

NOVA SCOTIA REGULATORY AND APPEALS BOARD

IN THE MATTER OF THE MOTOR CARRIER ACT

-and-

IN THE MATTER OF THE MOTOR VEHICLE TRANSPORT ACT

-and-

IN THE MATTER OF AN APPLICATION by **BLUENOSE TRANSIT INC.** to amend Motor Carrier License No. P03282 and Extra Provincial Operating License No. XP03407

BEFORE:



Roland A. Deveau, K.C., Vice Chair

DECISION AND ORDER

Bluenose Transit Inc. applied to the Nova Scotia Regulatory and Appeals Board on February 27, 2026, to amend its Motor Carrier License No. P03282 and Extra-Provincial Operating License No. XP03407, by adding a Generic Fuel Adjustment Mechanism (FAM) to the licenses as approved by the Board in its *Discount Review Decision* [2015 NSUARB 33].

The application was considered by the Board without a hearing on March 26, 2026.

Having considered the *Motor Carrier Act*, including the factors set out in s. 13, the Board finds it is in the public interest to approve the application.

Bluenose Transit confirmed it requests that its existing FAM approved in the Board's Order dated April 22, 2020 [2020 NSUARB 60, M09523], is to be replaced with the Monthly FAM approved in this Order.

The Board approves the application, and orders that:

- 1) Motor Carrier License No. P03282 and Extra-Provincial Operating License No. XP03407 be amended to add the Generic FAM (attached as Schedule A to this Order) to the Schedule D Rates of the licenses. The existing FAM approved in the Board's Order dated April 22, 2020 [2020 NSUARB 60, M09523] is repealed, effective March 31, 2026.

- 2) The first Generic FAM surcharge will be effective April 1, 2026, and be adjusted on the 1st day of each and every month thereafter as ordered by the Board.
- 3) The Generic FAM surcharge shall remain in effect until such time as it is amended or terminated by the Board.

DATED at Halifax, Nova Scotia, this 25th day of March 2026.

Pamela McGarrigle

Clerk of the Board

Schedule "A"

FUEL ADJUSTMENT MECHANISM

The FAM shall be calculated as follows:

- 1) The Board will determine the FAM and will provide the calculation to the carrier on a monthly basis, expressed as a percentage surcharge, before the last day of the month.
- 2) The FAM will come into effect on the 1st day of the month. It shall apply to all charter quotes and will be held for 30 days or until the quote becomes a contract, whichever comes first.
- 3) The FAM shall operate as a surcharge calculated at 1% for every 5 cents per litre that the average monthly Wholesale Diesel (Rack) Price in Halifax varies from the base fuel price of \$0.65/litre, as tracked by Kalibrate for Diesel (ULSD).

The FAM shall operate as a surcharge calculated at 1% for every 5 cents per litre that the average monthly Wholesale Gasoline (Rack) Price in Halifax varies from the base fuel price of \$0.57/litre, as tracked by Kalibrate for Gasoline.

- 4) The FAM shall be determined from reviewing the fuel prices between the 16th of one month to the 15th of the next month.
- 5) The base charter price will be multiplied by the FAM percentage before any discount is applied.
- 6) The base charter price is the Single Day or Multi-Day charter rates but does not include any Additional charges.
- 7) The FAM will be identified as a separate Fuel Surcharge on all invoices.
- 8) The FAM may increase or decrease as a consequence of the calculation but cannot result in a negative adjustment to the currently approved rates.
- 9) The Board reserves the authority to adjust the FAM at any point during a month in the event that market prices increase or decrease significantly, in which case the adjusted FAM shall apply for the remainder of the intervening period until the FAM is next scheduled to be reset.