

**PROPOSED REGULATION OF
THE NEVADA ENERGY COMMISSIONER**

LCB File No. R148-10

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

AUTHORITY: NRS 701.250, NRS 113.115.

A REGULATION related to evaluating the energy consumption of residential property; providing for standards for evaluating energy consumption and provisions for prescribing a form to be used pursuant to NRS 113.115.

Section 1. Chapter 701 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 through 10 inclusive, of this regulation, to be effective January 1, 2011 pursuant to NRS 113.115.

Section 2. *“Commissioner” means the Nevada Energy Commissioner.*

Section 3. *“Form” means the form for evaluation of the energy consumption of residential property required pursuant to NRS 113.115.*

Section 4. *“Energy Auditor” means any person certified by the Real Estate Division of the Nevada Department of Building and Industry as an inspector pursuant to NRS 645D.060.*

Section 5. *“Unit” means the residential property subject to the audit.*

Section 6. *The following standards apply in evaluating the consumption of energy on residential property:*

(a) The consumption of electricity shall be measured on a kilowatt-hour consumed per month basis.

(b) The consumption of natural gas shall be measured on a therms consumed per month basis. The consumption of heating oil shall be measured on a gallons

consumed per month basis. Any other fuel used as energy shall be measured on a per month basis by the standard the industry uses to measure the fuel for sale.

(c) The form required pursuant to NRS 113.115 may be completed either by the seller of the residential property or by an energy auditor as defined in Section 4 of this regulation. The person completing the form must sign it and attest to its truthfulness.

Section 7. *The form must include the following information, for each dwelling unit as applicable:*

(a) If available, the consumption of electricity for each of the twelve previous months for which the unit was occupied and service was provided;

(b) If available, the consumption of heating oil, propane, or natural gas, or kerosene for each of the twelve previous months for which the unit was occupied and service was provided;

(c) If the unit utilizes a method for heating or air conditioning not described in this section, the type of fuel or fuels used or the power source used to power the device, and, if available, the consumption of that source of fuel or power source for each of the twelve previous months for which the property was occupied and service was provided;

(d) An indication of the level of occupancy of the unit for each of the twelve previous months for which the property was occupied and service was provided, if applicable;

(e) If any improvements have been made to the unit within the past five years, and a description thereof, that has the effect of reducing the overall energy consumption of the unit;

(f) Estimation of the age any major appliances in the unit and whether any appliances in the unit are energy star certified, and if so, which appliances;

(g) If available, age and the efficiency rating of the heating system or air conditioning system in the unit;

(h) If the unit contains a net metering system pursuant to NRS 704.766 to 704.775, and the generation attributes of the net metering system;

(i) Whether the walls, ceiling, crawl space, or any other part of the unit have insulation installed, and if available, the type of insulation that is installed and its efficiency rating;

(j) Whether the unit has any other design attributes or other features that improve its overall energy efficiency;

(k) The square footage of the unit;

(l) If the form is completed by an energy auditor, any recommended improvements that would substantively increase the energy efficiency of the unit.

Section 8. *The Commissioner shall post the most recent version of the form on the Nevada Renewable Energy and Energy Efficiency Authority's website. The Commissioner shall update the form as necessary.*

Section 9. *The Commissioner shall include on the form information on programs created pursuant to NRS 702.275 and other programs of improving energy conservation and energy efficiency in residential property.*

Section 10. *A seller of residential property shall use the most current form for evaluating the consumption of energy on residential property provided by the Commissioner. The form must not be modified, altered or amended in any manner, except by or with the approval of the Commissioner.*