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ASSEMBLY BILL NO. 145—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE PUBLIC UTILITIES COMMISSION)

FEBRUARY 14, 2003

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Referred to Committee on Commerce and Labor

SUMMARY—Revises procedure for distribution of assessments collected on behalf of Consumer's Advocate of Bureau of Consumer Protection in Office of Attorney General. (BDR 58-486)

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.

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AN ACT relating to utilities; revising the procedure for the distribution of assessments collected on behalf of the Consumer's Advocate of the Bureau of Consumer Protection in the Office of the Attorney General; 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 704.035 is hereby amended to read as follows:  
2     704.035 1. On or before June 1 of each year, the Commission  
3 shall mail revenue report forms to all public utilities, providers of  
4 discretionary natural gas service and alternative sellers under its  
5 jurisdiction, to the address of those utilities, providers of  
6 discretionary natural gas service and alternative sellers on file with  
7 the Commission. The revenue report form serves as notice of the  
8 Commission's intent to assess such entities, but failure to notify any  
9 such entity does not invalidate the assessment with respect thereto.  
10    2. Each public utility, provider of discretionary natural gas  
11 service and alternative seller subject to the provisions of NRS  
12 704.033 shall complete the revenue report referred to in subsection  
13 1, compute the assessment and return the completed revenue report



\* A B 1 4 5 \*

1 to the Commission accompanied by payment of the assessment and  
2 any penalty due, pursuant to the provisions of subsection 5.

3 3. The assessment is due on July 1 of each year, but may, at the  
4 option of the public utility, provider of discretionary natural gas  
5 service and alternative seller, be paid quarterly on July 1, October 1,  
6 January 1 and April 1.

7 4. The assessment computed by the *public* utility, provider of  
8 discretionary natural gas service or alternative seller is subject to  
9 review and audit by the Commission, and the amount of the  
10 assessment may be adjusted by the Commission as a result of the  
11 audit and review.

12 5. Any public utility, provider of discretionary natural gas  
13 service or alternative seller failing to pay the assessment provided  
14 for in NRS 704.033 on or before August 1, or if paying quarterly, on  
15 or before August 1, October 1, January 1 or April 1, shall pay, in  
16 addition to such assessment, a penalty of 1 percent of the total  
17 unpaid balance for each month or portion thereof that the  
18 assessment is delinquent, or \$10, whichever is greater, but no  
19 penalty may exceed \$1,000 for each delinquent payment.

20 6. When a public utility, provider of discretionary natural gas  
21 service or alternative seller sells, transfers or conveys substantially  
22 all of its assets or, if applicable, its certificate of public convenience  
23 and necessity, the Commission shall determine, levy and collect the  
24 accrued assessment for the current year not later than 30 days after  
25 the sale, transfer or conveyance, unless the transferee has assumed  
26 liability for the assessment. For purposes of this subsection, the  
27 jurisdiction of the Commission over the selling, transferring or  
28 conveying public utility, provider of discretionary natural gas  
29 service or alternative seller continues until it has paid the  
30 assessment.

31 7. The Commission may bring an appropriate action in its own  
32 name for the collection of any assessment and penalty which is not  
33 paid as provided in this section.

34 8. The Commission shall, ~~{on a quarterly basis,}~~ *upon*  
35 *collection*, transfer to the Account for the Consumer's Advocate that  
36 portion of the assessments collected which belongs to the  
37 Consumer's Advocate.

