



BILL NO. 3

Private Member's Bill

*2nd Session, 60th General Assembly
Nova Scotia
56 Elizabeth II, 2007*

An Act to Amend Chapter 380 of the Revised Statutes, 1989, the Public Utilities Act

CHAPTER 31
ACTS OF 2008

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
MAY 27, 2008**

Michel Samson
Richmond

*Halifax, Nova Scotia
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**An Act to Amend Chapter 380
of the Revised Statutes, 1989,
the Public Utilities Act**

Be it enacted by the Governor and Assembly as follows:

1 Chapter 380 of the Revised Statutes, 1989, the *Public Utilities Act*, is amended by adding immediately after Section 91 the following Section:

92 (1) In this Section, “small business” means a corporation that, in combination with any affiliated corporation or corporations, has not more than one hundred employees or not more than such larger number of employees as may be prescribed by the regulations.

(2) Where the Governor in Council directs or the Board on its own motion decides, the Board shall appoint a person to act as a small business advocate in a hearing before the Board.

(3) A small business advocate appointed pursuant to subsection (2)

(a) shall participate in all aspects of the hearing before the Board and represent the interests of small business as a full intervenor with power to enter into settlement agreements with other parties; and

(b) has all the powers and authorities necessary to carry out the duties of a small business advocate pursuant to this Section.

(4) The Board may fix fees and expenses of a small business advocate in performing the functions and duties of a small business advocate pursuant to this Section.

(5) The fees and expenses referred to in subsection (4)

(a) shall be paid to the Board by the applicant or applicants in such proportion as determined by the Board; and

(b) may include the cost of retaining experts and legal counsel to provide the business advocate with advice, including testimony, on technical and legal matters.

(6) The Board may make rules respecting practice and procedure, scope of work, fees and expenses and other matters respecting a business advocate appointed pursuant to subsection (2).

(7) The Governor in Council may make regulations

(a) prescribing the number of employees a corporation and its affiliates may have and be a small business;

(b) respecting the qualifications and experience of a business advocate.