous equity participation. This was the first large-scale new-build renewable procurement in Ontario in more than a decade.

³See, e.g., Lazard, “Levelized Cost of Energy+” (annual), and International Energy Agency, “Renewables” market reports, for the comparative lifetime cost of utility-scale renewables paired with storage against new-build thermal generation.

⁴Exhibit C-28, Maritime Electric Company Limited, “Responses to Additional Interrogatories from Commission Staff — On-Island Capacity for Security of Supply Project (UE20742),” filed 24 July 2026. References below are to the interrogatory number and the page number of the filing as paginated in the responses section (PDF pagination given in parentheses where it differs).

process we are simultaneously told is far too urgent to delay is itself a matter of great concern, and one to which I shall return.

Prince Edward Island has a singular opportunity to choose one very distinct, clear path, or another. It is indisputable that we must make considerable investments in our electricity system to meet growing demand and to ensure that Islanders have a modern, reliable, affordable and clean grid that meets our needs today and into the future. What is in dispute is the manner in which we meet this challenge. Either we concur with the applications before us from MECL, which will commit us to an expenditure so huge that alternative future investments will be severely restricted and electricity rates for Islanders will be increased substantially for decades to come; or, without putting Islanders at unnecessary risk, we take the necessary time to make a prudent decision about what investments are needed, and consider the full range of options now available in a rapidly changing energy field. Perhaps I can distil my position into this single sentence: the need for investments is real, but the solutions presented by MECL are wrong.

In the absence of a provincial public intervener, it falls on people like me to represent the concerns and needs of Islanders who will be profoundly impacted economically and environmentally by the outcome of this hearing. While I do not have the expertise, resources or time available to me to counter every detail of the massive amount of information associated with such an application, I am extremely proud and confident of the arguments I will be making and the conclusions I have reached after literally hundreds of hours of research and investigation. All my work has been done through the lens of what is the best choice for Islanders. I have no axe to grind, and absolutely no benefit to be gained through my efforts. I have a singular goal — to get the best possible economic and environmental outcome for Islanders, present and future. And my conclusions are that it is crystal clear that the applications before the Commission do not represent the best value for money, are not the most prudent investment in our grid, do not align with our province's climate and environmental goals, and finally and crucially, are designed to benefit MECL and not Islanders.

A word about process, before I turn to substance.

I have just noted, almost in passing, that Prince Edward Island has no provincial public intervener. I have made that observation before and moved swiftly on. I do not intend to move on swiftly this time, because I have come to believe it is one of the most important things I have to say to this Commission.

On one side of this proceeding stands Maritime Electric, a subsidiary of Fortis Inc., supported by Sargent and Lundy of Chicago, by Energy and Environmental Economics of San Francisco, by Stantec, and by legal counsel. On the other stand the Commission's own staff, a consultant the Commission had the good sense to retain in Synapse, and volunteers. The independent expert analysis done by Synapse is of benefit to those who do not have the time, expertise or resources to effectively counter the breadth and density of information brought forward by Maritime Electric. I am grateful for the Commission in seeking

this detailed, comprehensive, and unbiased report, and appreciative of the conclusions it reaches. It is not my intention to reiterate the findings, conclusions, and recommendations in the Synapse report, only to express my support of their work and the many deficiencies they highlight in Maritime Electric's applications and methodologies. Every Islander with a power bill is a party to this decision in the only sense that finally matters — they will pay for it — and not one of them has counsel in the room. Nova Scotia funds a Consumer Advocate. New Brunswick has a Public Intervener.⁵ Prince Edward Island has volunteers like Energy Democracy Now! and me, and we are doing this critical work as time allows, in the evenings and at weekends.

I would also draw the Commission's attention to something in the request for confidentiality which accompanied the July 24th filing. At paragraph 8, Maritime Electric states that it "has provided, or will provide, unredacted copies of the relevant materials to the Commission and the Added Party Intervener."⁶ At paragraph 64 it speaks of "the Commission and qualified parties."⁷ I am, it would appear, neither. That being the case, I am being asked to assess a project whose installed cost is given as three hundred and fifty-three million dollars from a version of the record with the prices taken out of it, and then to do so in one hour.

Let me be careful and fair here, because I do not wish to be understood as demanding that everything be thrown open. A live commercial negotiation with New Brunswick Energy Marketing is a live commercial negotiation, and I would not ask this Commission to weaken our own bargaining position and call it transparency. What I do ask is this: that the test set out in the Commission's own Rules, and the direction of the Supreme Court of Canada in *Sierra Club* — which Maritime Electric itself accepts applies to this proceeding⁸ — be applied to each category of sealed material separately rather than to the request as a single block, and that the ruling be issued publicly, with reasons, before the hearing rather than after it.

Three of the sealed items trouble me considerably more than the rest. Commission staff asked Maritime Electric whether it has corporate performance targets; whether it maintains incentive plans for its employees; and whether the approval or denial of this very application would affect any employee's compensation. All three answers have been withheld from the public entirely.⁹ The company's stated reasons are worth quoting. It submits that the relevance of such targets to the prudence of this

⁵Nova Scotia appoints a Consumer Advocate to represent residential ratepayers before the Nova Scotia Energy Board; New Brunswick appoints a Public Intervener under the Energy and Utilities Board Act. Prince Edward Island has no equivalent standing office.

⁶Exhibit C-28, Request for Confidentiality, para. 8 (PDF p. 8).

⁷Exhibit C-28, Request for Confidentiality, para. 64 (PDF p. 22).

⁸*Sierra Club of Canada v. Canada (Minister of Finance)*, 2002 SCC 41. Maritime Electric accepts the application of the open court principle to this proceeding at paras. 27–32 of its Request for Confidentiality (Exhibit C-28, PDF p. 13).

⁹Exhibit C-28, IR-88, IR-89 and IR-90, filing pp. 102–104 (PDF pp. 130–132). Each response reads in full: "THE RESPONSE HAS BEEN FILED WITH THE COMMISSION ON A CONFIDENTIAL BASIS."

expenditure is “indirect at best,”¹⁰ and that disclosure “could give rise to unfounded inferences or perceptions regarding the motivations of the Company’s management in pursuing regulatory applications.”¹¹

I want to be scrupulous at this point, because I am not making an allegation and I would not wish to be seen as doing so. I have no evidence whatsoever that anyone at Maritime Electric is pursuing this project for personal advantage, and I do not believe it of them. My point is narrower, and I think it is unanswerable: the remedy for an unfounded inference is the founded fact. If the answer to the Commission’s question is no, then saying so in public costs the company nothing at all and settles the matter for good. Maritime Electric’s own confidentiality request concedes that such questions “can be addressed at a high level of generality in the public version.” I would ask the Commission to require precisely that, and nothing more than that.

I would ask for one further thing. The rate impact analyses filed in response to IR-84 and IR-87(d) have been sealed in their entirety because they contain New Brunswick’s pricing within them. I understand the reason. But the output of those analyses — what this decision does to an ordinary household’s power bill — is not New Brunswick’s commercial secret. It is the one fact every Islander is entitled to have. From the public portion of the filing we can tell that the figure is somewhere around five per cent,¹² rising to some seven and a half per cent in scenarios the company itself has modelled.¹³ Those percentages belong on the public record in full, whatever becomes of the inputs behind them.

I have previously submitted a lengthy written presentation related to the application I am calling plan B, regarding the downpayment of nearly \$50 million in order to secure delivery of the used ProEnergy combustion turbines which will deliver 100 MW of dispatchable capacity at a total cost approaching \$400 million. No decision on the matter of the downpayment has been made yet, which is critical to the viability of plan B. Therefore, the preferred application, and perhaps the only option available to MECL, has yet to be determined. This complicates matters when a finite timeframe of one hour has been allocated to present arguments on both potential pathways.

In plan A, MECL provides arguments to support the urgent need to bolster on-Island capacity generation through the purchase of five 18 MW Reciprocating Internal Combustion Engine (RICE) generators, one 50 MW aeroderivative combustion turbine with synchronous condenser capability, and a 10 MW four-hour battery. Plan B does away with the RICE generators and the battery and proposes two 50 MW

¹⁰Exhibit C-28, Request for Confidentiality, para. 63 (PDF p. 22).

¹¹Exhibit C-28, Request for Confidentiality, para. 75 (PDF p. 24).

¹²Exhibit C-28, IR-84, filing p. 91 (PDF p. 119). Table IR-84 gives an estimated rate impact of approximately 5.18 per cent (Rural Residential), 5.27 per cent (Urban Residential) and 5.08 per cent (General Service), rising to approximately 7.1 per cent if capital costs increase by 20 per cent.

¹³Exhibit C-28, IR-87(d), Table IR-87(d)(ii), filing p. 101 (PDF p. 129). If avoided off-Island capacity costs prove 50 per cent lower than assumed, the estimated rate impact rises to approximately 7.5 per cent and the claimed NPV saving falls from 52 per cent to 9 per cent.

aeroderivative combustion turbine generators. Plan B argues that due to the urgency of the situation only one supplier can meet the timelines put forward by MECL. Plan B, and I quote, “represents Maritime Electric’s only viable path to securing new on-Island dispatchable generation capacity by 2028.”¹⁴ This abrupt change of plan demonstrates just how quickly the energy landscape is evolving. In the course of a few months, MECL moved to plan B with the justification that “the original portfolio (Plan A) is now subject to higher cost estimates and longer lead times...” The executive summary goes on to say that plan B offers lower cost, fixed pricing, an accelerated timeline, operational efficiencies (mainly related to shared construction and operational resources with the RIGS project in New Brunswick), and enhanced reliability. It also claims that plan B “will result in estimated savings of approximately 50% compared to continued reliance on off-Island capacity purchases from NB Power...” Interestingly, eight months earlier this saving was estimated much lower: “The Project is estimated to result in savings of approximately 20 per cent compared to doing nothing and continuing to purchase capacity resources and ancillary services from NB Power.”¹⁵

As we have seen from subsequent documents and the release of previously withheld information, the promises of lower cost, fixed pricing and operational efficiencies have all come into question. The presence of two such divergent proposals within months of each other, and ongoing challenges with accurate costing estimates, indicate just how volatile and unpredictable this sector currently is. To ask the Commission — as MECL is — to make major decisions in a hasty manner, particularly when it is clear that all available options are not being fairly compared or even seriously considered, is highly inappropriate. Given the long-term implications, it is absolutely critical that a decision is made with full confidence and with accurate information about the complete range of possibilities available to meet the Island’s future energy needs. That is quite simply not the case with either of the applications presented by MECL. I am calling not for approval of plan A or plan B, but for a plan C — one that is carefully considered, correctly costed, comprehensive and completely credible.

General comments

Maritime Electric’s response to my original filing was this:

“Mr Bevan-Baker’s filing extended well beyond the prescribed parameters, resulting in more time required to process this application. Furthermore his filing consists primarily of personal opinion, commentary, and advocacy, rather than evidence capable of assisting the Commission in its statutory determination.”

¹⁴Supplemental Filing re: On-Island Capacity for Security of Supply Project, 14 August 2025 (Exhibit M-12), p. 36, line 3.

¹⁵Supplementary Capital Budget Request Application, 18 December 2024 (Exhibit M-1), p. 129.

It goes on to say that, by contrast, “Maritime Electric’s application is supported by detailed engineering analysis, system planning studies, financial modelling, and responses to Commission interrogatories.” I would take those four claims in turn, because each of them is answerable.

The engineering analysis is on occasion incomplete and misleading — for example in treating the PE6000 and the LM6000 as though they were interchangeable machines. The system planning studies are outdated: the most recent Integrated System Plan dates from 2020.¹⁶ The financial modelling has at times been withheld, and where disclosed has proved incomplete and, in its choice of assumptions, favourable to the applicant. And the responses to Commission interrogatories are, as I shall show, frequently evasive or simply empty. I will tell the Commission plainly where the July 2026 filing has answered one of these charges and where it has not.

Several further difficulties arise from having both applications live at once: cost comparisons drawn from different years and different assumptions; the absence of any current integrated plan; a rapidly changing global market; major regional and national investments now in prospect; ever-moving goalposts on the ProEnergy “opportunity”; contradictory statements about the degree of reliance on the New Brunswick RIGS project; and no cost comparison anywhere of on-Island against regional capacity supply. It must also be awkward for MECL to defend both applications at once — the supplemental resting on a time crunch and a sole supplier, the original resting on the RICE plant being the best option for the system and the customer.

It is my intention to demonstrate in this written response that the financial data used to support MECL’s conclusions, prepared by Sargent and Lundy, is flawed, incomplete, and in many cases grounded in speculative, biased and often outdated evidence and inaccurate costing assumptions. It has sometimes felt as though the language, scope, convoluted pathway and opacity of the hundreds of pages related to this matter have been designed to confuse and confound rather than to edify, and I must admit that trying to follow the bouncing ball from December 2024 to July 2026 has been constantly bewildering.

The Slot Reservation Account

The deposits required to secure delivery of the two PE6000 combustion turbines from ProEnergy are referred to variously in plan B as a “deferral account”, a “work-in-progress” payment, and a “slot reservation agreement”, “account” or “deposit”.

MECL is seeking pre-approval for a financial commitment of USD \$34.72M (\$47.9M Canadian) before regulatory review, environmental assessment or municipal approvals have taken place. This appears to be unprecedented in Canadian regulatory practice, where clear principles have been established about

¹⁶Maritime Electric Company Limited, Integrated System Plan, filed with the Commission September 2020. Referenced in the Stantec “Review of Long-Term Interconnection Options” filed as Exhibit C-28, IR-44 – Attachment 1 (PDF p. 254), which lists “Maritime Electric’s 2020 Integrated Supply Plan document (filed with IRAC in September 2020).” No subsequent integrated plan appears anywhere in the record.

the appropriate purpose, scope and limitations on the use of deferral accounts. They are not to be used as insurance for the utility, paid for by ratepayers, against its own poor planning, inadequate assessment of risk, or commitment to imprudent expenses — for example, costs arising from sole-source procurement, inadequate alternatives analysis, or a failure to consider battery storage and other options.

There is a matter of sequence here which I find genuinely difficult to accept, and which I do not think requires any technical expertise whatsoever to see. Maritime Electric asked this Commission to approve the commitment of some forty-eight million dollars of Islanders' money before the public hearing had been held, before the provincial environmental impact assessment had been carried out, and before the City of Charlottetown had been asked for a single permit. We now know from the July filing that because the deferral account was not approved, the company "has been unable to begin permitting activities," and that consequently "there has been no change in the status of any required approvals or permits."¹⁷ So on the company's own account, the money was to come first and the approvals were to follow afterwards. I cannot readily think of another public decision on this Island that we would make in that order, and I would ask the Commission to consider carefully what it would mean for every application that follows this one if we consent to make decisions in that sequence here.

I wish to be absolutely crystal clear: there is no justification for the metaphorical gun that plan B holds to Islanders' heads. It is my contention that the rationale for the dramatically expedited request is based in part on sloppy, incomplete, selective, outdated and on occasion downright misleading information.

Far from being a decision that must be made with unseemly haste, I believe with all due respect that there is sufficient time for the Commission to make a more prudent, fully informed choice about our immediate and longer-term energy future — one which would include all potential solutions to our undeniable capacity problems. Without denying the seriousness and immediacy of some of the concerns brought forward by Maritime Electric, to suggest that the Commission must make a hasty and irreversible decision on the biggest expenditure in the corporation's history or all is lost is melodramatic, alarmist and inappropriate.

The supplemental filing of August 14th 2025 describes a series of payments, beginning in September 2025 and concluding in December of that year, required to secure the agreement with ProEnergy. It states: "These payments are governed by the SRA (Slot Reservation Account), and are essential to maintain the critical path to commissioning by 2028."¹⁸ Those dates have, of course, passed. Yet — perhaps now with even more vigour and panicky feverishness — we continue to be warned that delays will be disastrous and that no other options exist.

¹⁷Exhibit C-28, IR-66(b), filing p. 67 (PDF p. 95).

¹⁸Exhibit M-12, p. 28, line 9.

I wrote the words immediately above before the July filing, and I must now add to them, because the position has moved again and this time decisively. The whole justification for the accelerated request was that this represented the “only viable path to securing new on-Island dispatchable generation capacity by 2028.” In its responses of July 24th, Maritime Electric confirms that commercial operation is now expected in October 2029.¹⁹ The 2028 date upon which the entire case for haste was constructed has simply gone.

And with it has gone the alignment with New Brunswick’s RIGS project. The Commission asked twice, at IR-80 and again at IR-82, for written confirmation from ProEnergy that it will proceed with our project and provide the necessary engineering, procurement and construction services. What it received was a budgetary proposal, “subject to finalization of contractual arrangements and regulatory approval.” After the better part of two years, there is still no signed agreement. Maritime Electric now concedes that the two schedules “no longer fully align,” and the shared crews and sequencing savings which were the stated reason for abandoning plan A have been reduced to a group of contractors who have “expressed strong interest in participating in subsequent work.”²⁰

I would ask the Commission to sit with that for a moment. The supplemental application exists because the original plan was said to be too slow and too costly, and because a window with ProEnergy was said to be closing. The window has not closed. The timeline is now longer than plan A’s ever was. There is no contract. And we are still being told there is no time to think.

Time and again the Commission is told that unless a deadline is met all will be lost; and time and again we see “essential” deadlines pass while the project remains viable. It really does feel as though an unseemly amount of inappropriate and ultimately unfounded pressure is being applied to this Commission on one of the most consequential decisions it has ever been asked to make. I urge the Commission to treat such dramatic warnings with the moderation they deserve, until the full range of possible solutions has been properly evaluated against this proposal.

Areas of shared concern

Having said everything above, let me state some things on which MECL and I are in agreement, based on their original application: that the current system of capacity supply is not resilient, flexible or robust enough to meet future demands, and that PEI needs to invest in reliable dispatchable capacity; that this will involve significant capital expenditure with implications for Islanders for decades to come; that the situation is in part a result, on the demand side, of rapid population growth and subsidised electrification of home heating, transportation and other uses; that it is also the result of inadequate

¹⁹Exhibit C-28, IR-54, filing p. 49 (PDF p. 77), and IR-79(a), filing p. 86 (PDF p. 114). Commercial operation is now expected in October 2029; the lead time for the ProEnergy turbines is given as approximately 32 months.

²⁰Exhibit C-28, IR-79(a), filing p. 86 (PDF p. 114); IR-80(a), filing p. 87 (PDF p. 115); IR-82(a), filing p. 89 (PDF p. 117).

supply-side planning by both government and MECL during that period of growth; that consequently our generating capacity is falling behind demand; that ambitious and expedited demand-side management will help reduce peak demand; that Small Modular Nuclear Reactors are not a viable option given the time constraints; that this is an urgent issue requiring prompt attention; and that neighbouring jurisdictions face similar challenges as old thermal generation is decommissioned.

That is a great deal of alignment. Where we diverge is in how best to navigate the current crisis, and in how to invest prudently in a way that will create the secure, clean and affordable energy future Islanders need and deserve. I want to say as plainly as I can, before I go any further, that the E3 study filed on July 24th has made the case for the existence and the scale of that need more convincingly than Maritime Electric had managed in the year and a half preceding it.²¹²² I accept that finding. My quarrel is not with the proposition that we need capacity. It is with what we are being asked to buy, from whom, at what price, in what order, and on how little information.

A word about planning, which underlies all of this.

Maritime Electric's most recent Integrated System Plan was filed with this Commission in September 2020. There has not been another since. The company produces a capacity resource adequacy assessment each year, and it is a useful document, but a single table of supply set against demand is not a plan. New Brunswick Power published an integrated resource plan in 2023.²³ Nova Scotia Power published one in 2020 and updated it in 2023.²⁴ Prince Edward Island's utility has a table.

The E3 study is admirably candid about what this has meant in practice. It records that "Maritime Electric has historically not performed its own RA analysis," having relied instead upon regional work carried out by others.²⁵ Its assessment of the company's previous practice identifies outright gaps: no battery or demand response capacity values specific to our system, no thermal capacity values specific to our system, and no loss-of-load probability model of our own.²⁶ And I learned one thing from that study which genuinely astonished me. The fifteen per cent planning reserve margin which Maritime Electric has used throughout to justify its capacity requirement was established in 1977, as part of the

²¹Energy and Environmental Economics, Inc. (E3), "Maritime Electric Resource Adequacy Study: Determining 2030 System Needs and Evaluating Effective Load Carrying Capability," July 2026, filed as Exhibit C-28, IR-23 – Attachment 1 (PDF pp. 134–232). Cited below as "E3 Study."

²²E3 Study, Executive Summary, p. 9 (PDF p. 144), and §5.1, p. 41 (PDF p. 176).

²³New Brunswick Power Corporation, 2023 Integrated Resource Plan, July 2023. <https://www.nbpower.com/media/1492472/2023-integrated-resource-plan-en.pdf>

²⁴Nova Scotia Power Inc., Integrated Resource Plan (2020), updated 2023; see also IESO Nova Scotia, 2026 10-Year System Outlook.

²⁵E3 Study, §2.2, p. 22 (PDF p. 157). The 15 per cent planning reserve margin "was established in 1977 as part of the Interconnection Agreement between New Brunswick Power and Maritime Electric, directly after the first two subsea cables were installed," and E3 records that "Maritime Electric has historically not performed its own RA analysis."

²⁶E3 Study, Table 6-1, p. 57 (PDF p. 192), which records outright gaps in prior practice: "No Storage or Demand Response ELCCs specific to Maritime Electric"; "No Thermal ELCC specific to Maritime Electric"; and "No Maritime Electric LOLP model."

original interconnection agreement struck when the first two cables were laid, and had never been independently modelled by the company until this July.

I do not raise this in order to score a point. I raise it because this Commission is being asked to approve the largest capital commitment in this utility's history against a plan that is six years old and a study that is three weeks old. A resource adequacy study tells you how much you need. It cannot tell you what to buy, from whom, at what price, or in what sequence. That is what an integrated plan is for, and we do not have one.

What is the full range of options that exist to meet the capacity gap?

Regardless of the exact size and rapidity with which PEI will face a capacity gap, it is undeniable that it will happen, and we need a comprehensive plan to continue to provide reliable, secure and cost-effective energy to Islanders. The original application aimed at producing an additional 150 MW of capacity on-Island, and did contemplate a 10 MW / 40 MWh battery. However, throughout the document it is clear that Maritime Electric does not view variable renewables and battery storage as a serious, established or reliable way to produce energy and provide dispatchable capacity.

Nothing could be further from the truth.

When I hear Maritime Electric executives, speaking of battery technology, make statements like “we don’t have the luxury of sitting back and trying something”, or “we can’t just wait and see if it’s going to work or not”, or “you don’t want to rely on a battery”, it is clear that they have no faith or interest in this technology. All these statements were made by MECL executives at the IRAC technical briefing on September 11th 2025. This is at odds with so many other jurisdictions all around the world, which are employing renewables paired with batteries at utility scale extremely successfully. There are also, of course, the obvious environmental benefits of renewables over combustion turbines, regardless of how much they are used over the course of a year.

Effective Load Carrying Capability: two studies, and one question that decides this application.

A great deal of this application turns upon a piece of jargon called Effective Load Carrying Capability, or ELCC. It is not as forbidding as it sounds. It asks a simple question: when the system is at its most stressed, on the coldest evening of the year, how much of a machine's advertised capacity can you actually count upon? A hundred megawatt turbine is not a hundred megawatts of security, because turbines break down. A hundred megawatt battery is not a hundred megawatts of security either, because batteries run flat. ELCC is the attempt to put an honest number on each of them. That number in large part decides this application: the costings, the comparisons and the fifty-year present values are all built on top of it.

On March 12th 2026, at a legislative standing committee meeting, a slide deck presented on behalf of MECL compared the ELCC of batteries with that of combustion turbines using a study from Newfoundland and Labrador, which showed a 100 MW four-hour battery accredited at approximately 32 MW. Newfoundland's system is hydro-dominated, and its pattern of risk hours is shaped by reservoir levels and seasonal runoff; it bears little resemblance to ours. I said then that importing that figure to Prince Edward Island without any Island-specific modelling was not a sound way to make a three hundred million dollar decision, and I asked this Commission to require such a study before deciding anything.

Since then we have two reports both looking at exactly this question – the ELCC of a battery system to act as an alternative capacity source to the CTs.

But it has left the Commission with a difficulty I did not foresee. There are now two studies before you, and upon the number of critical importance, they do not agree. Synapse, the Commission's own consultant, puts the ELCC of a hundred megawatt four-hour battery at ninety per cent of its nameplate, and a six-hour battery at one hundred.²⁷²⁸ E3, retained by Maritime Electric, puts the same four-hour battery at forty-three per cent.²⁹ That is not a difference of emphasis. It is a difference of more than double, on a pivotal figure from which so many financial calculations in this application flow.

I do not know whether the right number is forty-three per cent, or sixty, or ninety. I am not a resource adequacy modeller and no amount of reading will make me one. I would therefore ask the Commission to have its own consultant answer one question before you decide: at what level of effective capacity does a battery become the cheaper way of meeting this need? Whatever that figure is, both parties have placed their estimates on either side of it, and the Commission ought to know where it lies.

A word about numbers, and about who pays if they are wrong.

There are, however, some things about numbers that I do not need to be a modeller to see, and I think they matter quite as much as the modelling does.

The first is that whoever pays for a study chooses its questions. E3 was asked how much capacity Prince Edward Island needs, and what each sort of resource contributes towards meeting it. It was not asked whether buying two second-hand turbines from the only vendor anybody spoke to, on a schedule that has slipped by a year, at a price that has moved twice, is a sensible way of buying that capacity. That is

²⁷Synapse Energy Economics, Inc., "Electric System On-Island Capacity Alternatives for Prince Edward Island," prepared for the Island Regulatory and Appeals Commission, 9 April 2026 (Exhibit C-23). Cited below as "Synapse Report."

²⁸Synapse Report, p. 38. Synapse states that "for the purposes of comparative economics, Synapse assumes the 100 MW 4-hour BESS resource would be accredited with 90 percent of its nameplate capacity... A 6-hour BESS resource would likely be accredited at 100 percent of its nameplate capacity."

²⁹E3 Study, §5.3.3, p. 48 and Table 5-5, p. 51 (PDF pp. 183, 186). The first 20 MW of four-hour storage is accredited at 67 per cent and the first 20 MW of eight-hour storage at 81 per cent; marginal ELCC falls below 20 per cent beyond roughly 200 MW of penetration.

no criticism of E3, which answered the question it was given. But the choosing of the question is itself a decision, and in this proceeding the applicant has made that decision every single time.

The second is that studies arrive when they are wanted. Maritime Electric applied in December 2024 on the strength of a plan written in 2020 and a reserve margin settled in 1977. The Island-specific modelling which would have told us what we actually need appeared in July 2026, three weeks before this hearing, and only after the Commission's own consultant had pointed out that it was missing. I am glad it exists. But a study written to test a proposal and a study written to support one are different documents, even when the same careful people write them.

But what if the numbers are wrong? If the truth is higher than E3 says, we shall have built a hundred megawatts of thermal generation we did not need, and Islanders will pay for it. If the error runs the other way, Islanders pay for that too, in rotating outages or in emergency power bought at whatever the region charges on the coldest morning of the year.

Whichever way it falls, the answer to who carries the risk is the same. It is the household in Montague and the small business in Alberton. Maritime Electric earns its allowed return upon whatever this Commission approves and the company then builds. It earns no more for having been right, and no less for having been wrong. The one party here that chose the consultant, framed the questions and decided which studies to commission is also the one party whose finances do not depend upon the answer being correct.

I do not say that to impugn anybody. It is simply how the thing is built. But it carries a plain consequence: where two credible studies differ by more than double, the prudent course is not to pick the one you prefer and stake everything upon it. It is to choose a path that survives being wrong.

And if Islanders are to be asked to accept a decision they cannot check, then the least they are owed is sight of the workings. That is why the sealing of the rate impact analyses troubles me as much as it does. A ratepayer who cannot follow the modelling can at least be told what it does to their power bill. Take that away as well, and nothing is left but trust.

Two last things I can read off E3's own tables without any expertise whatever. The first is that E3 accredits the opening tranche of storage on this Island more highly than it accredits the very turbines Maritime Electric wishes to buy.³⁰ Storage here is not a poor resource; it is a good one at first, and becomes a poor one only as you keep piling it on. Maritime Electric's own study now concedes that the

appropriate size of battery for our system is “likely between 9 MW and 85 MW,”³¹³² and that a portfolio built around eighty-five megawatts of storage costs within about one per cent of the portfolio the company prefers.³³ That is a considerable distance travelled from “you don’t want to rely on a battery.”

The second is that Synapse recommended a six-hour battery, and E3 modelled four-hour and eight-hour but not six. The two studies before you have never tested the same product.³⁴ I would ask that this be put right before you decide rather than afterwards. The model is already built and paid for.

I would add that E3 itself identifies work still outstanding. Its modelling assumes the subsea cables are available one hundred per cent of the time, and it recommends a separate resilience analysis simulating an extended cable outage. That has not been done.³⁵ Its further recommendation is that the company use these results “to inform least-cost and reliable portfolios in future economic analyses” — future, the Commission will note, and not past.³⁶ The planning this study is intended to feed has not yet taken place.

One last finding cuts against this application rather than for it. E3 finds that a twenty megawatt reciprocating engine earns an effective capacity rating of eighty-six per cent, while a fifty megawatt turbine earns only seventy-five, for the straightforward reason that on a system as small as ours the failure of one large machine is itself a principal cause of the very risk we are trying to insure against.³⁷ Maritime Electric’s own consultant is telling this Commission that smaller units give better value per megawatt on Prince Edward Island. That is an argument for the reciprocating engines of plan A, and for building in increments rather than in one great leap — which is precisely what I have been urging throughout.

The unproven nature of the PE6000 units

ProEnergy introduced the PE6000 unit in November 2023, two and a half years ago. Although based on the General Electric LM6000, which has been in production since 1990, it is an entirely new product built

³¹Maritime Electric Company Limited, “Portfolio Net Present Value Study,” 24 July 2026, filed as Exhibit C-28, IR-54 – Attachment 1 (PDF pp. 415–470). Cited below as “Portfolio NPV Study.”

³²Portfolio NPV Study, §6.1, pp. 31–32 (PDF pp. 448–449): “the results indicate that an appropriate BESS size is likely between 9 MW, as reflected in Portfolio 2, and 85 MW, as reflected in Portfolio 3.”

³³Portfolio NPV Study, Table 14, p. 26 (PDF p. 443). Portfolio 2 (ProEnergy + 40 MW RICE + 9 MW BESS) has a present value cost of \$924 million; Portfolio 3 (ProEnergy + 85 MW BESS) \$936 million — a difference of approximately 1.3 per cent.

³⁴Synapse Report, pp. 40–41. Synapse’s illustrative alternative uses a 100 MW six-hour battery, while recommending that “MECL considers the 4-hour battery storage option for initial installation, with the potential to add more energy storage.” E3 modelled four-hour and eight-hour durations only: E3 Study, §5.3.3, p. 47 (PDF p. 182).

³⁵E3 Study, Executive Summary, pp. 11–12 (PDF pp. 146–147), and §6.2.3, p. 59 (PDF p. 194).

³⁶E3 Study, §6.2.2, p. 58 (PDF p. 193).

³⁷E3 Study, §5.3.5, pp. 51–52 (PDF pp. 186–187). A 20 MW unit with a 5 per cent forced outage rate is accredited at approximately 86 per cent; a 50 MW unit at the same forced outage rate at approximately 75 per cent.

by ProEnergy. Unlike GE, an established global corporation with over three decades of experience with aeroderivative turbines, ProEnergy is a brand new player on the manufacturing side. Despite this extremely limited history and record of service, the promotional package included in the recently released materials describes the solution on offer as one that “fills supply gaps in less than 10 minutes through all weather conditions based on field-proven engines that averaged 99% start reliability for 2024.” Only on careful reading do you discover that these claims rest not on the PE6000 but on an entirely different model manufactured by GE — the LM6000, which has over 30 years of operational experience behind it. To suggest that these two are comparable is simply not accurate. The extremely limited warranty is also of significant concern.

I asked Angus Orford on Tuesday March 10th 2026 at the standing committee how many PE6000 units are in operation in climates similar to PEI’s, and he could not answer the question. He was then asked whether he was confident they would operate in PEI’s winter climate, to which he answered that he was “100 per cent confident”. Here is a stark example of a “personal opinion and advocacy rather than evidence” being brought forward, of which I myself have been accused by MECL. Maritime Electric has now answered the original question about how many units are operating in climate like PEI’s on the record, and the answer is none. The company states that “currently, there are no PE6000 units operating in climates directly comparable to PEI,” and that it is “not currently aware of any PE6000 units that have operated in climatic conditions directly comparable to the February 2023 polar vortex event.”³⁸ I take no satisfaction whatever in being right about this. I would very much rather have been told that there were fifty of them running happily through a Manitoba winter.

There is worse, and I think it needs to be highlighted. The supplemental application told this Commission that each refurbished turbine undergoes testing “under real-world conditions” at ProEnergy’s facility in Sedalia, Missouri. In the July filing we learn that ProEnergy “recently informed Maritime Electric” that for projects executed under a full engineering, procurement and construction arrangement — which is precisely the arrangement contemplated here — “the completed turbine engines are not performance tested at the Sedalia test bay.”³⁹ They are instead to be tested here, on our system, after they have been installed and after they have been paid for. An assurance which this Commission was given about the maturity and provenance of this equipment has been quietly withdrawn, eleven months after it was given. I would respectfully ask the Commission to require Maritime Electric to state clearly which other assurances offered in the August 2025 application potentially no longer hold, rather than leaving them to emerge one at a time.

³⁸Exhibit C-28, IR-75(a) and IR-75(b), filing pp. 79–80 (PDF pp. 107–108).

³⁹Exhibit C-28, IR-74(a), filing p. 78 (PDF p. 106). The assurance withdrawn appears at Exhibit M-12, p. 16, lines 2–3.

Who carries the risk, and who takes the benefit

Throughout this proceeding I have argued that these turbines are likely to become stranded assets long before their fifty-year book life is out. I no longer need to speculate about who would pay if that is indeed the case, because Maritime Electric has told us. Asked directly, the company answered that if the turbines become stranded, “Maritime Electric would seek to recover the remaining net book value from customers,” and grounded that answer in what it calls the Regulatory Compact.⁴⁰

The company’s position that the risk is low rests upon its expectation that the federal government will loosen the Clean Electricity Regulations⁴¹ — an expectation drawn from a strategy document released in May 2026, whose amendments the company itself concedes remain “uncertain at this time.”⁴² So we are asked to buy diesel turbines, amortised over fifty years, upon the assumption that climate regulation becomes weaker rather than stronger; and if that assumption proves wrong, Islanders pay for the error twice over — once for the turbines and again for whatever must replace them. I would reiterate that in the whole of the supplemental application the words “climate change” do not appear at all. Nor, it should be said, does our own province have a long-term alternate fuel plan against which this purchase could be tested — Maritime Electric says so itself.⁴³

I have asked more than once in this process who really benefits from this proposal. The July filing answers that too, and with commendable directness: “Yes. There is a financial benefit to Maritime Electric for owning a capacity resource, as compared to purchasing capacity from off-Island.”⁴⁴ The net present value analysis filed for this project alone shows one hundred and thirty-one million dollars of equity return and one hundred and three million dollars of debt interest, set against one hundred and sixteen million of amortisation.⁴⁵

I want to be fair about this. That is how rate-of-return regulation works; it is not in itself a scandal, and I am not in any way suggesting that it is. But it is a structural incentive, it points in one direction and not the other, and the very documents which would allow anyone to judge how far that incentive reaches

⁴⁰Exhibit C-28, IR-65(d), filing p. 66 (PDF p. 94).

⁴¹Clean Electricity Regulations, SOR/2024-263, registered 17 December 2024. <https://gazette.gc.ca/rp-pr/p2/2024/2024-12-18/html/sor-dors263-eng.html>

⁴²Natural Resources Canada, “Powering Canada Strong: A National Strategy for an Electrified Canadian Economy,” May 2026, cited by Maritime Electric at Exhibit C-28, IR-65(a), filing p. 65 (PDF p. 93). The Company concedes that “the scope and details of any such amendments remain uncertain at this time.”

⁴³Government of Prince Edward Island, PEI Energy Strategy, prepared by Dunskey Energy + Climate Advisors, August 2025. <https://www.princeedwardisland.ca/sites/default/files/fe81/PEIEnergyStrategy.pdf>. At IR-61(a) (Exhibit C-28, filing p. 60, PDF p. 88) Maritime Electric states it is “not aware of any published provincial or regional strategies” setting a long-term alternate fuel plan.

⁴⁴Exhibit C-28, IR-48(c), filing p. 41 (PDF p. 69).

⁴⁵Exhibit C-28, IR-87(d), Table IR-87(d)(i), filing p. 100 (PDF p. 128): equity return \$131.052 million, debt interest \$103.229 million, amortization \$116.422 million, all on a present value basis.

into the company's own performance targets are the documents that have been sealed. I do not think it unreasonable of me to notice the conjunction of those two facts, nor to ask the Commission to notice it.

“That analysis has not been completed.”

There is one further pattern in the July filing which I would ask the Commission to hold in mind, because it speaks to the standard of preparation behind the largest request this utility has ever made. Again and again, when Commission staff asked for the analysis underlying a claim, they were told that it does not exist.

Asked for a probabilistic analysis of the risk of disconnection from New Brunswick — none has been completed. Asked how often Quebec has curtailed its exports — “Maritime Electric does not maintain records.” Asked for the circumstances of New Brunswick Power's emergency alerts — “not readily available.” Asked at what level of operation owning these turbines would cease to be the least-cost option — “this analysis has not been completed.” Asked what it would cost to convert them to natural gas, that very flexibility being repeatedly offered as a virtue of their dual-fuel capability — “Maritime Electric has not completed this analysis.” Asked for the lifetime greenhouse gas emissions of the new units — no forecast completed. Asked for the sustaining capital they will require across their life — no exhaustive list developed. Asked what effect the New Brunswick transmission upgrades will have — “the extent of any capacity increases has not yet been quantified.”⁴⁶

Most striking of all, the Commission asked for a copy of the review which concluded that our system is not strong enough to support any wind generation at all during a disconnection — a finding which does a great deal of heavy lifting in this application, and one which has troubled me since I first read it. The answer is that “Maritime Electric has not prepared a standalone review document,” and that the conclusion arose from “internal discussions among engineering staff.”⁴⁷ There is no review. There were conversations. Grid-forming BESS has shown conclusively that one of its big benefits over CTs is in being able to support the integration of wind power during situations like a disconnection.

I would not hold any one of these against the company. Taken together, they describe an applicant seeking absolute certainty from this Commission while offering a good deal less than certainty in return.

Does the entire forecast gap have to be met immediately?

It is my contention that PEI can continue to meet the imminent capacity demands without having to purchase 100 MW of capacity immediately as proposed. It was confirmed in questioning on September 11th that New Brunswick, our primary power provider, currently meeting over 75 per cent of our needs,

⁴⁶Exhibit C-28: IR-24(c), filing p. 4 (PDF p. 32); IR-26, filing p. 7 (PDF p. 35); IR-27, filing p. 8 (PDF p. 36); IR-42(c), filing p. 26 (PDF p. 54); IR-57, filing p. 54 (PDF p. 82); IR-59(c), filing p. 58 (PDF p. 86); IR-68, filing p. 69 (PDF p. 97); IR-69, filing p. 71 (PDF p. 99).

⁴⁷Exhibit C-28, IR-34(a), filing p. 18 (PDF p. 46).

has no intention of ceasing to provide PEI with power when the existing Energy Purchase Agreement expires in December 2026. We are currently — though it confounds me that it has taken so long — installing Advanced Metering Infrastructure across the Island. Such non-wire alternatives, intended to defer or remove the need to construct or upgrade parts of the distribution and transmission system, get short shrift in MECL's applications. During the technical session we were told by Mr Orford that at no point did he ask whether a single 50 MW unit was a possibility for ProEnergy to sell to Maritime Electric. That was a shocking admission.

I note that the E3 study does not close this door either. Its own portfolios are built in tranches, and its finding that smaller units are accredited more highly than larger ones is, if anything, an argument for staging our purchases — whether combustion turbines or batteries — rather than making them all at once. Maritime Electric's own study concedes that further capacity will be required in any event when the Borden-Carleton units retire in the early 2030s.⁴⁸ If that is so, then the question before the Commission is not whether we build, but whether we must commit to all of it, in one transaction, with one vendor, today.

Conclusion

I want to close by being clear about what I am, and what I am not, asking of this Commission.

I am not asking you to say no forever. I am asking you not to say yes in the dark.

The need is now established. The vehicle is not. We are asked to commit to an unproven machine, from a sole vendor against whom no one was invited to compete, at a price that has moved twice, arriving a year later than promised, carrying a one-year warranty, on a schedule whose central justification has evaporated, with the risk of stranding assigned in advance to ratepayers, on the strength of a plan six years old — and with the numbers that matter most withheld from the very people who will pay for all of it.

And the people paying the tab — Islanders — are living in difficult financial times, and many families have no extra money to go around. They care that when we make historic investments, especially in times of economic peril, that they and their children and grandchildren are getting value for money. They care deeply about the future of our province. They care that we do our bit to ensure a stable climate — something upon which all our province's primary industries depend. And they care that we will be able to look back 10, 20, or 50 years from now and feel proud of the decisions that were made.

Maritime Electric has said of my earlier filing that it consisted "primarily of personal opinion, commentary, and advocacy, rather than evidence capable of assisting the Commission in its statutory

⁴⁸Exhibit C-28, IR-43(f), filing p. 31 (PDF p. 59), and Portfolio NPV Study, §6.0, p. 30 (PDF p. 447), which notes that "the existing aged generating assets located in Borden-Carleton are planned for retirement in the early-2030s" and that further additions will be required.

determination.” I have tried in this submission to meet that criticism honestly. I would say only this in reply: a proceeding in which the ratepayers of this province have no advocate at all is a proceeding that stands in some need of advocacy, and I make no apology whatever for having offered it.

Thank you.

Sincerely,

Peter Bevan-Baker

MLA New Haven–Rocky Point

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