

LCB File No. R156-01

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

PUCN Docket No. 01-7039 (SB 210)

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PROVISION OF SERVICES IN MOBILE HOME PARKS

Sec 1. Chapter 704 of NAC is hereby amended by adding thereto the provisions set forth as Sections 2 through 6 of this regulation:

Sec. 2. NAC 704.980 Definitions. As used in NAC 704.980 to 704.991, inclusive, unless the context otherwise requires:

1. "Landlord" has the meaning ascribed to it in NRS 118B.014.
2. "Mobile home park" has the meaning ascribed to it in NRS 118B.017.
3. "Service charge" means the portion of a bill for utility service which is a fixed amount regardless of the quantity used.
4. "Utility" has the meaning ascribed to it in NRS 704.905.
5. *"Alternative Seller" has the meaning ascribed to it in NRS 704.994.*

(Added to NAC by Pub. Service Comm'n, eff. 1-11-91)

Sec. 3. NAC 704.985 Determination of charge to tenants for gas or electric service where landlord is billed by utility *or alternative seller*.

1. In a mobile home park where the landlord is billed by a gas or electric utility *or an alternative seller* and in turn charges the tenants for the *utility* service provided by the utility, *or the alternative seller* and the park:

(a) Is equipped with individual meters for each lot, the landlord shall, unless authorized by the commission to use a comparable method, determine the charge to each tenant for each billing cycle in the following manner:

(1) The total bill from the utility *or the alternative seller* for the park, less any service charge stated on the bill, must be divided by the commodity billing units stated on the bill to determine the rate per unit of service for the billing cycle. The rate per unit of service must be multiplied by the number of comparable units used by each tenant based on a reading of the individual meter of the tenant. The product is the total amount the landlord may charge each tenant for the use of the service.

(2) The service charge stated on the bill from the utility *or the alternative seller* must be divided by the number of tenants who use the service to determine the prorated share of each tenant for the service charge.

(3) The maximum amount of the charge to each tenant for gas and electric service is the sum of the charge for the use of service and the prorated share of each tenant for any service charge and any additional service charge imposed by the landlord pursuant to subsection 4 of NRS 704.940.

(4) The maximum amount of the charge to each tenant for water service is the sum of the charge for the use of service and the prorated share of each tenant for the service charge.

(b) Is not equipped with individual meters for each lot, the landlord shall determine the charge to each tenant for each billing cycle by subtracting from the total amount of the bill from the utility *or the alternative seller* for the park the cost, to the extent it can be determined, of the *utility* service provided to the common areas of the park and prorating the remainder of the bill equally among the tenants of the park. If the landlord assesses and collects a service charge for electric or gas service pursuant to subsection 4 of NRS 704.940, the service charge may be added to the prorated share of each tenant to determine the total bill for the utility.

2. As used in this section:

(a) "Commodity billing unit" means the unit used to measure the quantity of service provided by a utility *or the alternative seller* to the landlord and by a landlord to his tenants. The unit for:

(1) Electric service is kilowatt-hour.

(2) Gas service is therm.

(3) Water is gallon or cubic feet.

(b) "Common area" means any area in a mobile home park which is not rented or leased by a tenant of the park for his exclusive occupancy and use.

(Added to NAC by Pub. Service Comm'n, eff. 1-11-91)

Sec. 4. NAC 704.986 Maintenance of records by landlord.

1. If a utility *or an alternative seller* provides *utility* service to a mobile home park and the landlord of the park charges his tenants for that *utility* service, he shall maintain accurate records of:

(a) Any change in ownership of the park;

(b) All maintenance performed on the utility system by the landlord;

(c) Any surveys performed to detect gas leaks in the park;

(d) The qualifications of any maintenance personnel who are employed by the landlord to repair the gas system;

(e) The charges he is assessed by the utility *or the alternative seller* each billing cycle and the charges he assesses and collects each billing cycle from the tenants for utility service;

(f) The number of tenants who receive each type of utility service each billing cycle; and

(g) A map and a detailed explanation of the configuration and location of the distribution system of the utility system.

2. The landlord shall retain the records required by:

(a) Paragraphs (a), (b), (e) and (f) of subsection 1 for at least 3 years; and

(b) Paragraphs (c), (d) and (g) of subsection 1 for the period specified in the federal regulations adopted by reference in NAC 704.460.

(Added to NAC by Pub. Service Comm'n, eff. 1-11-91)

Sec. 5. NAC 704.988 Assessment and collection of late charge. A landlord of a mobile home park may assess and collect a late charge from the tenants of the park, but the amount of

the charge must not be more than the tenants would be required to pay the utility *or the alternative seller* for the same delinquency.

(Added to NAC by Pub. Service Comm'n, eff. 1-11-91)

Sec. 6. NAC 704.989 Notice of proposed increase in utility rates *for utility service*; notice of increase in charge for *utility service*.

1. If a landlord of a mobile home park is required to give notice to his tenants of a proposed increase in utility rates as required by NRS 704.930, the notice must include:

(a) The current rate which the utility *or the alternative seller* charges the park for the *utility service*;

(b) The rate which the utility proposes to charge the park for the service;

(c) The name and address of the utility *or the alternative seller*; and

(d) A statement that each public utility is required to file an application for a change in tariff with the public utilities commission of Nevada and that this information can be obtained from the commission and the utility.

2. If the landlord increases the charge to his tenants for *utility service*, he shall notify his tenants of the increase with the first bill for utility service delivered to the tenants after the increase is effective.

(Added to NAC by Pub. Service Comm'n, eff. 1-11-91)