

LCB File No. R145-01

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

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

In re: investigation and rulemaking to adopt, amend,
repeal regulations pursuant to AB 197.)

Docket No. 01-7038

**NOTICE OF INTENT TO AMEND/ADOPT/REPEAL REGULATIONS
NOTICE OF WORKSHOP AND NOTICE OF HEARING**

The Public Utilities Commission of Nevada (“Commission”) is proposing to
amend/adopt/repeal regulations pertaining to chapter 704 of Nevada Administrative Code. A

WORKSHOP has been set as follows:

Thursday, November 15, 2001

10:00 a.m.
Hearing Room A
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, Nevada 89701

VIA VIDEOCONFERENCE TO:

Hearing Room
Public Utilities Commission of Nevada
101 Convention Center Drive, Suite 250,
Las Vegas, Nevada 89109

at which time interested persons may appear and be heard. The workshop may continue from
day to day as necessary. The purpose of this workshop is to solicit comments from interested
persons on the following general topics that may be addressed in the proposed regulations:
requiring electric utilities and alternative sellers to disclose certain information concerning

electric services and any products and services relating thereto, including fuel sources, emissions, customer services, and energy programs. The initial proposed regulations are attached.

The Commission will hold a public HEARING as follows:

Thursday, November 15, 2001

1:00 p.m.
Hearing Room A
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, Nevada 89701

VIA VIDEOCONFERENCE TO:

Hearing Room
Public Utilities Commission of Nevada
101 Convention Center Drive, Suite 250,
Las Vegas, Nevada 89109

at which time interested persons may appear and be heard. The hearing may continue from day to day as necessary. The purpose of the hearing is to receive comments from all interested persons regarding the adoption/amendment/repeal of regulations that pertain to chapter 704 of the Nevada Administrative Code.

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

On June 5, 2001, Nevada Governor Kenny C. Guinn signed Assembly Bill No. 197 (“AB 197”) into law. AB 197 requires the Commission to adopt regulations requiring electric utilities and alternative sellers to disclose to customers certain information concerning electric services and any products and services relating thereto, including fuel sources, emissions, customer services, and energy programs. On August 9, 2001, the Commission voted to open Docket No. 01-7038, an investigation and rulemaking to adopt, amend, and/or repeal regulations pursuant to AB 197.

The proposed regulations potentially affect all Nevada utilities that offer or will offer electric services, as well as the customers of such entities. At this time the Commission cannot quantify either the adverse or beneficial economic effects on the entities affected by the regulation or the public, either immediate or long-term, which may result from the regulations.

The Commission at this time does not envision any increased costs associated with enforcement of this proposed regulations. The regulations do not overlap or duplicate any other state or local federal government regulation, nor does it establish any new fee or increase an existing fee.

Persons wishing to comment upon the proposed action of the Commission may appear at the scheduled public hearing or address their comments, data, views, or arguments, in written form, to the Secretary of the Commission, 1150 East William Street, Carson City, Nevada 89701 or 101 Convention Center Drive, Suite 250, Las Vegas, Nevada 89109.

A copy of this notice and the proposed regulations to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the proposed regulations to be adopted will be available at the offices of the Commission, at 1150 East William Street, Carson City, Nevada 89701 (775-687-6001); or 101 Convention Center Drive, Suite 250, Las Vegas, Nevada 89109 (702-486-2600); and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulations will also be

mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will 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.

This notice has been sent to all persons on the agency's mailing list for administrative regulations and posted at the county courthouses located in Reno, Carson City, and Las Vegas.

By the Commission,

DONNA WICKHAM, Assistant Commission Secretary

Dated: Carson City, Nevada

(SEAL) _____

LCB File No. R145-01

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

PUCN Docket No. 01-7038 (Disclosure of Fuel Mix and Emissions)

AUTHORITY: 703.025, 703.151, 704.____, AB 197

Draft -, 2001

Section 1. *Chapter 704 of NAC is hereby amended by adding thereto the provisions set forth as Sections 2 through 8 of this regulation:*

Sec 2. *As used in sections 3 through 8, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in this section of this regulation have the meanings ascribed to them in this section.*

Sec. 3. *“Biomass” has the meaning ascribed to it in section 6(a) of Assembly Bill No. 197 of the 71st session of the Nevada Legislature, Chapter 349, Statutes of Nevada 2001, at 1655.*

Sec. 4. *“Biofuels” are alcohols, ethers, esters, and other chemicals made from herbaceous and woody plants, and municipal solid and industrial waste.*

Sec. 5. *“Electric Utility” has the meaning ascribed to it in section 7 of Assembly Bill No. 661 of the 71st session of the Nevada Legislature, Chapter 604, Statutes of Nevada 2001 at 3223.*

Sec. 6. *For purposes of reporting under section 8 herein, “Heavy Metals” are limited to heavy metals that are reportable to the United States Environmental Protection Administration under section 113 of the Emergency Planning and Community Right-to-Know Act of 1986.*

Sec. 7. *“Native Generation” means generation from capacity owned by or under contract to the electric utility whether or not the source of the generation is within Nevada.*

Sec. 8. *1 Semi-annually, during the January and July billing cycles of every year, each electric utility shall provide to its customers a statement disclosing information concerning its energy sources, environmental emissions, customer service, and programs providing assistance to persons with low incomes. The disclosure statement shall disclose information for the twelve-month period ending not more than six months prior.*

(2) An electric utility must include its disclosure statement as an insert to its bills. The electric utility must also post its disclosure statement on its Internet website.

(3) The disclosure statement must disclose the amount of energy from the specific sources listed below and must state the number of megawatt-hours and the percent of the total megawatt-hours for each energy source.

- (a) coal*
- (b) natural gas*
- (c) oil*
- (d) hydroelectric*
- (e) geothermal*
- (f) solar*
- (g) nuclear*
- (h) wind*
- (i) biofuel*
- (j) incineration of solid waste*
- (k) biomass*
- (l) other (specified)*
- (m) total.*

(4) In accounting for sales to an electric utility's customers, native generation must be assumed to be consumed within Nevada unless specifically identified otherwise. The electric utility's exports must be accounted for as an average mix of the electric utility's total generating capacity. The electric utility's imports must be accounted for as an average mix for the region comprising Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

(5) The disclosure statement must state the average pounds per megawatt-hour generated for each type of emission listed below.

- (a) high-level radioactive waste*
- (b) sulfur dioxide*
- (c) carbon dioxide*
- (d) carbon monoxide*
- (e) particulate matter*
- (d) volatile organic compounds*
- (d) oxides of nitrogen*
- (e) heavy metals*

(6) In accounting for emissions associated with sales to an electric utility's customers, the utility's native generation must be assumed to be consumed within Nevada unless specifically identified otherwise. Emissions from the electric utility's exports must be assumed to be produced by an average mix of generation from a utility's native sources. Emissions from imports must be accounted for as if produced by an average generation mix for the region comprising Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

(7) The disclosure statement must, without limitation:

- (a) Provide a summary of energy conservation programs and information that is offered by the utility.*
- (b) Describe the procedures for enrolling in the Equal Payment Plan or making alternative payment arrangements with the utility.*
- (c) Describe programs that provide assistance to persons with low income and explain how to apply for these programs.*
- (d) Identify programs offering assistance through federal, state, and local governments, the utility, and other sources known to the utility.*
- (e) Provide all information in a type size no small than 10 point.*