

Assembly Bill No. 197—Assemblymen Leslie, Bache, Parks, de Braga, Gibbons, Brower, Buckley, Chowning, Freeman, Giunchigliani, Humke, Koivisto, Manendo, McClain, Parnell, Smith and Williams

CHAPTER.....

AN ACT relating to electric services; requiring electric utilities and alternative sellers to disclose to customers certain information concerning electric services and any products and services relating thereto; setting forth the types of information that must be disclosed by the electric utilities and alternative sellers; requiring the public utilities commission of Nevada to adopt regulations; and providing other matters properly relating thereto.

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

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

1. On and after October 1, 2001, each electric utility shall disclose to its customers information about electric services, and any products and services relating thereto, that are being provided to or purchased for those customers by the electric utility. The disclosure must:

(a) Be in a standard, uniform format established by the commission by regulation;

(b) Be included:

(1) At least two times each calendar year, as an insert in the bills that the electric utility sends to its customers; and

(2) If the electric utility maintains a website on the Internet or its successor, if any, on that website; and

(c) Include adequate information so that a customer can readily evaluate his options for obtaining electric services or any products or services relating thereto.

2. A disclosure required by this section must include, if applicable:

(a) The average mix of fuel sources used to create the electricity, including, without limitation, oil, coal, gas, solar energy, hydroelectric energy, wind, biofuel, nuclear energy, energy from the incineration of solid waste, biomass and any other specific source that is used to generate the electricity provided to the customer. An electric utility may, if available, use a regional average that has been determined by the commission for that portion of electricity purchased by the customer for which the specific mix of fuel sources cannot be discerned.

(b) The average emissions, measured in pounds per megawatt hour, of high-level radioactive waste generated, if any, sulfur dioxide, carbon dioxide, oxides of nitrogen, heavy metals and any other emission that the commission, in cooperation with the division of environmental protection of the state department of conservation and natural resources, determines may cause a significant health or environmental impact and for which sufficiently accurate and reliable data is available. If an electric utility uses a regional average for the mix of fuel sources pursuant to paragraph (a), the electric utility shall, if available, also use a regional calculation for emissions that has been determined by the commission.

(c) Information concerning customer service.

(d) Information concerning energy programs that provide assistance to persons with low incomes, including information on applying for these programs.

3. An electric utility:

(a) Shall make the disclosures required pursuant to this section in accordance with the requirements adopted by the commission as to form and substance; and

(b) Shall ensure that it provides the information in compliance with all applicable state and federal law governing unfair advertising and labeling.

4. The commission shall adopt such regulations concerning form and substance for the disclosures required by this section as are necessary to ensure that customers are provided with sufficient information so that they can readily evaluate their options for obtaining electric services and any products and services relating thereto.

5. On and after the date upon which customers may begin obtaining generation, aggregation, metering, billing and any other potentially competitive services from alternative sellers, an alternative seller is subject to all of the provisions of this section that are applicable to an electric utility.

6. As used in this section:

(a) "Biomass" means crops grown specifically for the production of energy and organic waste.

(b) "Electric utility" includes an electric distribution utility and a vertically integrated electric utility, and any affiliate or successor organization thereof.

Sec. 2. NRS 704.965 is hereby amended to read as follows:

704.965 As used in NRS 704.965 to 704.990, inclusive, *and section 1 of this act*, unless the context otherwise requires, the words and terms defined in NRS 704.966 to 704.975, inclusive, have the meanings ascribed to them in those sections.