

**PROPOSED REGULATION OF THE
NEVADA ENERGY COMMISSIONER**

LCB File No. R148-10

September 16, 2010

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

AUTHORITY: §§1-10, NRS 701.250.

A REGULATION relating to energy efficiency; prescribing the standards for evaluating the energy consumption of residential property; prescribing the contents of the form for evaluating the energy consumption of residential property; and providing other matters properly relating thereto.

Section 1. Chapter 701 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 9, inclusive, of this regulation, the words and terms defined in sections 3, 4 and 5 of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Commissioner” means the Nevada Energy Commissioner.*

Sec. 4. *“Energy auditor” means a certified inspector as that term is defined in NRS 645D.040.*

Sec. 5. *“Form” means the form for evaluating the energy consumption of residential property prescribed by the Commissioner pursuant to NRS 701.250.*

Sec. 6. 1. *The evaluation of the energy consumption of residential property required by NRS 113.115 must be completed on the most recent version of the form. The form must not be*

modified, altered or amended in any manner except by or with the approval of the Commissioner.

2. The form must be completed by the seller of the residential property or by an energy auditor.

3. The person who completes the form shall sign the form and attest to the truthfulness of the contents of the form.

Sec. 7. 1. The Commissioner will post the most recent version of the form on the website of the Authority, which may be found at the Internet address <http://renewableenergy.state.nv.us/>. A copy of the form may also be obtained by contacting the Commissioner by telephone at (775) 684-5664. The Commissioner will update the form as necessary.

2. The Commissioner will include on the form information concerning programs authorized by NRS 702.270 and other programs of improving energy conservation and energy efficiency in residential property.

Sec. 8. 1. The form must include the following information for each dwelling unit for which the evaluation of the energy consumption is being performed:

(a) If the information is available, the consumption of electricity for each month of the 12-month period immediately preceding the sale of the residential property during which the dwelling unit was occupied and electric service was provided.

(b) If the information is available, the consumption of natural gas, heating oil, propane or kerosene for each month of the 12-month period immediately preceding the sale of the residential property during which the dwelling unit was occupied and the respective service was provided.

(c) If the dwelling unit uses any other source of energy to provide heating or air conditioning, the type of fuel or power source used and, if the information is available, the consumption of that fuel or power source for each month of the 12-month period immediately preceding the sale of the residential property during which the dwelling unit was occupied and the appropriate service was provided.

(d) If information is provided pursuant to paragraph (a), (b) or (c), a statement indicating the level of occupancy of the dwelling unit for each month of the 12-month period immediately preceding the sale of the residential property during which the dwelling unit was occupied and the respective service was provided.

(e) A statement indicating whether any improvements have been made to the dwelling unit within the 5-year period immediately preceding the sale of the residential property, a description of any such improvement made and a statement indicating whether the improvement has the effect of reducing the overall energy consumption of the dwelling unit.

(f) A statement indicating the estimated age of each major appliance in the dwelling unit and a statement indicating which, if any, of the major appliances in the dwelling unit have received the Energy Star label pursuant to the program established pursuant to 42 U.S.C. § 6294a, or its successor.

(g) A statement indicating the estimated age and the efficiency rating of any heating system or air conditioning system in the dwelling unit.

(h) A statement indicating whether the dwelling unit contains a net metering system and, if so, the generation attributes of the net metering system.

(i) A statement indicating whether the walls, ceiling, crawl space or any other part of the dwelling unit have insulation installed and, if the information is available, the type of insulation installed and the efficiency rating of the insulation.

(j) A statement indicating whether the dwelling unit has any other design attributes or features that improve the energy efficiency of the dwelling unit.

(k) The square footage of the dwelling unit.

(l) If the form is completed by an energy auditor, a statement from the energy auditor indicating any recommendations for improvements that would substantively increase the energy efficiency of the dwelling unit.

2. As used in this section, “net metering system” has the meaning ascribed to it in NRS 704.771.

Sec. 9. *In evaluating the energy consumption of residential property:*

1. The consumption of electricity must be measured by the total number of kilowatt hours consumed per month.

2. The consumption of natural gas must be measured by the total amount of therms consumed per month.

3. The consumption of heating oil or kerosene must be measured by the number of gallons of heating oil or kerosene consumed per month.

4. The consumption of any other fuel consumed as energy must be measured by the standard measurement of such fuel used for sale.

Sec. 10. This regulation becomes effective on January 1, 2011.