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## **SB194 Proposed Amendments**

1. Section 1.1

Add the phrase "Where master metering is permitted" to the beginning of Section 1.

2. Section 1.4

Tenant should also be able to clarify billing issues with the governmental agency that has approved the utility rates charged to the landlord for the service.

3. Section 1.5

This section should be deleted

### **Comments on Bill**

1. The first proposed amendment would clarify the applicability of this bill to address billing practices for cases where sub-metering is not installed. Otherwise the Act would appear to promote a method of billing that was discouraged by PURPA.

The Federal Public Utility Regulatory Policies Act of 1978 ("PURPA") requires that each state regulatory agency consider and adopt standards relating to master metering by electric utilities. Master metering exists when the consumption of electricity by two or more units is determined by the use of one measuring device, or "master meter".

PURPA (and the PUCN) standards relating to master metering state that it may exist if:

- There is more than one unit in such building; and
- The occupant of each such unit has control over a portion of the electric energy used in each unit; and
- With respect to such portion of electric energy used in such unit, the long-run benefits to the electric consumers in such buildings exceed the cost of purchasing and installing separate meters in such building.

2. Some billing issues might be resolved through review with the governmental agency that approved the utility rates. For instance if there were some question of what the cost of the service is and how it is applied to the landlord, the tenant should have the ability to address such questions with the governmental agency.
3. Section 1.5 (a) should be deleted. There are no standards or oversight of such installations. In many existing circumstances, the metering technology utilized in submetering applications has been obsolete for decades. Who will validate the accuracy of the meter? How will disputes be resolved?
4. Section 1.5(b) must be deleted. The tenants are not responsible to the utilities for outstanding bills for service that were issued by the landlord. Utilities are not currently and should not in the future be required to accept partial payments from persons who are not customers of the utility.