

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066**  
**Informational Statement**  
**LCB File No. R022-18**

**1. A clear and concise explanation of the need for the adopted regulation.**

The regulation implements Senate Bill 145 (2017) by amending Chapter 701B of the Nevada Administrative Code (“NAC”) to expand regulations incentivizing energy storage systems as part of the Solar Energy Systems Incentive Program, creating the Electric Vehicle Infrastructure Demonstration Program, and allocating funds for the installation of solar energy systems and distributed energy generation systems benefiting low-income customers.

**2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

(a) Copies of the proposed regulation, notice of intent to act upon the regulation and notice of workshop and hearing were sent by U.S. mail and email to persons who were known to have an interest in the subjects of noticing and interventions. These documents were also made available on the website of the PUCN, <http://puc.nv.gov>, mailed to all county libraries in Nevada, published in the following newspapers:

Ely Times  
Las Vegas Review Journal  
Reno Gazette Journal  
Tonopah Times-Bonanza,

and posted at the following locations:

Public Utilities Commission  
1150 East William Street  
Carson City, Nevada 89701

Public Utilities Commission  
9075 West Diablo Drive, Suite 250  
Las Vegas, Nevada 89148

(b) ChargePoint, Inc., the Nevada Housing and Neighborhood Development, the Regulatory Operations Staff of the Commission (“Staff”), Tesla, Inc., Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy (together, “NV Energy”), the Energy Storage Association, the National Resource Defense Council, the Attorney General’s Bureau of Consumer Protection, and the Union of Concerned Scientists, the Southwest Energy Efficiency Project, the Nevada Housing Division, the Governor’s Office of Energy, the Nevada Department of Transportation, and Robert Balzar, an individual, filed comments in the matter. The commenters generally supported the proposed regulation.

(c) Copies of the transcripts of the proceedings are available for review at the offices of the PUCN, 1150 East William Street, Carson City, Nevada 89701 and 9075 West Diablo Drive, Suite 250, Las Vegas, Nevada 89148.

///

3. **The number of persons who:**
  - (a) **Attended each hearing: 9**
  - (b) **Testified at each hearing: 6**
  - (c) **Submitted written comments: 6**
  
4. **For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**
  - (a) **Name;**
  - (b) **Telephone number;**
  - (c) **Business address;**
  - (d) **Business telephone number;**
  - (e) **Electronic mail address; and**
  - (f) **Name of entity or organization represented.**

Michael Saunders  
Office of Attorney General, Bureau of Consumer Protection  
10791 West Twain Avenue, Suite 10  
Las Vegas, Nevada 89148  
(702) 486-3793  
msaunders@ag.nv.gov

David Chairez  
Office of Attorney General, Bureau of Consumer Protection  
10791 West Twain Avenue, Suite 10  
Las Vegas, Nevada 89148  
(702) 486-3793

Douglas Brooks  
Nevada Power Company d/b/a NV Energy  
Sierra Pacific Power Company d/b/a NV Energy  
6226 West Sahara Avenue  
Las Vegas, Nevada 89151  
(702) 402-5697  
dbrooks@nvenergy.com

Anthony Harrison  
ChargePoint, Inc.  
254 E. Hacienda Ave.  
Campbell, CA 95125  
(408) 656-4292  
anthony.harrison@chargepoint.com

Renee Samson  
ChargePoint, Inc.  
254 E. Hacienda Ave.  
Campbell, CA 95125

Andy Schwartz  
Tesla, Inc.  
444 De Haro Street, Suite 101  
San Francisco, CA 94107  
anschwartz@tesla.com

David Noble  
Governor's Office of Energy  
755 N. Roop St., Ste. 202  
Carson City, NV 89701  
(775) 687-1850

Mark Brady  
Governor's Office of Energy  
755 N. Roop St., Ste. 202  
Carson City, NV 89701  
(775) 687-1850

Sam Crano  
Regulatory Operations Staff of the PUCN  
9075 West Diablo Drive, Suite 250  
Las Vegas, Nevada 89148  
(702) 684-6151  
scrano@puc.nv.gov

- 5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Comments were solicited from affected businesses in the same manner as they were solicited from the public. The summary may be obtained as instructed in the response to question 2(c).

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

Several participants suggested clarifying changes to the regulation. Based on comments submitted and discussion in prior workshops, no clarifications were made, however, two typographical errors were corrected and a section that was inadvertently left out by the Legislative Counsel Bureau was added back in.

7. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include: both adverse and beneficial effects, and both immediate and long-term effects.**

**(a) Estimated economic effect on the businesses which they are to regulate.**

The regulation does not impose any adverse economic effect on the business it is intended to regulate. It does require NV Energy to continue acting as the administrator of the already-existing renewable programs under NRS Chapter 701B in addition to the programs created by SB 145 (2017).

**(b) Estimated economic effect on the public which they are to regulate.**

The regulation does not regulate the public.

8. **The estimated cost to the agency for enforcement of the proposed regulation:**

No additional costs are associated with the regulation.

9. **A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

The regulation does not overlap any other State, governmental agency, or federal regulations.

10. **If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

N/A

11. **If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

N/A

12. **If the proposed regulation is likely to impose a direct and significant burden upon a small business or directly restrict the formation, operation or expansion of a small business, what methods did the agency use in determining the impact of the regulation on a small business?**

Staff conducted a Delphi Method exercise to determine the impact of this proposed regulation on small businesses. The Delphi Method is a systematic, interactive, forecasting method based on independent inputs of selected experts. In this instance, the participants were members of Staff. Each participant in the exercise used his background and expertise to reflect upon and analyze the impact of the proposed regulation on small businesses. Based upon Staff's analysis, Staff recommended to the Commission that the Commission find that the proposed regulation will not impose a direct and significant economic burden

on small businesses or directly restrict the formation, operation or expansion of a small business. The Commission accepted Staff's recommendation and found that the proposed regulation does not impose a direct or significant economic burden upon small businesses, nor does it directly restrict the formation, operation, or expansion of a small business, and therefore a small business impact statement pursuant to NRS 233B.0608(2) is not required. This finding was memorialized in an Order issued in Docket No. 17-08021 on February 27, 2018.