

**PROPOSED REGULATION OF THE
NEVADA ENERGY COMMISSIONER**

LCB File No. R148-10

**BEFORE THE NEVADA ENERGY COMMISSIONER
RENEWABLE ENERGY AND ENERGY EFFICIENCY AUTHORITY**

Friday, September 17, 2010

**NOTICE OF WORKSHOP
AND
NOTICE OF HEARING
AND
NOTICE OF INTENT TO ACT UPON A PERMANENT REGULATION**

The Nevada Renewable Energy and Energy Efficiency Authority ("Authority") has opened a rulemaking to adopt, amend, or repeal regulations pertaining to Chapter 701 of the Nevada Administrative Code ("NAC") related to regulations establishing a program for evaluating the energy consumption of residential property in Nevada pursuant to Nevada Revised Statutes ("NRS") 701.250.

This rulemaking is being conducted by the Nevada Energy Commissioner ("Commissioner") pursuant to Chapters 233B and 701 of the NRS and the NAC.

NOTICE IS HEREBY GIVEN that, pursuant to NRS 233B.061, the Commissioner has scheduled a **WORKSHOP** in this matter to be held as follows:

TUESDAY, OCTOBER 12, 2010

1:30 p.m.

Nevada Legislature Room 3138
401 N. Carson Street Carson City, Nevada

The workshop may also be attended via a teleconference at the following place:

Grant Sawyer State Office Building
Room 4412E
555 East Washington Avenue
Las Vegas, Nevada

The purpose of the workshop is to solicit comments from interested persons on the regulations regarding establishing a program for evaluating the energy consumption of residential property in Nevada. At the workshop, all interested persons will be afforded a reasonable opportunity to submit data, views or arguments on the proposed regulations, orally or in writing. The Commissioner requests that written submissions to be discussed at the workshop be received on or before **FRIDAY, October 8, 2010**. The Commissioner requests that written submissions contain information related to the proposed regulations, LCB File No. R148-10

dated September 16, 2010. **General discussion and tangential issues should be avoided.** A period devoted to comments by the general public, if any, and discussion of those comments will be provided.

NOTICE IS HEREBY GIVEN that, pursuant to NRS 233B.061, the Commissioner has scheduled a **HEARING** in this matter to be held as follows:

TUESDAY, OCTOBER 19, 2010

1:30 p.m.

Nevada Legislature Room 2134
401 N. Carson Street Carson City, Nevada

The hearing may also be attended via a teleconference at the following place:

Grant Sawyer State Office Building
Room 4412E
555 East Washington Avenue
Las Vegas, Nevada

The purpose of the hearing is to solicit comments from interested persons on the regulations regarding establishing a program for evaluating the energy consumption of residential property in Nevada. At the hearing, all interested persons will be afforded a reasonable opportunity to submit data, views or arguments on the proposed regulations, orally or in writing. The Commissioner requests that written submissions to be discussed at the hearing be received on or before **FRIDAY, October 15, 2010**. The Commissioner requests that written submissions contain information related to the proposed regulations. **General discussion and tangential issues should be avoided.** A period devoted to comments by the general public, if any, and discussion of those comments will be provided.

The following information is provided pursuant to the requirements of NRS 233B.0603:

The proposed regulations are required to implement the program for evaluating the energy consumption of residential property in Nevada pursuant to NRS 701.250. The proposed regulations establish standards for evaluating the energy consumption of residential property and provisions prescribing a form to be used pursuant to NRS 113.115. The Commissioner is at this time unable to determine the estimated adverse and beneficial effects and the immediate and long-term effects on of the proposed regulations on the business that it regulates and on the public, as it is not possible to determine the frequency with which consumers will use energy auditors to conduct evaluations. In making a small business impact determination, the Staff of the Public Utilities Commission of Nevada uses the Delphi Method. The Delphi Method is a systematic, interactive, forecasting method based on independent inputs of selected Staff experts who form a consensus opinion as to the likely impact of the regulation on small businesses and the public. The Commissioner is unable to determine at this time the estimated cost to the Authority for enforcement of the proposed regulations. However, such costs should be limited to the creation and maintenance of the form required pursuant to NRS 113.115. The proposed regulations do not overlap or duplicate any existing state or federal regulation. The proposed regulations are not required pursuant to federal law. The proposed regulations do not include

provisions that are more stringent than a federal regulation that regulates the same activity. Interested persons may present their views regarding the proposed regulation at the time, in the manner, and at place specified in this Notice. Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption. The proposed regulations do not establish a new fee or increase an existing fee. The proposed regulations were submitted to the Legislative Counsel Bureau for inclusion in the Register of Administrative Regulations created pursuant to NRS 233B.0653.

The proposed regulation and has been designated as LCB File No. R148-10 by the Legislative Counsel Bureau. Copies of the text of LCB File No. R148-10, and any approved or revised versions of the proposed regulation, are available at the following:

- (1) The Nevada Renewable Energy and Energy Efficiency Authority's website (<http://renewableenergy.state.nv.us/LawsRegs.htm>).
- (2) The Nevada Legislature's Website (<http://leg.state.nv.us>) under the Nevada Register sub-tab under the Law Library tab.
- (3) By mail addressed to:
Nevada Renewable Energy and Energy Efficiency Authority
Attn: Dr. Hatice Gecol
R1480-10
101 N. Carson Street
Carson City, NV 89701
- (4) By telephone at telephone number (775) 684-5664.
- (5) By faxed request to (775) 684-5648.

Members of the public who are disabled and require special accommodations or assistance at the workshop or hearing should notify the Commissioner in writing at 101 N Carson Street, Carson City, NV 89701, no later than 5 working days prior to the workshop. **Written comments** and any questions should be directed to the **Nevada Energy Commissioner, R148-10** by e-mail to energyefficiency@renewable.nv.gov or at Renewable Energy and Energy Efficiency Authority, 101 N Carson Street, Carson City, NV 89701 or by fax to: (775) 684-5664.

By the Nevada Energy Commissioner,

Hatice Gecol

Dr. Hatice Gecol

Dated: Carson City, Nevada
September 17, 2010

This Notice of Workshop and Notice of Hearing and Notice of Intent to Act Upon a Regulation has been sent to all persons on the agency's e-mailing list for administrative regulations and posted at: <http://renewableenergy.state.nv.us/LawsRegs.htm>, the Nevada State Capitol's public notice posting board, and the following locations:

Attn: Public Posting
Churchill County Library
5553 S. Maine Street
Fallon, NV 89406

Attn: Public Posting
Tonopah Public Library
PO Box 449
Tonopah, NV 89049

Attn: Public Posting
Las Vegas / Clark County Library
833 Las Vegas Blvd, N.
Las Vegas, NV 89101

Attn: Public Posting
Pershing County Library
PO Box 781
Lovelock, NV 89419

Attn: Public Posting
Elko County Library
720 Court Street
Elko, NV 89801

Attn: Public Posting
Storey County Library
PO Box 14
Virginia City, NV 89449

Attn: Public Posting
Esmeralda County Library
PO Box 430
Goldfield, NV 89316

Attn: Public Posting
Washoe County Library
PO Box 2151
Reno, NV 89505

Attn: Public Posting
Humboldt County Library
85 East Fifth Street
Winnemucca, NV 89445

Attn: Public Posting
White Pine County Library
950 Campton Street
Ely, NV 89301

Attn: Public Posting
Lincoln County Library
PO Box 330
Pioche, NV 89043

Attn: Public Posting
Lander County Library
PO Box 141
Battle Mtn, NV 89820

Attn: Public Posting
Lyon County Library
20 Nevin Way
Yerington, NV 89447

Attn: Public Posting
Carson City Library
900 N. Roop Street
Carson City, NV 89701

Attn: Public Posting
Mineral County Library
PO Box 1390
Hawthorne, NV 89415

Attn: Public Posting
Douglas County Library
PO Box 337
Minden, NV 89423

Attn: Public Posting
Nevada State Library
100 Stewart Street
Carson City, NV 89701