

**NOTICE OF ADOPTION OF REGULATIONS**

The Public Utilities Commission adopted permanent regulations assigned LCB File No. R083-11 (Docket No. 11-07021) which pertains to chapters 701B and 704 of the Nevada Administrative Code, on March 23, 2012. A copy of the adopted permanent regulations is attached.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS  
AS REQUIRED BY NRS 233B.066  
LCB FILE R083-11 (DOCKET NO. 11-07021)**

The following informational statement is submitted for adopted amendments to the Nevada Administrative Code, Chapters 701B and 704.

**1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

Copies of the proposed regulations, 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. These documents were also made available at the website of the Public Utilities Commission of Nevada (“PUCN”), <http://puc.nv.gov>, mailed to all county libraries in Nevada, published in the following newspapers:

Ely Times  
Las Vegas Review Journal  
Nevada Appeal  
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 W. Diablo Drive, Suite 250  
Las Vegas, Nevada 89148

First Judicial District Court  
885 East Musser Street  
Carson City, Nevada 89701

Second Judicial District Court  
75 Court Street  
Reno, Nevada 89501

Eighth Judicial District Court  
Regional Justice Center  
200 Lewis Avenue  
Las Vegas, Nevada 89155

The PUCN’s Regulatory Operations Staff (“Staff”), Southwest Gas Corporation (“SWG”), and Sierra Pacific Power Company d/b/a/ NV Energy and Nevada Power Company d/b/a NV Energy (collectively, “NV Energy”) submitted comments and participated in the workshop and hearing. Staff, SWG, and NV Energy expressed support for the regulations, finding them consistent with the intent of Senate Bill 182 and Assembly Bills 359 and 380.

Copies of the transcripts of the proceedings are available for review at the offices of the PUCN, located at 1150 East William Street, Carson City, Nevada 89701 and 9075 West Diablo Drive, Suite 250, Las Vegas, Nevada 89148.

2. **The number of persons who:**
  - (a) **Attended each hearing:** February 23, 2012 - 7
  - (b) **Testified at each hearing:** February 23, 2012 - 7
  - (c) **Submitted to the agency written comments:** 3
  
3. **For each person identified in subparagraphs (b) and (c) of paragraph 2, 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**

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**4. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation 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 #1.

**5. 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 permanent regulations were adopted on March 23, 2012. Changes were made to the proposed regulations.

**6. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

(a) Both adverse and beneficial effects:

The Commission has not identified any adverse effects of the regulations.

With regard to beneficial effects, Staff suggests that the regulations will benefit businesses by removing the mandate for a C1 license under the Solar Thermal Program and allowing the Nevada State Contractors Board, which is the most appropriate entity to determine qualifications, to decide the necessary license. Staff further states that utilities and the general public will also likely benefit from more contractors being eligible to install systems because increased competition will lower costs. Staff also states that utility reporting requirements and associated administrative burdens appear to be modestly reduced by amending the reporting requirements of NAC 701B.235 (1)(c)(3).

The regulations provide the benefit of reflecting the Legislature's updated capacity goals and expiration dates for the Wind and Waterpower Energy Systems Demonstration Programs. The changes to NAC 701B.680 appear to specifically benefit participants in

the Waterpower Energy Systems Demonstration Program who install small waterpower energy systems because the regulations reflect the Legislature's 1 megawatt carve-out for systems with nameplate capacities of 100 kilowatts or less.

(b) Both immediate and long-term effects:

See Item # 6(a).

**7. The estimated cost to the agency for enforcement of the adopted regulation.**

There is no additional cost to the agency for enforcement of these regulations.

**8. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

These regulations do not overlap or duplicate any federal, state, or local regulations.

**9. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

N/A

**10. 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

**11. If the proposed regulation is likely to impose a direct and significant economic 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 PUCN has determined that the proposed regulations do not impose a direct and significant economic burden upon a small business or restrict the formation, operation or expansion of a small business. In making this determination, the PUCN adopted the findings of Staff, which conducted a Delphi Method exercise to determine the impacts. The Delphi Method is a systematic, interactive, forecasting method based on independent inputs of selected experts.