

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

LCB File No. R204-07

January 11, 2008

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

AUTHORITY: §§1-17, NRS 701B.350 and 703.025.

A REGULATION relating to energy; providing definitions related to the Renewable Energy School Pilot Program; providing for a written description of the Program to be sent by a utility to a school district; providing for a letter of intent to be sent by a school district that wishes to participate in the Program; providing for the recovery of reasonable and prudent costs related to the Program by a utility; providing for the public display and demonstration of a renewable energy system or combination of renewable energy systems used in the Program; providing requirements for a renewable energy system or combination of renewable energy systems used in the Program; providing requirements for transactions related to the Program involving a renewable energy system generator, school district or utility; 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 17, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 17, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 10, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Generating capacity” means the sum total of the nameplate capacities of the electrical generating units of a particular renewable energy system or combination of renewable energy systems.*

Sec. 4. *“Nameplate capacity” means maximum output capacity as set forth on the nameplate attached to an electrical generating unit.*

Sec. 5. *“Renewable Energy School Pilot Program” or “Program” means the program created pursuant to NRS 701B.350.*

Sec. 6. *“Renewable energy system” has the meaning ascribed to it in NRS 701B.350.*

Sec. 7. *“Renewable energy system generator” means an entity that may take advantage of any tax benefits available for the installation and operation of a renewable energy system or combination of renewable energy systems under the Renewable Energy School Pilot Program. The term does not include a school district or utility.*

Sec. 8. *“School district” has the meaning ascribed to it in NRS 701B.350.*

Sec. 9. *“School property” has the meaning ascribed to it in NRS 701B.350.*

Sec. 10. *“Utility” has the meaning ascribed to it in NRS 701B.350.*

Sec. 11. *1. A utility shall provide to each school district within its service area a written description of the Renewable Energy School Pilot Program on or before:*

(a) May 1, 2008; and

(b) February 1 of each calendar year thereafter for as long as the Program is in existence.

2. The written description of the Renewable Energy School Pilot Program shall include, without limitation, the following:

(a) A summary of any applicable Nevada laws and regulations related to the Program;

(b) A copy of any applicable Nevada laws and regulations related to the Program;

(c) A description of any incentives available for participation in the Program; and

(d) The contact information for a person within the utility who shall provide additional information and answer questions about the Program.

Sec. 12. *A school district may apply to participate in the Renewable Energy School Pilot Program by delivering to a person designated by the applicable utility a letter of intent, which shall include, without limitation, the following information:*

1. The name and address of the school and the school property at which the proposed renewable energy system or combination of renewable energy systems will be located;

2. The name, address, telephone number and email address of the person or persons charged with implementing and managing the Program at the school district;

3. The size and type of the proposed renewable energy system or combination of renewable energy systems;

4. Evidence and facts demonstrating that the school district is capable of and committed to participation in the Program;

5. A project timeline for the installation of the proposed renewable energy system or combination of renewable energy systems, including, without limitation, a list of project milestones for the process of installation;

6. The name and contact information for any renewable energy system generator involved in the implementation or management of the Program; and

7. A summary of the material terms of any proposed transaction or agreement involving a renewable energy system generator.

Sec. 13. *A utility may recover its reasonable and prudent costs that are associated with carrying out and administering the Program within its service area by seeking recovery of those costs in an appropriate proceeding before the Commission pursuant to NRS 704.110.*

Sec. 14. *A school district that participates in the Program shall provide for the public display of its renewable energy system or combination of renewable energy systems, including,*

without limitation, providing for public demonstrations and hands-on experience of the system or combination by the public.

Sec. 15. *A renewable energy system or combination of renewable energy systems used for the Program must be located on the school property where the electricity generated will be consumed.*

Sec. 16. 1. *Under the Renewable Energy School Pilot Program, a school district shall not install a renewable energy system or combination of renewable energy systems that has a generating capacity that exceeds the peak demand of the school located on the school property.*

2. *If a renewable energy system used in the Program meets the requirements of NRS 704.766 to 704.775, inclusive, the school district is entitled to participate in net metering pursuant to the provisions of NRS 704.766 to 704.775, inclusive.*

Sec. 17. 1. *The transactions allowed under the Renewable Energy School Pilot Program are limited to:*

(a) If the renewable energy system or combination of renewable energy systems is owned by the school district, a transaction between the school district and the utility in which the school district sells to the utility the energy generated by the renewable energy system or combination of renewable energy systems; or

(b) If the renewable energy system or combination of renewable energy systems is located on school property and is owned by a renewable energy system generator, one or more transactions in which:

(1) The renewable energy system generator sells to the utility the energy generated by the renewable energy system or combination of renewable energy systems; and

(2) The school district purchases the electricity from the utility according to the appropriate tariff.

2. A utility shall file for approval by the Commission a tariff that sets forth further requirements for transactions under the Program, as administered in the service area of the utility.