

**PROPOSED REGULATION OF THE
PUBLIC UTILITIES COMMISSION OF NEVADA**

LCB File No. R032-08

April 11, 2008

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1-13, NRS 704.773.

A REGULATION relating to public utilities; establishing provisions relating to net metering tariffs; establishing provisions relating to standard net metering contracts; and providing other matters properly relating thereto.

Section 1. Chapter 704 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 13, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 13, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 9, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Customer-generator” has the meaning ascribed to it in NRS 704.768.*

Sec. 4. *“Generating capacity” means the sum of the nameplate capacities of the electrical generating units and the associated facilities of a particular renewable energy system or combination of renewable energy systems. As used in this section, “nameplate capacity” means the maximum output capacity as set forth on the nameplate attached to an electrical generating unit by the manufacturer of the unit.*

Sec. 5. *“Interconnection” means the physical connection of a generating facility to the utility so that parallel operation with the utility system may occur.*

Sec. 6. “Metering” means the measuring of the flow of electrical power in kilowatts or kilowatt-hours.

Sec. 7. “Metering equipment” means all equipment, hardware and software, including, without limitation, meter cabinets and conduits that are necessary for metering.

Sec. 8. “Net metering” has the meaning ascribed to it in NRS 704.769.

Sec. 9. “Net metering system” has the meaning ascribed to it in NRS 704.771.

Sec. 10. A utility must file an application with the Commission to obtain approval of a net metering tariff. The net metering tariff must include, at a minimum, the following provisions:

1. Net metering must be accomplished using a single meter capable of registering the flow of electricity in both directions, except that:

(a) If the net metering system of a customer-generator has a generating capacity of not more than 100 kilowatts, the utility may, at its own expense and with the written consent of the customer-generator, install one or more additional meters in a dual meter socket.

(b) If the net metering system of a customer-generator has a generating capacity of more than 100 kilowatts, the utility may require the customer-generator to install, at his own expense, an energy meter that is capable of measuring generation output and customer load.

2. If the utility determines that additional metering equipment is required pursuant to subsection 1 and the customer-generator refuses to consent to the installation of additional metering equipment, the utility may refuse interconnection.

3. Billing for net metering must be made in accordance with the provisions of NRS 704.775.

4. Interconnection with the utility must be consistent with the utility’s tariff.

5. The net metering system must meet the standards set forth in NRS 704.774.

Sec. 11. 1. *The utility shall create a standard net metering contract which must be provided to any customer upon request. The standard net metering contract must include, at a minimum:*

(a) A description in plain English describing the process by which a customer may interconnect with the utility under net metering;

(b) A description of the facilities to be interconnected;

(c) The requirements for maintenance of the interconnected facilities;

(d) Provisions for access by the utility to the premises where the net metering system is located;

(e) Provisions for the interruption of delivery of electricity;

(f) A description of the liabilities and rights of indemnity of both the customer-generator and the utility;

(g) The requirements of insurance for the customer-generator pursuant to subsection 2 of NRS 704.774; and

(h) The term of the contract and the process for renewal of the contract.

2. *The existence of a net metering contract pursuant to subsection 1 does not excuse the utility from negotiating alternative arrangements with a customer for net metering in a manner consistent with the provisions of this chapter and the utility's tariff.*

Sec. 12. 1. *The utility shall:*

(a) Establish a point of contact between the utility and a customer so that the customer may inquire about net metering or request an application form for net metering; or

(b) Make available at the office of the utility or on the Internet website maintained by the utility an application form for net metering.

2. *The utility shall send an application form requested by a customer pursuant to subsection 1 within 5 business days after the date of receipt of the request for an application form.*

3. *The utility shall, at least semiannually on each billing statement, indicate the availability of the application form for net metering and how it may be obtained.*

Sec. 13. 1. *The utility shall send a standard net metering contract to the customer within 10 business days after receipt by the utility of an application for net metering.*

2. *The utility shall approve or deny a signed standard net metering contract within 10 business days after the date of receipt of the contract. If the contract is approved by the utility, the utility must send a copy of the executed contract to the customer.*

3. *If the utility approves the standard net metering contract, the utility must conduct any visit to the premises of the customer within 15 days after the date on which the contract is executed.*

4. *The utility shall notify any customer who has submitted an application for net metering that the customer may contact the Division of Consumer Complaint Resolution of the Commission if the customer is dissatisfied with the timeliness of the response by the utility to the application for net metering.*