

NRS 233B.066 Informational Statement
LCB File No. R187-24

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

The regulation repeals and/or amends existing regulations governing pay phones, telephone directories, and renewable energy programs that are ending or have ended; in accordance with the mandate in Governor Lombardo’s Executive Order 2023-003 to promote government efficiency, clarity, transparency, and to eliminate outdated regulations.

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, as well as to all county libraries in Nevada. These documents, along with the public comments filed, were also made available at the website of the Public Utilities Commission of Nevada (“Commission”), <http://puc.nv.gov>. The proposed regulation, notice of intent to act upon the regulation, and notice of workshop and hearing were published in the following newspapers:

Elko Daily Free Press
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) The Commission opened this rulemaking docket on November 8, 2023, to repeal and/or amend certain regulations. The revised and newly proposed regulation resulting from the opening of this rulemaking docket is LCB File No. R187-24. The Commission filed a draft proposed regulation on July 18, 2024, that was sent to the Legislative Counsel Bureau (“LCB”) for review. Following LCB review, there was a workshop held on November 25, 2024, and a hearing held on November 26, 2024, to discuss public comments and the draft regulation language returned from LCB. LCB further reviewed the Commission’s proposed regulation and returned the final regulation to the Commission on October 18, 2024.

(c) **A summary of public response.** All participants in this rulemaking provided written comments and/or statements during the workshop and hearing reflecting general agreement upon the draft regulation.

(d) Copies of the transcripts of the proceedings are available for review at the offices of the Commission, 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: 3**
- (b) **Testified at each hearing: 3**
- (c) **Submitted written comments: 5**

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.**

Shelly Cassity
(702) 486-7218
1150 E. William Street, Carson City, NV 89701
(702) 486-7218
scassity@puc.nv.gov
Regulatory Operations Staff of the Public Utilities Commission

Christine Greve
(775) 684-6101
1150 E. William Street, Carson City, NV 89701
(775) 684-6101
cgreve@puc.nv.gov
Regulatory Operations Staff of the Public Utilities Commission

Donald Lomoljo
(775) 684-6101
1150 E. William Street, Carson City, NV 89701
(775) 684-6101
dlomoljo@puc.nv.gov
Regulatory Operations Staff of the Public Utilities Commission

Rost Olsen
(775) 684-6101
1150 E. William Street, Carson City, NV 89701
(775) 684-6101

rolsen@puc.nv.gov
Regulatory Operations Staff of the Public Utilities Commission

Timothy Clausen
(775) 834-5678
6100 Neil Road, Reno, Nevada, 89115
(775) 834-5678
tclausen@nvenergy.com
Nevada Power Company d/b/a NV Energy
Sierra Pacific Power Company d/b/a NV Energy

Michael Knox
(775) 834-5678
6100 Neil Road, Reno, Nevada, 89115
(775) 834-5678
Michael.knox@nvenergy.com
Nevada Power Company d/b/a NV Energy
Sierra Pacific Power Company d/b/a NV Energy

Catherine Mazzeo
(702) 876-7250
8360 South Durango Drive, Las Vegas, Nevada, 89113
(702) 876-7250
catherine.mazzeo@swgas.com
Southwest Gas Corporation

Stephanie Smith
(702) 876-7250
8360 South Durango Drive, Las Vegas, Nevada, 89113
(702) 876-7250
stephanie.smith@swgas.com
Southwest Gas Corporation

Karen Peterson
(775) 687-0202
402 North Division Street, Carson City, NV 89703
(775) 687-0202
kpeterson@allisonmackenzie.com
Pahrump Utility Company, Inc.

Angel DeFazio
(702) 490-9677
PO Box 29194, Las Vegas, Nevada 89126
(702) 592-5687
NTEFUSA@aol.com

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.**

The Commission finds that the regulation language, as returned from LCB, is in the public interest and conforms with Governor Lombardo's Executive Order 2023-003. The proposed regulation amends, repeals, and clarifies regulations surrounding pay phones, telephone directories, and renewable energy programs that have ended or are ending.

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 the regulation is to regulate.**

The regulation helps clarify the winding up of the renewable energy programs contained therein, and eliminates outdated regulations regarding those energy programs, pay phones, and telephone directories. The regulation is not expected to negatively affect the businesses which the regulation is to regulate, and any positive effect would be de minimus.

- (b) **Estimated economic effect on the public which the regulation is to regulate.**

The regulation does not regulate the public.

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

The agency will not incur additional costs from enforcing 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 proposed regulation does not overlap or duplicate any regulation of federal, state, or local governmental agencies.

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?**

The independent Regulatory Operations Staff of the Commission (“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. The participants in the exercise used their 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, therefore concluding that 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. 23-11008 on September 11, 2024.