

PROPOSED REGULATION OF THE DIRECTOR OF THE OFFICE OF ENERGY

LCB File No. R064-13

EXPLANATION – Text in *italics* is new.

AUTHORITY: NRS 701A.390.

A REGULATION relating to energy-related tax incentives; authorizing the Director of the Office of Energy to charge and collect certain fees from applicants for certain energy-related tax incentives; and providing other matters properly relating thereto.

Section 1. Chapter 701A of NAC is hereby amended by adding thereto a new section to read as follows:

An applicant shall pay to the Director a fee for the processing and approval of an application and for the processing and approval of an annual compliance report, pursuant to Section 29 of LCB File No. R094-10. The amount of the fee, pursuant to 701A.390, is:

(a) For the processing and approval of the application, \$7,500. The fee shall be incurred and paid upon filing of the application. Failure by the applicant to pay the fee upon filing of the application will result in a rejection of the application.

(b) For the processing and approval of the annual compliance report, \$250 per annual filing. The fee shall be paid upon filing of each annual compliance report. Failure by the applicant to pay the fee for the processing and approval of the annual compliance report shall be deemed non-compliance on behalf of the applicant.

(c) For a site visit necessary to approve or deny an applicant's application or annual compliance report, not to exceed \$500 per visit.

(d) The Director will review the fees every two years to ensure that the amount of the fee coincides with the actual cost.

Sec. 2. Chapter 701A of NAC is hereby amended by adding thereto a new section to read as follows:

The Director shall deposit the money collected pursuant to Section 1 into a subaccount of the Renewable Energy Fund, or in such an interest bearing account as directed by the Director. The money collected shall be used by the Director to process and approve the application, process and approve the annual compliance reports or for costs incurred on site visits described in Section 1.