

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

LCB File No. R173-07

November 30, 2007

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

AUTHORITY: §§1-13, NRS 701B.840.

A REGULATION relating to energy; providing definitions regarding the Waterpower Energy Systems Demonstration Program; providing incentives for participants in the Program; providing requirements for the annual plan filed in regards to the Program; and providing other matters properly relating thereto.

Section 1. Chapter 701B 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 11, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Applicant” has the meaning ascribed to it in NRS 701B.720.*

Sec. 4. *“Commission” has the meaning ascribed to it in NRS 701B.730.*

Sec. 5. *“Participant” means a person who has been selected by the Task Force to participate in the Waterpower Demonstration Program.*

Sec. 6. *“Program year” has the meaning ascribed to it in NRS 701B.760.*

Sec. 7. *“Task Force” has the meaning ascribed to it in NRS 701B.770.*

Sec. 8. *“Utility” has the meaning ascribed to it in NRS 701B.780.*

Sec. 9. *“Waterpower” has the meaning ascribed to it in NRS 701B.790.*

Sec. 10. *“Waterpower Demonstration Program” or “Program” has the meaning ascribed to it in NRS 701B.810.*

Sec. 11. *“Waterpower energy system” has the meaning ascribed to it in NRS 701B.800.*

Sec. 12. *1. For a program year, a utility shall offer to a participant an incentive in the form of a rebate. For all of the watts up to and including the first 50 kilowatts of installed capacity of a waterpower energy system, the utility shall offer the lesser of:*

(a) The total dollar amount obtained by multiplying \$2.50 by the number of watts calculated pursuant to subsection 2; or

(b) Sixty percent of the eligible installed system cost.

2. The applicant must provide to the utility, within 30 days after applying for participation in the Waterpower Demonstration Program, a computation stamped by an engineer who is a licensed professional engineer in the State of Nevada that provides the estimated hours of operation of the waterpower energy system and the estimated annual kilowatt hour output of the proposed system. The estimated kilowatt hour output must be divided by the estimated hours of operation to calculate the number of watts for the purposes of paragraph (a) of subsection 1.

3. If the incentives for a participant’s first program year change between the time his application is approved and the time his waterpower energy system is completed, the participant must receive for that program year the incentives established at the time that his application was approved.

Sec. 13. *Pursuant to NRS 701B.850, a utility shall file with the Commission an annual plan which must include the following:*

1. A schedule describing major program milestones;

2. *A budget with the following categories:*

- (a) Incentives;*
- (b) Contractor costs;*
- (c) Marketing costs;*
- (d) Training costs; and*
- (e) Utility administrative costs;*

3. *A report on previous program years and the current program year which includes, without limitation, the most up-to-date versions of the following information for each program year:*

- (a) The number of applications filed;*
- (b) The number of participants enrolled in the Waterpower Demonstration Program and the number who have dropped out of the Waterpower Demonstration Program;*
- (c) The annual budget and expenditures;*
- (d) Any remaining financial obligations at the end of a program year;*
- (e) A list of completed installations;*
- (f) A summary of marketing results;*
- (g) A description of training and educational activities; and*
- (h) The results of participant surveys;*

4. *A description of the application process, including, without limitation:*

- (a) The procedures to be followed by the utility and the applicant;*
- (b) The criteria for selection of applicants for the Waterpower Demonstration Program, for the selection of applicants for the prioritized waiting list and for the promotion of applicants from the prioritized waiting list to the Waterpower Demonstration Program;*

- (c) Copies of all applications and forms;*
- (d) An application process schedule with estimated dates for when the utility will forward recommendations for approval by the Task Force; and*
- (e) A template for a recommendation document containing the list of applications proposed for approval for the Waterpower Demonstration Program and for the prioritized waiting list;*
- 5. The total of all incentives proposed to be paid for the program year;*
- 6. A detailed advertising plan;*
- 7. An education and training plan;*
- 8. An inspection and verification plan for waterpower energy systems which verifies that an applicant or participant meets all applicable requirements;*
- 9. A survey for participants which includes, without limitation, questions on:*
 - (a) The operational effectiveness of the participant's waterpower energy system, including, without limitation, the total kilowatt hours of electricity generated per program year; and*
 - (b) Any other information regarding the effectiveness of the Waterpower Demonstration Program; and*
- 10. Any other information relevant to the utility's carrying out and participating in the Waterpower Demonstration Program, including, without limitation, information regarding any other processes, agreements or reports.*