

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

**LCB File No. R174-07**

November 30, 2007

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

AUTHORITY: §§1-19, NRS 701B.590 and 703.025.

A REGULATION relating to energy; providing definitions regarding the Wind Energy Systems Demonstration Program; providing for incentives for participants in the Program; providing requirements for the annual plan filed in regard to the Program; providing requirements for wind energy systems used for the Program; providing requirements for the master application filed in regard 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 19, inclusive, of this regulation.

**Sec. 2.** *As used in sections 2 to 19, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 15, inclusive, of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Agricultural property” has the meaning ascribed to it in NRS 701B.420.*

**Sec. 4.** *“Applicant” has the meaning ascribed to it in NRS 701B.430.*

**Sec. 5.** *“Category” has the meaning ascribed to it in NRS 701B.440.*

**Sec. 6.** *“Commission” has the meaning ascribed to it in NRS 701B.450.*

**Sec. 7.** *“Participant” has the meaning ascribed to it in NRS 701B.470.*

**Sec. 8.** *“Program year” has the meaning ascribed to it in NRS 701B.490.*

**Sec. 9.** *“Public property” has the meaning ascribed to it in NRS 701B.500.*

Sec. 10. *“School property” has the meaning ascribed to it in NRS 701B.510.*

Sec. 11. *“Small business” has the meaning ascribed to it in NRS 701B.520.*

Sec. 12. *“Task Force” has the meaning ascribed to it in NRS 701B.530.*

Sec. 13. *“Utility” has the meaning ascribed to it in NRS 701B.540.*

Sec. 14. *“Wind Demonstration Program” or “Program” has the meaning ascribed to it in NRS 701B.550.*

Sec. 15. *“Wind energy system” has the meaning ascribed to it in NRS 701B.560.*

Sec. 16. 1. *For a program year, a utility shall offer to a participant the following incentives in the form of a rebate:*

*(a) For school property and other public property:*

*(1) For all of the watts up to and including the first 10 kilowatts of installed capacity of a wind energy system, the lesser of:*

*(I) The total dollar amount obtained by multiplying \$3 by the number of watts of installed capacity up to and including the first 10 kilowatts of installed capacity; or*

*(II) Sixty percent of the eligible installed system cost; and*

*(2) For all of the watts over the first 10 kilowatts of installed capacity of a wind energy system, the lesser of:*

*(I) The total dollar amount obtained by multiplying \$2 by the number of watts of installed capacity above the first 10 kilowatts of installed capacity; or*

*(II) Thirty percent of the eligible installed system cost; and*

*(b) For private residential property, small business property and agricultural property:*

*(1) For all of the watts up to and including the first 10 kilowatts of installed capacity of a wind energy system, the lesser of:*

*(I) The total dollar amount obtained by multiplying \$2.50 by the number of watts of installed capacity up to and including the first 10 kilowatts of installed capacity; or*

*(II) Sixty percent of the eligible installed system cost; and*

*(2) For all of the watts over the first 10 kilowatts of installed capacity of a wind energy system, the lesser of:*

*(I) The total dollar amount obtained by multiplying \$1.50 by the number of watts of installed capacity above the first 10 kilowatts of installed capacity; or*

*(II) Thirty percent of the eligible installed system cost.*

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

**Sec. 17.** *Pursuant to NRS 701B.610, 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 in each program category;*

*(b) The number of participants enrolled in the Program and the number who have dropped out of the 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 the selection of applicants for the Program, for the selection of applicants for the prioritized waiting list and for the promotion of applicants from the prioritized waiting list to the 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 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 wind energy systems which verifies that an applicant or participant meets all applicable requirements;*
9. *The conditions and requirements which must be met to allow the utility to request and the Task Force to approve the reallocation of unsubscribed capacity from one category to another category in a program year;*
10. *A survey for participants which includes, without limitation, questions on:*
  - (a) *The operational effectiveness of the participant's wind energy system, including, without limitation, the total kilowatt hours of electricity generated per program year;*
  - (b) *Environmental issues, including, without limitation, the number of birds killed in relation to the wind energy system, the noise produced by the system and any other aesthetic issues related to the system; and*
  - (c) *Any other information regarding the effectiveness of the Program; and*
11. *Any other information relevant to the utility's carrying out and participating in the Program, including, without limitation, information regarding any other processes, agreements or reports.*

**Sec. 18. 1. For all program categories:**

- (a) *A wind energy system must be located on property within the Nevada service territory of a participating utility; and*
- (b) *An applicant must prove that his wind energy system has never been previously installed at another location.*

*2. For the private residential property, small business property or agricultural property category, the wind energy system must be on property owned by the participant.*

**Sec. 19.** *The master application which a utility must submit to the Task Force must include the following:*

*1. The annual plan for the applicable program year, as modified and approved by the Commission;*

*2. The completed application for each applicant;*

*3. A list of the applications recommended for approval, indicating which are existing applications recommended for promotion from a previous prioritized waiting list and which are new applications;*

*4. A prioritized waiting list; and*

*5. A tabulation by program category for the program year showing the:*

*(a) Total capacity allowed for each category;*

*(b) Total capacity previously approved for each category;*

*(c) Total capacity recommended by the utility for approval for each category;*

*(d) Total capacity represented by the waiting list for each category; and*

*(e) Balance of capacity not yet committed.*