

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

LCB File No. R025-12

Docket No. 11-06028

EXPLANATION - Mater in *italics* is new; mater in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: NRS 701B.200, 701B.210, 701B.220, and 701B.230.

A REGULATION relating to renewable energy programs.

Section 1. NAC 701B.150(2) is hereby amended to read as follows:

2. The incentive payment levels must automatically be reduced over the duration of the Solar Program in five initial steps, based on the total number of kilowatts of confirmed reservations. After the fifth step, the Commission will determine any further steps depending on the progress of the Solar Program. The duration of each step will depend on when the utility reaches a specific total number of kilowatts of confirmed reservations. The kilowatt capacity set for each step of the Solar Program is in addition to the capacity granted for prior steps. The amount of the incentive and the total number of kilowatts of confirmed reservations are set for each of the first five steps of the Solar Program as follows:

Step	Private Residential Property and Small Business Property		School Property		Public and Other Property		Total
	Kilowatt Capacity	Rebate Per Watt	Kilowatt Capacity	Rebate Per Watt	Kilowatt Capacity	Rebate Per Watt	
Baseline 2009-2010	1,000	\$2.50	2,000	\$5.00	760	\$5.00	3,760
Step 1 2010-2011	1,090	\$2.30	2,180	\$5.00	828	\$5.00	4,098
Step 2 2011-2012	1,188	\$2.10	2,376	\$4.90	903	\$4.90	4,467
Step 3 2012-2013	1,295	\$1.90	2,590	\$4.80	984	\$4.80	4,869
Step 4 2013-2014	1,412	[\$1.70] \$1.35	2,823	[\$4.70] \$3.70	1,073	[\$4.70] \$3.70	5,308
Step 5	1,539	[\$1.50] \$1.25	3,077	[\$4.60] \$3.30	1,169	[\$4.60] \$3.30	5,785

Sec. 2. NAC 701B.155(5) is hereby amended to read as follows:

5. *To receive the full incentive available for the reservation, the ~~[The]~~ applicant must complete the installation of a solar energy system not later than the expiration date listed on the notice issued pursuant to subsection 4. **If the applicant completes installation of the participating solar energy system between the expiration date and six months from the expiration date, then the applicant is only eligible to receive 75 percent of the incentive initially assigned to the reservation. If the applicant fails to complete installation of the participating solar energy system within 18 months of the initial reservation, then the reservation is forfeited and the utility shall make the capacity available in the next step. For the purposes of this Section, the***

effective date of this regulation shall serve as the expiration date for all reservations that expired prior to the effective date of this regulation.

Sec. 3. NAC 701B.160(6) is hereby amended to read as follows:

6. *To receive the full incentive available for the reservation, the ~~[The]~~ applicant must complete the project not later than 12 months after the date that the initial notice was issued. If the applicant completes installation of the participating solar energy system between the expiration date and six months from the expiration date, then the applicant is only eligible to receive 75 percent of the incentive initially assigned to the reservation. If the applicant fails to complete installation of the participating solar energy system within 18 months of the initial reservation, then the reservation is forfeited and the utility shall make the capacity available in the next step. For the purposes of this Section, the effective date of this regulation shall serve as the expiration date for all reservations that expired prior to the effective date of this regulation.*

Sec. 4. Chapter 701B.510 of the NAC is hereby amended to read as follows:

For private residential property, small business property and agricultural property:

1. An application for the reservation of an incentive must be made using a form approved by the Commission and must include, without limitation:

(a) Signatures of the applicant, the host customer and the system owner, if different from the host customer;

(b) If the system owner is not the host customer, a copy of the executed agreement between the host customer and the system owner; and

(c) Any documentation required by the utility which substantiates ownership of the equipment.

2. The utility shall provide on its Internet website, adjacent to the application forms, a best practices guide to selecting a contractor and other consumer resources, including, but not limited to, the current contact information for the State Contractors' Board.

3. If an application is found to be incomplete or requires clarification, the utility shall request additional information. If the applicant has not submitted the requested information within 20 calendar days after receipt of the request, the application will be cancelled and the applicant may resubmit an application to the utility. The utility shall treat all resubmitted applications as new applications and process them in sequence with other new applications. Money for an incentive is not reserved until the utility receives all information and documentation required for the application and the project is approved.

4. The utility shall, within 30 days after receipt of an application, review the application for completeness and determine eligibility. Once the utility approves the application, the utility shall issue a notice confirming that a specific incentive amount is reserved for the project. The wind energy system must be purchased, installed and capable of producing electricity on or before the expiration date listed on the notice. The notice must list:

(a) The incentive amount that has been reserved for the project;

(b) The approved kilowatt capacity of the project; and

(c) An expiration date for the reservation, which must be 12 months after the date of the issuance of the notice.

5. *To receive the full incentive available for the reservation, the ~~The~~ applicant must complete the installation of a wind energy system not later than the expiration date listed on the notice issued pursuant to subsection 4. **If the applicant completes installation of the participating wind energy system between the expiration date and six months from the expiration date, then***

the applicant is only eligible to receive 75 percent of the incentive initially assigned to the reservation. If the applicant fails to complete installation of the participating wind energy system within 18 months of the initial reservation, then the reservation is forfeited and the utility shall make the capacity available in the next step. For the purposes of this Section, the effective date of this regulation shall serve as the expiration date for all reservations that expired prior to the effective date of this regulation.

6. To claim the incentive, the applicant must submit a form approved by the Commission to the utility after the wind energy system is purchased, installed and capable of producing electricity.

The form must include, without limitation:

(a) Signatures of the applicant, the host customer and the system owner, if different from the host customer;

(b) Any supporting documentation deemed necessary by the Commission; and

(c) Any documentation substantiating ownership of the equipment required by the utility.

7. To be eligible for an incentive, a wind energy system's tower site must have average annual wind speed at hub height of 10 mph or greater.

Sec. 5. Chapter 701B.480 of the NAC is hereby amended to read as follows:

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 table providing proposed incentive levels for the upcoming program year and all subsequent program years with calculations, supporting data and justifications for the proposed incentives, which must decline as capacity goals for the Program and goals for each category are met and must reflect predicted energy savings;
4. 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 efforts;
 - (g) A description of training and educational activities; and
 - (h) The results of participant surveys;
5. 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 proposed applications and forms; and

(d) The procedures for a participant to claim the incentive at completion of the project and a copy of the required claim form, which must include, at a minimum, the following data and attachments:

- (1) The name and address of the participant;
 - (2) The address at which the wind energy system is located;
 - (3) The technical description of the main components of the wind energy system if different from the application;
 - (4) An assignment of the incentive payment, if applicable;
 - (5) A building permit signed off by the applicable governing jurisdiction to ensure that the wind energy system complies with all local codes;
 - (6) A voltage verification form to ensure that the meter socket is ready for meter set;
 - (7) An invoice for the wind energy system to ensure that a properly licensed contractor performed the required work and that the wind energy system equipment is new and has not been previously installed;
 - (8) A net metering agreement if not previously provided; and
 - (9) A statement verifying the public display of the wind energy system by a school or public facility, if applicable;
6. The total of all incentives proposed to be paid for the program year;
 7. A detailed advertising plan;
 8. An education and training plan;
 - 9. Standards and requirements for applicants to provide proof of wind speeds for participating wind energy systems;***

10. Proposed wind turbine certification lists for the subsequent program year, outlining the wind turbine models eligible for participation in the Program. The utility, after notifying the Commission, has the authority to modify the lists to address changes in the certification programs or suspend turbines from the program that have demonstrated a pattern of failure or unreliability;

~~[9.]~~ **11.** An inspection and verification plan for wind energy systems which verifies that an applicant or participant meets all applicable requirements;

~~[10.]~~ **12.** The conditions and requirements which must be met to allow the utility to reallocate unsubscribed capacity from one category to another category in a program year; and

~~[11.]~~ **13.** 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.