PROPOSED REGULATION OF THE
PUBLIC UTILITIES COMMISSION OF NEVADA

LCB FILE NO. R023-22I

The following document is the initial draft regulation proposed by the agency submitted on 02/25/2022

DRAFT REGULATION OF

THE PUBLIC UTILITIES COMMISSION OF NEVADA

Docket No. 19-06008

February 4, 2022

AUTHORITY: Senate Bill 300 of the 80st (2019) Nevada Legislature

A REGULATION relating to public utilities

Sec. 1. NAC 704.XXX, Definitions

a. "Alternative ratemaking application" means an application for approval of an alternative ratemaking plan filed in accordance with NRS 704.7621.
b. "Alternative ratemaking plan" has the definition contained in NRS 704.7612.
c. "Alternative ratemaking mechanism" means:
    i. Any alternative rate-making mechanism listed in NRS 704.7611 other than an existing alternative ratemaking mechanism; and
    ii. Any other rate-making mechanism the Commission deems an alternative ratemaking mechanism in a Commission order, which may include any existing alternative ratemaking mechanism.
d. "Deadband" is a Commission-approved range around a performance target for which the utility does not receive a reward or penalty, which recognizes the inherent uncertainty or margin of error in measuring and calculating a particular benchmark or baseline. A utility's performance within the deadband of a performance goal would be deemed reasonable performance under the mechanism.

e. “Existing alternative ratemaking mechanisms” include, but are not necessarily limited to, the following:
    i. Any schedule, tariff or rate rider approved by the Commission that applies only to a select set of residential or non-residential customers and is not applicable to an entire class of service or class of customers;
    ii. All time-of-use rates for residential and non-residential customers;
    iii. Any earnings sharing mechanisms;
    iv. Electric utility investment support mechanisms, which include but are not limited to, incentives for critical facilities, rate-based construction work in progress, enhanced returns on allowance for funds used during construction, and regulatory assets and liabilities;
    v. Any decoupling or lost revenue adjustment mechanism approved in accordance with NRS 704.785;
    vi. Any financial incentives awarded to an electric utility for implementation of an energy efficiency and conservation program;
    vii. Any Commission approved mitigation of the impact of imputed debt on the capital structure of the utility in accordance with NRS 704.7821; and
    viii. Any Commission approved recovery of expenses associated with issuance of a variable-rate security in accordance with NRS 704.324.

f. “Greenhouse gas emissions” means releases into the atmosphere of a greenhouse gas as that term is defined by NRS 445B.137.
g. “Metrics” are the data and/or analysis used to set a performance benchmark, deadband, or incentive level, or used to track and evaluate utility progress towards an outcome or specified performance.
h. “Off-ramps” means a mechanism or mechanisms approved by the Commission in an alternative ratemaking plan that includes specified circumstances set forth in a Commission order that could cause:
    i. A petition to be submitted to determine whether the alternative ratemaking plan continues to serve the public interest;
    ii. An electric utility to file an amendment to the approved plan;

iii. An alternative ratemaking plan mechanism to terminate and require the electric utility to file a general rate application pursuant to NRS 704.110 within a specified time period; or
iv. The Commission, in its own discretion, to order a utility to file a general rate case or amendment to an alternative ratemaking plan.

i. "Performance incentive mechanism" means a mechanism approved by the Commission that:
   i. Provides a specific incentive or disincentive that may be symmetrical or asymmetrical, whether monetary or in any other form proposed in an alternative ratemaking proceeding and approved by the Commission, based on an electric utility's achievement of Commission-approved benchmarks, metrics, or measurements of performance;
   ii. Is based on actual or statistical methods of measuring whether an electric utility has achieved Commission-approved benchmarks or measurements of performance; and
   iii. Is subject to reasonable conditions or limitations approved by the Commission.

j. "Low-income household" means a household, which may include one or more persons, with a median household income of not more than 80 percent of the area median household income, based on the guidelines published by the United States Department of Housing and Urban Development.

k. "Historically Underserved Communities" means:
   i. A census tract designated as a qualified census tract by the Secretary of Housing and Urban Development pursuant to 26 U.S.C. § 42(d)(5)(B)(ii), or a census tract in which, in the immediately preceding census, at least 20 percent of households were not proficient in the English language;
   ii. A public school in this State in which 75 percent or more of the enrolled pupils in the school are eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq., or a public school that participates in universal meal service in high poverty areas pursuant to Section 104 of the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296; or
   iii. Qualified tribal land, as defined in NRS 370.0325.

l. "Block" means the smallest geographical unit whose boundaries were designated by the Bureau of Census of the United State Department of

Commerce in its topographically integrated geographic encoding and referencing system.

m. "Block Group" means a combination of blocks whose numbers begin with the same digit.
n. "Census tract" means a combination of block groups.

Sec. 2. NAC 704.XXX, Alternative Rate-making Application, Timing of Consideration, Pre-filing Requirements, Commission Action on Application, Limitations on Utility after Filing an Application

1. An electric utility may, in its own discretion, submit an alternative rate-making application concurrently with, but filed separately from, a general rate application pursuant to NRS 704.110.
2. An electric utility is required to:
    a. File its first two alternative ratemaking applications in accordance with subsection 1.
    b. After subpart a. of this subsection is no longer applicable, an electric utility may seek to file an alternative ratemaking application on a date other than specified in subsection 1 by filing a petition with the Commission to demonstrate, where applicable, why the electric utility does not need to file an alternative ratemaking application in accordance with subsection 1, which may include evidence of the following:
        i. The electric utility can demonstrate with reasonable justification, including, at a minimum, an embedded cost of service study, that the rates adopted pursuant to this section will be comparable or lower than rates adopted in accordance with NRS 704.110;
        ii. The electric utility can demonstrate with reasonable justification that the filing of a new alternative rate-making application is administratively efficient and will benefit ratepayers as compared to the filing of a general rate application in accordance with NRS 704.110; or
        iii. The electric utility can demonstrate with reasonable justification that its alternative rate-making application will include evidence equivalent to or consistent with the requirements set forth in NRS 704.110 and the Commission's regulations that implement NRS 704.110.

c. For purposes of this section, "reasonable justification" means the Commission may find that an electric utility's claims are verifiably true and accurate.

➥The Commission must act on a petition within 90 days by issuing an order granting, denying or modifying the utility's request to deviate from subsection 1 of this section.

3. The electric utility shall be required to meet and confer at least 45 days before the anticipated date for filing of an alternative ratemaking application with the Bureau of Consumer Protection in the Office of the Attorney General, the Regulatory Operations Staff of the Commission, and any other interested stakeholders. The utility must provide advance notice of the meeting in a manner reasonably calculated to inform potentially interested stakeholders. If the alternative ratemaking plan is filed concurrently, but separately from a general rate case pursuant to NRS 704.110, the meeting shall be separate from the meeting required by NAC 703.2209. At the meeting regarding the alternative ratemaking plan:
   a. The electric utility shall provide information regarding the application, including:
      i. Information about the design of the proposed alternative ratemaking mechanisms;
      ii. Whether the electric utility will be proposing any performance incentive mechanisms as part of its alternative ratemaking application;
      iii. A description of how the alternative ratemaking application deviates from traditional ratemaking principles generally understood in the industry and stated in the relevant Commission statutes and regulations, which include but are not limited to, NRS 704.110 and NAC 703.2201 through 703.2481;
      iv. Expected changes to cost of capital, depreciation, cost of service or rate design that will be proposed in the alternative ratemaking application as compared to a prior general rate application or alternative ratemaking application;
      v. If the electric utility has not filed a general rate application within the last two years or the Commission has approved a petition in accordance with subpart b of subsection 2 of this section, the information that the electric utility will be filing to demonstrate that the rates proposed in the alternative

ratemaking application are comparable to any rates that would be approved pursuant to NRS 704.110.

➥This information will be filed with the electric utility's alternative ratemaking application, and the electric utility shall describe in detail whether any of its filing has been modified as a result of the meeting held in accordance with subsection 3 of this section.

b. The electric utility, the Bureau of Consumer Protection in the Office of the Attorney General, and the Regulatory Operations Staff of the Commission shall discuss and attempt to reach agreement on:
    i. A plan and schedule for discovery, including guidelines pursuant to NAC 703.2209, and methods of minimizing the duplication of discovery requests;
    ii. The use of agreements for the confidentiality of information;
    iii. The items on the master document for the request of data that are applicable to an alternative ratemaking plan and should be produced by the electric utility upon the filing of its alternative ratemaking application; and
    iv. The need for and timing of future meetings, including meetings regarding settlement conferences.

c. The electric utility, the Bureau of Consumer Protection in the Office of the Attorney General, and the Regulatory Operations Staff of the Commission shall also confer and engage in good faith efforts to reach an agreement on the development of guidelines for the examination and review of the currently effective alternative ratemaking plan. The guidelines must address all matters relating to the review of any necessary books, records, and data, including:
    i. The timing of the review of any necessary books, records, and data of the utility and any necessary meetings to coordinate reviews conducted at the site, whether within or outside the State, by the Regulatory Operations Staff and specialized personnel from the public utility and the Bureau of Consumer Protection in the Office of the Attorney General;
    ii. the number of persons representing each interest who will participate in the reviews;
    iii. The facilities and the supplies that the Bureau of Consumer Protection in the Office of the Attorney General and the Regulatory Operations Staff will need at the locations of the reviews; and

iv. Whether the Bureau of Consumer Protection in the Office of the Attorney General or the Regulatory Operations Staff of the Commission will need access to any specialized modeling programs or software used by the utility in support of its currently effective alternative ratemaking plan.

d. If the electric utility, the Bureau of Consumer Protection, and the Regulatory Operations Staff of the Commission cannot reach an agreement as outlined in section (c), the Presiding Officer may prescribe the guidelines for the examination and review of the currently effective alternative ratemaking plan.

4. The Commission shall approve, with or without modifications, or deny an alternative ratemaking application no later than 210 days after an application is filed unless the Commission finds that there is good cause to extend the time for consideration of an alternative ratemaking application by an additional 90 days. A request to extend the time for consideration of an alternative ratemaking application may be considered by the Commission on its own motion or made in writing by:
   a. An electric utility;
   b. The Bureau of Consumer Protection in the Office of the Attorney General or the Regulatory Operations Staff of the Commission; or
   c. Any person or association granted leave to intervene in the alternative ratemaking application proceeding.

   ➥If the Commission issues an order modifying the plan, the electric utility may accept or reject the modified plan by filing with the Commission a notice to that effect. Any such notice must be filed not later than 30 days after the date of issuance of the final decision of the Commission.

5. If an electric utility files for approval of multi-year rate plan or any other alternative ratemaking mechanism that seeks to modify the time between general rate applications from the 36 months established in accordance with NRS 704.110, the Commission shall:
   a. Specify time period that the alternative ratemaking plan will be in place;
   b. Set a deadline for an electric utility to file its next general rate application pursuant to NRS 704.110; and
   c. Establish off-ramps that would require the filing of a general rate application pursuant to NRS 704.110.

➥An electric utility operating under an approved alternative ratemaking plan is not permitted to file a general rate application pursuant to NRS 704.110(3) or propose to terminate an alternative ratemaking plan without specific Commission authority.

Sec. 3. NAC 704.XXX, Contents of Application for an Alternative Rate-making Plan, Burden of Proof

1. An electric utility that files an alternative rate-making application must be prepared to go forward at a hearing on the data which has been submitted. To avoid delay by the Commission in its consideration of the proposed changes, the applicant must ensure that the material an electric utility files in its alternative ratemaking application is of such composition, scope and format that it would serve as its complete case if the matter is set for hearing.
2. An electric utility that files an alternative ratemaking application shall sustain the burden of proof by establishing that its proposed changes are just and reasonable, not unduly discriminatory or preferential, and satisfies the criteria set forth in NRS 704.762(1)(g).
3. The alternative ratemaking application shall include the statements and schedules set forth in NAC 703.2271 through 703.2452 and be filed, where applicable, with supporting workpapers in paper and electronic executable form.

➥If the applicant omits any required statement or schedule in the belief that it is not applicable, a written explanation for the omission must be submitted in lieu of the required statement or schedule.

4. An electric utility shall include in its alternative rate-making application, at a minimum:
    a. An embedded class cost of service study; and
    b. An analysis estimating and comparing:
        i. The rates that would be charged and the revenue that would be collected under the alternative rate-making plan proposed in the application; and
        ii. The rates that would be charged and the revenue that would be collected pursuant to the rate-making process established by NRS 704.110.

    ➥In addition to the embedded class cost of service study required by subsection 4(a) of this section, a utility may submit different, additional cost of service studies which the Commission may consider.

5. Every alternative rate-making application that seeks a multi-year rate plan shall also include an earnings-sharing mechanism, as part of its alternative rate-making plan, that balances the interests of the ratepayers and the shareholders of the electric utility. Nothing in this section shall prohibit the consideration of an earnings-sharing mechanism in an alternative rate-making application that does not seek a multi-year rate plan or any other type of proceeding.
6. Nothing in this section shall exempt an electric utility from filing a study of depreciation in accordance with NAC 703.276.

Sec. 4. NAC 704.XXX, Scope of the Available Types of Alternative Rate-Making Mechanisms

1. An electric utility is permitted to file for approval of any alternative ratemaking mechanism in an alternative ratemaking application.
2. If an electric utility files for approval of a multi-year rate plan or any other alternative ratemaking mechanism that seeks to modify the time between general rate applications from the 36 months established in accordance with NRS 704.110, the electric utility shall bear the burden of proof to demonstrate why the modified timeframe:
    a. Serves the public interest;
    b. Results in just and reasonable rates over the proposed effective date of rates; and
    c. Proposes appropriate off-ramps that will ensure just and reasonable rates.
3. An electric utility shall provide the following supporting information for all existing alternative ratemaking mechanisms in its alternative rate-making application, if applicable:
    a. A list of all existing alternative ratemaking mechanisms that have been previously approved by the Commission and the date and docket number in which those alternative ratemaking mechanisms were approved;
    b. An update as to how the existing alternative mechanism is performing, which may include, but is not limited to:
        i. An update on the number of customers subscribed to any schedule, tariff or rate rider approved by Commission that is an existing alternative ratemaking mechanism, as well as an accounting of the revenues collected from those customers pursuant to the schedule, tariff or rider;
        ii. The total dollar amount of electric utility investment support mechanisms or other incentives that qualify as an existing

alternative ratemaking mechanism paid to or that otherwise benefit an electric utility, how long the mechanisms or incentives are intended to continue, and a full analysis of all customer rates affected by the mechanisms or incentives;

iii. A detailed description of each regulatory asset and liability, the docket it was approved in, the amortization period that applies to the regulatory asset or liability, and an estimate of the revenue and rate impact that a regulatory asset or liability will have on customer rates throughout its amortization period;

iv. The status of any currently approved earnings sharing mechanism, whether that mechanism has resulted in any earnings returned to customers, and the amount of those earnings;

v. The status of any revenues collected pursuant to a decoupling or lost revenue adjustment mechanism approved in accordance with NRS 704.785; and

vi. Any other details regarding existing alternative ratemaking mechanisms requested by the Commission, the Bureau of Consumer Protection in the Office of the Attorney General, and the Regulatory Operations Staff.

4. An electric utility is not required to file for approval of existing alternative ratemaking mechanisms in an alternative ratemaking application unless otherwise ordered by the Commission.

Sec. 5. NAC 704.XXX, Off-ramps that Mandate Filing of General Rate Application or Amendment to Alternative Ratemaking Plan

1. An electric utility is required to propose off-ramps in its alternative ratemaking application.
2. The Commission shall include in its order, at its discretion, specified off-ramps that may result in:
    a. A requirement to file a new alternative ratemaking application;
    b. A requirement to file a new general rate application pursuant to NRS 704.110;
    c. A mandate to reinstate rates approved in the electric utility's last general rate case filed pursuant to NRS 704.110;
    d. A requirement for the electric utility to file an amendment to an existing alternative ratemaking plan; or
    e. A combination of any requirements or mandates listed above.

3. An off-ramp may be triggered by:
    a. Action taken by the Commission at its own discretion;
    b. A petition filed by:
        i. The electric utility;
        ii. The Bureau of Consumer Protection in the Office of the Attorney General;
        iii. The Regulatory Operations Staff of the Commission; or
        iv. Any customer of the electric utility that can demonstrate that they have been directly and substantially harmed by the alternative ratemaking plan.
    c. Information received in an annual update to the utility's alternative ratemaking plan.
4. A Petition seeking to trigger an off-ramp must adequately demonstrate that:
    i. good cause exists to utilize the off-ramp; and
    ii. the criteria established by the applicable approved alternative ratemaking plan for that off-ramp has been met.

5. The Commission shall adopt off-ramps that may include, but are not limited to, the following scenarios:
    a. Earnings are significantly higher or lower than a Commission-approved deadband around a specified return on equity, such that the utility's financial integrity is threatened, the balance between shareholders of the utility and ratepayers is no longer maintained, or future harm to ratepayers is anticipated.
    b. The electric utility is not achieving specified Commission metrics or performance incentive mechanisms.
    c. Payments or incentives associated with performance mechanisms are threatening the utility's financial integrity or pose future harm to ratepayers.
    d. Unforeseen events, a force majeure, or other events are threatening the utility's financial integrity or pose future harm to ratepayers.
    e. A restructuring, transfer of control, merger, or other corporate-level change.
6. Parties to an alternative ratemaking proceeding may propose off-ramps not included in the underlying alternative ratemaking application.

Sec. 6. NAC 704.XXX, Annual Filings to Update Commission on Progress of Alternative Ratemaking Plan

1. An electric utility operating pursuant to an approved alternative ratemaking plan shall file an annual update to its alternative ratemaking plan on the first Monday in June in the year following a full twelve calendar months of implementation of the utility's plan and every year thereafter until the plan is discontinued or a new alternative ratemaking plan is adopted.
2. The annual update shall include:
    a. A narrative explanation of how the Commission-approved alternative ratemaking plan is functioning and how the plan overall and each mechanism, individually, is affecting:
        i. Revenue;
        ii. Costs, including administrative costs of the utility;
        iii. Credit worthiness;
        iv. Reliability and resiliency;
        v. Customer acceptance;
        vi. Achievement of Commission-approved metrics, performance incentive mechanisms, and goals;
        vii. Reduction of greenhouse gas emissions;
        viii. The balance of the interests between customers and shareholders; and
        ix. Interests of low-income households and historically underserved communities.

    ➥The electric utility shall, if applicable, separately and individually address each alternative ratemaking mechanism, and separately, the alternative ratemaking plan as whole.

    b. Data and workpapers to support the update in paper and electronic executable format.

3. The Commission shall use the data and information filed in the annual update to determine if the electric utility is achieving the Commission-set performance incentive and earnings sharing mechanisms, to the extent that they are included in an approved plan.
4. All progress towards achievement of incentives will be calculated in the annual update filing.

5. If applicable and after an opportunity for hearing, the Commission may issue an order adjusting rates or schedules consistent with the terms of an approved alternative ratemaking plan.
6. A consumer session shall be held for each annual filing that has the potential to impact rates.

Sec. 7. NAC 704.XXX, Amendments to a Commission-Approved Alternative Ratemaking Plan

An electric utility is only permitted to file an amendment to its Commission-approved alternative ratemaking plan if:

1. An off-ramp requires the filing of an amendment; or
2. Upon the Commission's own motion, or a petition from the electric utility, the Regulatory Operations Staff of the Commission, or the Bureau of Consumer Protection in the Office of Attorney General.

Sec. 8. NAC 704.XXX, Evaluation of an Electric Utility's Alternative Ratemaking Plan

1. An electric utility that files an alternative ratemaking application must demonstrate whether each proposed alternative ratemaking mechanism and the alternative ratemaking application as a whole will support, contradict or be neutral to each of the following evaluation criteria, including whether the proposed alternative ratemaking mechanisms and alternative ratemaking plan:
    a. Aligns an economically viable utility model with state public policy goals, including reduction of greenhouse gas emissions;
    b. Provides for just and reasonable rates that are comparable to rates established pursuant to NRS 704.110;
    c. Enables electric service options that provide value to customers without imposing incremental net costs to customers;
    d. Fosters statewide improvements to the economic and operational efficiency of the electrical grid;
    e. Furthers the public interest, including, without limitation, the promotion of safe, economic, efficient and reliable electric service to all customers of the electric utility;
    f. Enhances the resilience and security of the electrical grid while addressing concerns regarding customer privacy;

g. Ensures that customers of an electric utility benefit from lower regulatory administrative costs, where appropriate;
h. Facilitates the research and development of innovative electric utility services and options to benefit customers;
i. Balances the interest of customers and shareholders by providing for services that customers want while preserving reasonable shareholder value; and
j. Ensures low-income household interests and historically underserved communities' interests are meaningfully considered and that their economic interests are addressed.

2. In determining whether the alternative ratemaking mechanisms support, contradict or are neutral to the evaluation criteria listed in subsection 1, the electric utility shall:
    a. State the cost-benefit methodology the utility relied upon in determining how each alternative ratemaking mechanism satisfies the evaluation criteria; and
    b. Demonstrate why the utility chose the cost-benefit methodology it is using, including stating whether the methodology is externally validated, has been adopted by other states, and why the chosen cost-benefit methodology is appropriate for evaluating the utility's proposed alternative ratemaking mechanisms.

➥Using the utility's chosen cost-benefit methodology, the electric utility shall quantify the measurable costs and benefits or state whether data is insufficiently available to quantify the measurable costs and benefits, offering an explanation why qualitative information should be considered by the Commission.

3. The Bureau of Consumer Protection in the Office of Attorney General, the Regulatory Operations Staff of the Commission, and any party granted intervention may propose alternative cost-benefit methodologies. Such proposals must include justification for the use of such methodologies supported by models that support their proposed methodologies, filed in a digital, executable format with documentation sufficient to reproduce modelling results.
4. Using the evidence presented pursuant to subsections 1 and 2, and subsection 3, if applicable, the Commission shall evaluate whether the

electric utility's alternative ratemaking application is sufficient to support a finding the alternative ratemaking plan:

a. Is in the public interest;
b. Will result in just and reasonable rates;
c. Protects the interests of the customers of the electric utility; and
d. Supports, rather than contradicts or staying neutral, as to the evaluation criteria identified in subsection 1.

Section 9. NAC 704.XXX, Demonstration that Electric Utility's Alternative Ratemaking Plan Aligns with Commission Goals and Outcomes for Alternative Ratemaking

1. On or before August 1, 2022, electric utilities that primarily serve less densely populated counties and electric utilities that primarily serve densely populated counties as contemplated by NRS 704.110(3) and NRS 704.7621, shall file a petition, or joint petition as applicable, to adopt a list of goals and outcomes that alternative ratemaking plans should seek to achieve. The goals and outcomes should be consistent with one or more of the criteria set forth in NRS 704.762(1)(g), and the interests of historically underserved communities and low-income persons to be served during the rate period, in addition to other criteria deemed appropriate by the Commission.
2. At least 30 days prior to filing a petition requesting that the Commission initiate a proceeding to adopt a list of goals and outcomes that alternative ratemaking plans should seek to achieve, an electric utility shall solicit and engage with stakeholders regarding what goals and outcomes are appropriate for inclusion in the list.
3. Persons and associations seeking to participate in a proceeding pursuant to this section must file a timely petition for leave to intervene consistent with NAC 703.578 through NAC 703.600, inclusive.
4. Upon notice and hearing, the Commission may consider and adopt modifications to the list adopted pursuant to subsection 1. Proceedings to modify the list adopted pursuant to subsection 1 may be initiated by the Commission or via a petition filed with the Commission.
5. The Commission shall publish the approved list of goals and outcomes pursuant to section 1 on its website.
6. The list of goals and outcomes that are in place at the time of the application of an alternative ratemaking plan remain in effect for the duration of that plan unless otherwise triggered by an off-ramp.

7. After the Commission adopts a list pursuant to section 1, on or before October 1 of each odd-numbered year thereafter, electric utilities that primarily serve less densely populated counties and electric utilities that primarily serve densely populated counties as contemplated by NRS 704.110(3) and NRS 704.7621 shall submit either:
   a.) a petition or joint petition to adopt an updated list of goals and outcomes that alternative ratemaking plans should seek to achieve accounting for necessary updates pursuant to changes in state policy; or
   b.) an informational filing notifying the Commission that no changes to adopted list of goals and outcomes that alternative ratemaking plans should seek to achieve are necessary.

Section 10. NAC 704.XXX, Consumer Session, Customer Education

1. If an electric utility files an alternative ratemaking application, the Commission, in coordination with the electric utility, must conduct at least one consumer session to educate customers on the application and solicit comments from the public. The Commission may require that more than one consumer session be conducted regarding an alternative ratemaking application.
2. If an electric utility's alternative ratemaking application proposes alternative ratemaking mechanisms that have not been previously approved by the Commission, the electric utility is required to:
   a. Explain each new alternative ratemaking mechanism to consumers at a minimum of one consumer session in the most populous county of the utility's service territory;
   b. Provide an explanation of the proposed alternative ratemaking mechanism(s) on its website; and
   c. Post a customer notification, prominently displayed on the electric utility's website and additionally distributed via electronic mail and mobile application notifications, explaining the alternative ratemaking mechanism(s) in addition to other available means of distributing such notice, including, but not limited to, electronic mail and mobile application notifications.
3. If an electric utility files an alternative ratemaking application that proposes alternative ratemaking mechanisms that have not been previously approved by the Commission, it is required to file a plan for

the education of customers of the utility with respect to the proposals in its application. A plan to educate customers must include:

a. Multiple venues for providing information to and engaging with customers, which may include but are not limited to:
   i. Social media;
   ii. Focus groups;
   iii. Informational or learning sessions; and
   iv. A dedicated website with interactive tools.
b. If an electric utility proposes subscription pricing or any special tariff, schedule, or rate rider that applies only to a select set of residential or non-residential customers and is not applicable to an entire class of service or class of customers, a specific proposal to educate such customers or to engage customers that might qualify for such pricing, tariff, schedule, or rider, and a specific proposal that educates non-eligible customers of any potential cost shifts.

4. Nothing in this section shall be construed to relieve a utility of any of its otherwise applicable noticing and consumer outreach obligations.

Section 11. NAC 704.XXX, Records Retention

1. An electric utility that has an alternative rate-making plan approved by the Commission shall keep all information and records that the utility would be required to submit is required to submit to the Commission as part of an application pursuant to NRS 704.110 or 704.187.
2. The electric utility shall be required to produce such information and records upon the request of the Commission, on its own motion, the Regulatory Operations Staff of the Commission**,** or the Bureau of Consumer Protection in the Office of Attorney General.