

NOTICE OF ADOPTION OF REGULATION
LCB File No. R063-11_V6

The Nevada State Office of Energy adopted regulations assigned LCB File No. R063-11_63 which pertain to chapter 701 of the Nevada Administrative Code on January 12, 2012. A Copy of the regulations as adopted is attached hereto.

INFORMATIONAL STATEMENT

- 1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

Copies of the proposed regulation, notice of workshop and notice of intent to act upon the regulation were made available at the Nevada State Office of Energy and sent by U.S. mail and facsimile to all county libraries in Nevada.

A workshop was held on December 12, 2011, and the minutes of that meeting, attached hereto, contain a summary of the substance of the workshop. On December 12, 2011 the Nevada State Office of Energy issued a Notice of Intent to Act Upon a Regulation. There were no comments from interested parties at either the public workshop or the public hearing and no opposition to the adoption of the regulations.

- 2. The number of persons who:**

- (a) **Attended the hearing:** January 12, 2012: 4
- (b) **Testified at the hearing:** January 12, 2012: 0
- (c) **Submitted written comments:** 0

- 3. A description of how comment was solicited from businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited from the affected businesses in the same manner as they were solicited from the public. There were no responses from businesses.

- 4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

Not applicable: Minor changes were made to the proposed regulation in accordance with SB60 of the 2011 Legislative Session.

- 5. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:**

(a) Both adverse and beneficial effects;

The proposed regulation will enable the Nevada State Office of Energy to solicit and offer loans to a greater target market. Prior to the adoption of the regulation, only renewable energy projects were eligible to receive funding. After adoption, manufacturers of renewable energy components, energy efficiency projects, and energy conservation projects will now be eligible to receive funding from the program resulting in a net beneficial impact on the public.

(b) Both immediate and long-term effects.

The adoption of the regulation will benefit the public and the construction industry generally in the near and long-term by increasing availability of low interest funding for the manufacturing of renewable energy components, construction of renewable energy projects, energy efficiency project, and energy conservations measures that will offset the applicant's electric usage and dependence on fossil fuels.

6. The estimated cost to the agency for enforcement of the adopted regulation:

The proposed regulations present no significant foreseeable or anticipated cost or decrease in costs for implementation. As long as the legislature continues to appropriate a portion of the interest from the revolving loan fund to pay for the program and administrative costs associated with implementation and enforcement per the terms of the ARRA ACT, there will be no burden to the State's general fund for implementation.

7. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

The proposed permanent regulations do not appear to overlap or duplicate regulations of other state or local governmental agencies.

8. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

N/A

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

N/A

10. Is the proposed regulation likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a

small business? What methods did the agency use in determining the impact of the regulation on a small business?

The Director has determined that the proposed regulation does not impose a direct and significant economic burden upon a small business or restrict the formation, operation or expansion of a small business. In making this determination the Director considered the fact that the regulation only applies to the activity of the Nevada State Office of Energy and imposes no direct requirements on any private businesses other than those who may be the direct recipient of money from the Fund.

WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS
PURSUANT TO SB 60
MINUTES

Monday, December 12, 2011, 9:00 AM
755 North Roop Street, #202
Carson City, NV 89701

Those attending the Workshop included:

Robert Nellis, NSOE
Lorayn Walser, NSOE
Cassandra Joseph, Deputy Attorney General

Robert Nellis, Energy Program Manager for the Nevada State Office of Energy, opened the meeting by stating the purpose of the Workshop, which was to solicit comments on the adoption of regulations to implement the provisions of section 1-10 of Senate Bill 60. Copies of the proposed text were available for review.

Mr. Nellis then called for public input. There being none, Mr. Nellis stated, "The Nevada State Office of Energy will consider any comments provided in the final draft of the amended regulation. If no comments have been provided the Director for the Nevada State Office of Energy plans to adopt the amended regulations as written in LCB file No. R063-11."

The meeting was adjourned at 9:15 am.

Respectfully submitted,

Lorayn Walser
Recording Secretary.