

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

LCB File No. R170-09

Effective July 22, 2010

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

AUTHORITY: §1, NRS 703.025, 704.210, 704.763, section 11.25 of Senate Bill No. 358,
Chapter 321, Statutes of Nevada 2009, at page 1391.

A REGULATION relating to public utilities; revising provisions relating to disclosures about
certain electronic waste; and providing other matters properly relating thereto.

Section 1. NAC 704.2787 is hereby amended to read as follows:

704.2787 1. The disclosure statement must, without limitation:

(a) Provide a summary of any programs and information relating to energy conservation that
is offered by the electric utility;

(b) Describe the procedures for enrolling in the equal payment plan or for making alternative
payment arrangements with the electric utility;

(c) Describe any energy programs that provide assistance to retail customers with low
incomes and explain how to apply for assistance from such programs; ~~[and]~~

(d) Identify any other energy programs which may provide assistance to retail customers and
which are operated by the electric utility or by other sources known to the electric utility,
including, without limitation, federal, state and local governments ~~[;]~~ *and*

*(e) Contain information about the safe disposal and recycling of electronic waste, electrical
systems and other waste, including, without limitation, compact fluorescent light bulbs.*

2. The disclosure statement may include any other information about electric services, and any products and services relating thereto, that are being provided to or purchased for retail customers by the electric utility.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS
AS REQUIRED BY NRS 233B.066
LCB FILE R170-09 (DOCKET NO. 09-07015)**

The following informational statement is submitted for adopted amendments to Nevada Administrative Code Chapter 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 disposal and/or recycling of certain waste. These documents were also made available at the website of the Public Utilities Commission (“PUC”), <http://pucweb1.state.nv.us/PUCN/>, mailed to all county libraries in Nevada, published in the following newspapers:

Elko Daily Free Press
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
101 Convention Center Drive, Suite 250
Las Vegas, Nevada 89109

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

Nevada Power Company and Sierra Pacific Power Company, d/b/a NV Energy argued that the proposed regulation met the intent of the statute and requested that certain mailings, either previously sent to customers or in the process of being sent to customers be found to meet the intent of the regulation. The Regulatory Operations Staff argued that the proposed regulation met the intent of the statute and agreed that the mailings sent by NV Energy met the intent of the regulation.

A copy of the transcript of the proceedings is available for review at the offices of the PUC, 1150 East William Street, Carson City, Nevada 89701 and 101 Convention Center Drive, Suite 250, Las Vegas, Nevada 89109.

2. The number of persons who:

- (a) Attended each hearing:** January 14, 2010 - 2
- (b) Testified at each hearing:** January 14, 2010 - 2
- (c) Submitted to the agency written comments:** 1

3. 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.

4. 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 January 27, 2010. It was not revised as the participants in the Workshop and Hearing and the Commission believed the regulation met the intent of the statute.

5. 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 adopted regulation will have little or no economic impact on the public, aside from informing them of how to dispose of and/or recycle certain electronic waste (such as compact fluorescent light bulbs). Prior to adoption of the regulation, electric utilities were required to send semi-annual notices to customers containing information on a number of issues. The adopted regulation requires said mailing to include information regarding disposal and/or recycling of certain waste. Including additional information in the previously required mailings, as required by the adopted regulation will not significantly increase the cost to the electric utilities.

(b) Both immediate and long-term effects:

See Item # 5(a).

6. 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.

7. 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.

8. 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

9. 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

10. 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 PUC 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 PUC 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.