

Digest for Adopted Regulation R_063-11

During the 2009 Legislative Session, the Legislature created the Fund for Renewable Energy, Energy Efficiency and Energy Conservation Loans to provide below-market-rate loans to finance the construction of certain renewable energy system projects. In 2011, the Legislature enacted legislation revising the name of the Fund to the Account for Renewable Energy, Energy Efficiency and Energy Conservation Loans. (NRS 701.575) The 2011 Legislature also expanded the scope of projects which are eligible for loans from the renamed Account for Renewable Energy, Energy Efficiency and Energy Conservation Loans. Existing law now requires the Director of the Office of Energy to administer the Account for the purpose of making loans at a rate of not more than 3 percent to qualified applicants for: (1) the construction of an energy conservation project; (2) the construction of an energy efficiency project; (3) the construction or expansion of a renewable energy system; or (4) the manufacturing of components of a renewable energy system. The Director is authorized to adopt regulations to carry out the purposes for which the Account was established. The Director is required to give preference to larger energy conservation projects, larger energy efficiency projects and larger renewable energy systems and to define by regulation those projects which qualify as larger energy conservation projects, larger energy efficiency projects or larger renewable energy systems. (NRS 701.590, 701.595)

Sections 4-6 of this regulation define “larger energy conservation project,” “larger energy efficiency project” and “larger renewable energy system,” respectively. **Section 7** of this regulation expands the definition of projects which may be eligible for

loans from the Account to include: (1) the expansion of a renewable energy system; (2) the construction of an energy conservation project; (3) the construction of an energy efficiency project; and (4) the manufacturing of components of a renewable energy system. **Section 8** of this regulation revises provisions describing the purpose of the Account to reflect statutory changes enacted by the Legislature during the 2011 Legislative Session. **Sections 9-11** of this regulation revise certain provisions relating to the process by which the owner or operator of a project may apply for a loan from the Account. **Section 12** of this regulation revises provisions relating to the criteria by which the Director will prioritize the applications of qualified applicants.

Existing regulations authorize the Director to require that an audit be performed on the financial records relating to a project for the purpose of protecting the integrity of the Account. (NAC 701.700) **Section 15** of this regulation revises those provisions to expand the scope of such audits to any records relating to a project.