

SENATE BILL NO. 121—SENATOR TITUS

FEBRUARY 13, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Eliminates exemption to payment of universal energy charge for electricity used in electrolytic-manufacturing processes. (BDR 58-38)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to energy; eliminating the exemption to the payment of the universal energy charge for electricity used in electrolytic-manufacturing processes; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 702.160 is hereby amended to read as follows:
- 2 702.160 1. Except as otherwise provided in this section and
- 3 NRS 702.150, each retail customer shall pay:
- 4 (a) A universal energy charge of 3.30 mills on each therm of
- 5 natural gas that the retail customer purchases from another person
- 6 for consumption in this state; and
- 7 (b) A universal energy charge of 0.39 mills on each kilowatt-
- 8 hour of electricity that the retail customer purchases from another
- 9 person for consumption in this state.
- 10 2. The provisions of subsection 1 do not apply to ~~f:~~
- 11 ~~—(a) Any~~ *any* therm of natural gas used as a source of energy to
- 12 generate electricity.
- 13 ~~[(b) Any kilowatt hour of electricity used in industries utilizing~~
- 14 ~~electrolytic manufacturing processes.]~~
- 15 3. If a retail customer uses the distribution services of a public
- 16 utility or municipal utility to acquire natural gas or electricity that is



1 subject to the universal energy charge, the public utility or
2 municipal utility providing the distribution services shall:

3 (a) Collect the universal energy charge from each such retail
4 customer;

5 (b) Ensure that the universal energy charge is set forth as a
6 separate item or entry on the bill of each such retail customer; and

7 (c) Not later than 30 days after the end of each calendar quarter,
8 remit to the commission the total amount of money collected by the
9 public utility or municipal utility for the universal energy charge for
10 the immediately preceding calendar quarter.

11 4. If a retail customer does not use the distribution services of a
12 public utility or municipal utility to acquire natural gas or electricity
13 that is subject to the universal energy charge, not later than 30 days
14 after the end of each calendar quarter, the retail customer shall remit
15 to the commission the total amount of money owed by the retail
16 customer for the universal energy charge for the immediately
17 preceding calendar quarter.

18 5. If, during a calendar quarter, a single retail customer or
19 multiple retail customers under common ownership and control pay,
20 in the aggregate, a universal energy charge of more than \$25,000 for
21 all consumption of natural gas and electricity during the calendar
22 quarter, such retail customers are entitled to a refund, for that
23 calendar quarter, of the amount of the universal energy charge that
24 exceeds \$25,000. To receive a refund pursuant to this section, not
25 later than 90 days after the end of the calendar quarter for which the
26 refund is requested, such retail customers must file with the
27 commission a request for a refund. If a request for a refund is filed
28 with the commission:

29 (a) The commission shall determine and certify the amount of
30 the refund; and

31 (b) The refund must be paid as other claims against the state are
32 paid from money in the fund.

33 **Sec. 2.** This act becomes effective on July 1, 2003.

