

SENATE BILL NO. 197—SENATOR HARDY

MARCH 9, 2021

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to renewable energy. (BDR 58-115)

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

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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; requiring the Public Utilities Commission of Nevada to prepare a biennial report regarding the generation of electricity using renewable energy; requiring the annual report submitted by providers of electric service to include information which the Commission requires to complete the biennial report; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law and the Nevada Constitution, each provider of electric
2 service that is engaged in the business of selling electricity to retail customers for
3 consumption in this State is required to generate or acquire electricity from
4 renewable energy sources in incrementally larger amounts each year, reaching an
5 amount of not less than 50 percent of the total amount of electricity sold by the
6 provider to its retail customers in this State in calendar year 2030 and for each year
7 thereafter. (Nev. Const. Art. 4, § 39; NRS 704.7821) **Section 1** of this bill requires
8 the Public Utilities Commission of Nevada to submit a biennial report to the
9 Governor and the Legislature containing certain information concerning renewable
10 energy which is used to generate electricity, including the type and amount of
11 electricity generated using renewable energy in this State and the amount of
12 such electricity sold to retail customers located outside this State, the type and
13 amount of electricity generated using renewable energy outside this State and the
14 amount of such electricity sold to retail customers located in this State, the amount
15 of land in this State which is dedicated to renewable energy production, and the
16 amount of land that will be required in the future to satisfy the requirement for a
17 provider to generate or acquire electricity from renewable energy sources in an
18 amount not less than 50 percent of the total amount of electricity sold by a provider
19 to its retail customers in this State.

20 Existing law requires certain providers of electric service in this State to submit
21 to the Commission an annual report containing information relating to the actions
22 taken by the provider to comply with its portfolio standard. (NRS 704.7825)



23 **Section 3** of this bill requires the annual report of an electric provider to include a
24 statement of the amount of land dedicated to each renewable energy system owned,
25 operated or controlled by the provider and such other information as the
26 Commission requires to complete the biennial report concerning renewable energy
27 which is generated or consumed in this State.

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

1 **Section 1.** Chapter 704 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *On or before February 15 of each odd-numbered year, the*
4 *Commission shall prepare, approve and submit to the Governor*
5 *and to the Director of the Legislative Counsel Bureau for*
6 *transmittal to the Legislature a written report that includes,*
7 *without limitation:*

8 *1. A description of each type of renewable energy, including,*
9 *without limitation, energy generated from biomass, geothermal,*
10 *solar, waterpower and wind, that is used to generate electricity in*
11 *this State and the amount of electricity generated in this State*
12 *using each such type of renewable energy.*

13 *2. A statement of the amount of electricity generated in this*
14 *State using renewable energy which is sold to retail customers*
15 *located outside this State.*

16 *3. A statement of each type of renewable energy, including,*
17 *without limitation, energy generated from biomass, geothermal,*
18 *solar, waterpower and wind, that is used to generate electricity*
19 *outside of this State and the amount of electricity generated*
20 *outside this State using each such type of renewable energy that is*
21 *sold to retail customers in this State.*

22 *4. An estimate of the amount of land in this State which is*
23 *currently used to generate electricity using renewable energy*
24 *which is sold to retail customers located in this State and an*
25 *estimate of the amount of land that will be required in the future*
26 *to satisfy the requirements set forth in paragraph (d) of subsection*
27 *2 of Section 39 of Article 4 of the Nevada Constitution and*
28 *paragraph (l) of subsection 1 of NRS 704.7821.*

29 **Sec. 2.** NRS 704.7801 is hereby amended to read as follows:

30 704.7801 As used in NRS 704.7801 to 704.7828, inclusive,
31 *and section 1 of this act*, unless the context otherwise requires, the
32 words and terms defined in NRS 704.7802 to 704.7819, inclusive,
33 have the meanings ascribed to them in those sections.



1 **Sec. 3.** NRS 704.7825 is hereby amended to read as follows:

2 704.7825 1. Except as otherwise provided in subsection 6,
3 each provider of electric service shall submit to the Commission an
4 annual report that ~~provides~~ :

5 (a) *Provides* information relating to the actions taken by the
6 provider to comply with its portfolio standard.

7 (b) *Includes such information as the Commission may require*
8 *to complete the report required by section 1 of this act.*

9 2. Each provider shall submit the annual report to the
10 Commission after the end of each calendar year and within the time
11 prescribed by the Commission. The report must be submitted in a
12 format approved by the Commission.

13 3. The Commission may adopt regulations that require
14 providers to submit to the Commission additional reports during
15 each calendar year.

16 4. Each annual report and each additional report must include
17 clear and concise information that sets forth:

18 (a) The amount of electricity which the provider generated,
19 acquired or saved from portfolio energy systems or efficiency
20 measures during the reporting period and, if applicable, the amount
21 of portfolio energy credits that the provider acquired, sold or traded
22 during the reporting period to comply with its portfolio standard;

23 (b) The capacity of each renewable energy system owned,
24 operated or controlled by the provider, *the amount of land*
25 *dedicated to each such system*, the total amount of electricity
26 generated by each such system during the reporting period and the
27 percentage of that total amount which was generated directly from
28 renewable energy;

29 (c) Whether, during the reporting period, the provider began
30 construction on, acquired or placed into operation any renewable
31 energy system and, if so, the date of any such event;

32 (d) Whether, during the reporting period, the provider
33 participated in the acquisition or installation of any energy
34 efficiency measures and, if so, the date of any such event; and

35 (e) Any other information that the Commission by regulation
36 may deem relevant.

37 5. Based on the reports submitted by providers pursuant to this
38 section, the Commission shall compile information that sets forth
39 whether any provider has used energy efficiency measures to
40 comply with its portfolio standard and, if so, the type of energy
41 efficiency measures used and the amount of energy savings
42 attributable to each such energy efficiency measure. The
43 Commission shall report such information to:

44 (a) The Legislature, not later than the first day of each regular
45 session; and



1 (b) The Legislative Commission, if requested by the Chair of the
2 Commission.

3 6. The provisions of this section do not apply to:

4 (a) A provider of electric service that is subject to NRS 704.787;
5 or

6 (b) A provider of electric service that is listed in subsection 9 of
7 NRS 704.7821 during any calendar year in which the total amount
8 of electricity sold by the provider to its retail customers in this State
9 during that calendar year is less than 1,000,000 megawatt-hours.

10 **Sec. 4.** The provisions of subsection 1 of NRS 218D.380 do
11 not apply to any provision of this act which adds or revises a
12 requirement to submit a report to the Legislature.

13 **Sec. 5.** This act becomes effective on July 1, 2021.

