

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

LCB File No. R068-18

May 23, 2018

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

AUTHORITY: §§1-4, NRS 703.025, 704.210, 704.7821 and 704.7828.

A REGULATION relating to energy; authorizing the Regulatory Operations Staff of the Public Utilities Commission of Nevada to petition the Commission for an order requiring certain portfolio energy systems to participate in an alternate system of portfolio energy credits; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes a portfolio standard for providers of electric service, which requires that each provider of electric service in this State annually generate or acquire from renewable energy systems or save as a result of energy efficiency measures a certain percentage of the electricity sold by the provider to its retail customers in this State. As required by existing law, the Public Utilities Commission of Nevada has adopted regulations that establish a system of portfolio energy credits that a provider uses to comply with the portfolio standard. (NRS 704.7821; NAC 704.8901-704.8937) This regulation authorizes the Regulatory Operations Staff of the Commission to petition the Commission for an order requiring certain categories of portfolio energy systems to participate in a system of portfolio energy credits other than the system of portfolio energy credits currently provided for by regulation.

Section 1. Chapter 704 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *“Regulatory Operations Staff” means the Regulatory Operations Staff of the Commission.*

Sec. 3. *1. The Regulatory Operations Staff may file a petition pursuant to NAC 703.540 requesting an order requiring one or more categories of portfolio energy systems to participate in an alternate system of portfolio energy credits.*

2. A petition filed pursuant to subsection 1 must include:

(a) A description of each category of portfolio energy systems that the Regulatory Operations Staff requests to have participate in an alternate system of portfolio energy credits;

(b) A description of the alternate system of portfolio energy credits that the Regulatory Operations Staff proposes for each category of portfolio energy systems;

(c) A statement of why each category of portfolio energy systems should be required to participate in an alternate system of portfolio energy credits;

(d) A statement setting forth both the adverse and beneficial effects of transitioning the applicable category of portfolio energy systems to an alternate system of portfolio energy credits; and

(e) Any other information that the Regulatory Operations Staff determines to be of assistance to the Commission in considering the petition.

3. The Commission will issue an order requiring a category of portfolio energy systems to participate in an alternate system of portfolio energy credits if the Commission finds that:

(a) The alternate system of portfolio energy credits is capable of tracking the portfolio energy credits of the portfolio energy systems in that category in a manner that is consistent with the provisions of NRS 704.7801 to 704.7828, inclusive; and

(b) The benefits of requiring participation in the alternate system of portfolio energy credits are greater than any adverse effects of participation in such a system.

4. Notwithstanding any other provision of NAC 704.8901 to 704.8937, inclusive, and section 2 of this regulation, if, pursuant to subsection 3, the Commission issues an order requiring a category of portfolio energy systems to participate in an alternate system of portfolio energy credits, a portfolio energy system in that category is not required to comply

with any requirement related to the system of portfolio energy credits set forth in NAC 704.8901 to 704.8937, inclusive, and section 2 of this regulation, and must comply with the requirements of the alternate system of portfolio energy credits set forth in the order of the Commission.

5. As used in this section, “alternate system of portfolio energy credits” means a system of portfolio energy credits other than the system of portfolio energy credits set forth in NAC 704.8901 to 704.8937, inclusive, and section 2 of this regulation.

Sec. 4. NAC 704.8901 is hereby amended to read as follows:

704.8901 As used in NAC 704.8901 to 704.8937, inclusive, *and sections 2 and 3 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 704.8903 to 704.8917, inclusive, *and section 2 of this regulation* have the meanings ascribed to them in those sections.