

ADOPTED REGULATION OF THE PUBLIC UTILITIES

COMMISSION OF NEVADA

LCB File No. R012-00

Effective August 1, 2000

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

AUTHORITY: §§1 and 2, NRS 703.025 and 704.979.

Section 1. Chapter 704 of NAC is hereby amended by adding thereto a new section to read as follows:

1. An alternative seller that provides metering services shall provide those services in accordance with the terms and conditions of the universal metering services tariff.

2. An alternative seller that subcontracts for any metering services, including, without limitation, services relating to the reading of a meter and the management of data from a meter, shall ensure that all such services are provided in accordance with the terms and conditions of the universal metering services tariff.

3. As used in this section:

(a) “Metering services” includes, without limitation:

(1) Services for end-use customers, including:

(I) The provision of meters to the end-use customer;

(II) The operation and maintenance of a meter, including the installation, testing, calibration and repair of metering equipment; and

(III) Reading meters, including reading meters for the purposes of billing, and performing checks on the reading of meters at the request of customers concerned that their meters were read in error; and

(2) Services relating to management of data from a meter.

(b) “Universal metering services tariff” means the tariff schedules applicable to metering and related services provided by licensed alternative sellers operating in this state which have been accepted by the commission pursuant to the docket of the commission entitled “Docket No. 97-8001.”

Sec. 2. NAC 704.79721 is hereby amended to read as follows:

704.79721 As used in NAC 704.79721 to 704.79759, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 704.79723 to 704.79741, inclusive, have the meanings ascribed to them in those sections.

NOTICE OF ADOPTION OF REGULATIONS

Re: PUC Docket No. 97-8001 (Metering Services) -- LCB File No. R012-00

On June 26, 2000, the Public Utilities Commission of Nevada ("Commission") transmitted a Metering Services regulation to your office which the Commission had voted to adopt on May 11, 2000. On the transmittal letter, the LCB File No. was incorrectly stated as R172-99. The correct file number appears in the subject line of this letter.

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.

On July 31, 1997, the Public Utilities Commission of Nevada ("Commission") opened Docket No. 97-8001, the investigation of issues to be considered as the result of the restructuring of the electric industry. On November 22, 1999, a Universal Meter Services Tariff was approved by the Commission. At a duly-noticed agenda meeting held on December 30, 1999, the Commission voted to issue for comment and hearing a proposed regulation for the implementation of the Universal Meter Services Tariff.

On January 18, 2000, the Commission issued a Notice of Intent to Adopt Regulation, which included a draft of the proposed regulation and set dates for public comment at a workshop and a hearing. This notice was published in the Elko Daily Free Press, the Ely Daily Times, the Humboldt Sun, the Las Vegas Review Journal, the Nevada Appeal, the Reno Gazette Journal, and the Tonopah Times-Bonanza. It was also sent to the persons on the Commission's mailing list (approximately 200) and to 15 county libraries throughout the state. Copies were posted at the county courthouses located in Reno, Carson City, and Las Vegas. On February 14, 2000, the Commission again issued a Notice of Intent to Adopt Regulation, which included a revised draft of the proposed regulation and set dates for public comment at a workshop and a hearing. This notice was distributed in the same manner as the previous notice.

Public comment centered almost exclusively on whether or not the Commission could or should require alternative sellers intending to subcontract metering services to either be licensed to provide metering services as well as being licensed as an alternative seller, or hire a subcontractor that has been licensed for metering services.

2. The number persons who:	<u>Attended</u>	<u>Testified</u>
(a) February 11, 2000 Workshop	8	6

(b)	February 11, 2000	Hearing	Canceled	Canceled
(c)	March 22, 2000	Workshop	7	6
(d)	March 22, 2000	Hearing	7	0
	March 28, 2000	(cont)	3	0
	April 5, 2000	(cont)	2	1
	April 26, 2000	(cont)	4	3

(e) **Written comments were submitted by:**
Nevada Power Company, Phaser Advanced Metering Services,
Sierra Pacific Energy Company, and Sierra Pacific Power Company

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

Comments were solicited from affected businesses by notices placed in the newspapers mentioned above, by direct mailings to interested persons on the Commission's mailing list; and by the posting of notices at county libraries, courthouses and the Commission's website. Appearances were made at the foregoing workshops and hearings by interested persons, including the Bureau of Consumer Protection -- Utility Consumers' Advocate, Itron, Inc., Nevada Power Company, Avistar, Inc. d/b/a Phaser Advanced Metering Services, Sierra Pacific Energy Company, Sierra Pacific Power Company, and Staff. Comments were received as set forth in response to question 2(e), above. Comments focused on whether or not the Commission could or should require alternative sellers intending to subcontract metering services to either be licensed to provide metering services as well as being licensed as an alternative sellers, or hire a subcontractor that has been licensed for metering services.

Transcripts of the workshops and hearings, copies of comments, and copies of this summary are on file and available for public viewing at the offices of the Commission: 1150 East William Street, Carson City, Nevada 89701 and 101 Convention Center Dr., Suite 250, Las Vegas, Nevada 89109.

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.

On January 18, 2000, the Commission issued a Notice of Intent to Adopt Regulation which set the December 22, 1999 draft of the proposed regulation for workshop and hearing. Substantive changes were made to the regulation and a new Notice of Intent to Adopt Regulation was issued along with the February 15, 2000 draft of the regulation. No substantive changes were made subsequent to the February 15, 2000 draft of the regulation, either by the Presiding Officer or the Legislative Counsel Bureau. At a regularly-scheduled agenda meeting held on May 11, 2000, the Commission voted to adopt the proposed regulation as a permanent regulation.

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public.

The provisions of the proposed regulation potentially affect all alternative sellers who provide electric services to end-use customers in Nevada, especially those that provide metering services (or their subcontractors for metering services), as well as all customers of such alternative sellers in Nevada. At this time the Commission cannot quantify either the adverse or beneficial economic effects on the entities affected by the regulation, either immediate or long-term, which may result from the regulation. No adverse economic effects, either immediate or long-term, are expected to inure to the public. The public may experience beneficial economic effects in that the provision of metering services will become standardized.

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

The Commission does not anticipate any additional costs associated with the enforcement of this regulation.

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

The Commission is not aware of any overlap or duplication by this regulation of any regulation of other local, state or federal government agencies.

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

The Commission is not aware of any overlap or duplication by this regulation of any regulation of other local, state or federal government agencies.

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.

The Commission does not anticipate any new fees or an increase in any existing fees as a result of the adoption of this regulation.