

Amendment No. 913

Assembly Amendment to Senate Bill No. 188 First Reprint

(BDR 58-364)

Proposed by: Committee on Commerce and Labor**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
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Amend section 1, page 2, line 26, by deleting “residences” and inserting:

“residences, schools, public buildings”.

Amend section 1, page 3, line 1, by deleting “residences” and inserting:

“residences, schools, public buildings”.

Amend the bill as a whole by adding new sections designated sections 1.3 and 1.7, following section 1, to read as follows:

“**Sec. 1.3.** NRS 702.170 is hereby amended to read as follows:

702.170 1. The Commission shall adopt regulations to carry out and enforce the provisions of NRS 702.160. Such regulations may require public utilities, municipal utilities and retail customers that are required to collect or remit money for the universal energy charge to file reports and to

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provide the Commission with information relating to compliance with the requirements of the universal energy charge.

2. In carrying out the provisions of NRS 702.160, the Commission shall solicit advice from the Consumer's Advocate of the Bureau of Consumer Protection in the Office of the Attorney General, public utilities and municipal utilities and other knowledgeable persons.

3. The Commission may conduct audits and investigations of public utilities, municipal utilities and retail customers that are required to collect or remit money for the universal energy charge ~~if~~ if the Commission determines that such audits and investigations are necessary to verify compliance with the requirements of the universal energy charge. In conducting such audits and investigations, the Commission may exercise any of the investigative powers granted to the Commission pursuant to chapter 703 of NRS, including, without limitation, the power to issue orders to compel the appearance of witnesses and the production of books, accounts, papers and records.

4. To carry out its powers and duties pursuant to this chapter, the Commission is entitled to an administrative charge of not more than ~~{3}~~ 2 percent of the money collected for the universal energy charge. After deduction of its administrative charge, the Commission shall deposit the remaining money collected for the universal energy charge in the State Treasury for credit to the Fund.

5. The Commission may bring an appropriate action in its own name for recovery of any money that a person fails to pay, collect or remit in violation of the requirements of the universal energy charge.

Sec. 1.7. NRS 702.260 is hereby amended to read as follows:

702.260 1. Seventy-five percent of the money in the Fund must be distributed to the Welfare Division for programs to assist eligible households in paying for natural gas and electricity. The

Welfare Division may use not more than ~~{3}~~ 7 percent of the money distributed to it pursuant to this section for its administrative expenses.

2. Except as otherwise provided in NRS 702.150, after deduction for its administrative expenses, the Welfare Division may use the money distributed to it pursuant to this section only to:

- (a) Assist eligible households in paying for natural gas and electricity.
- (b) Carry out activities related to consumer outreach.
- (c) Pay for program design.
- (d) Pay for the annual evaluations conducted pursuant to NRS 702.280.

3. Except as otherwise provided in subsection 4, to be eligible to receive assistance from the Welfare Division pursuant to this section, a household must have a household income that is not more than 150 percent of the federally designated level signifying poverty, as determined by the Welfare Division.

4. The Welfare Division is authorized to render emergency assistance to a household if an emergency related to the cost or availability of natural gas or electricity threatens the health or safety of one or more of the members of the household. Such emergency assistance may be rendered upon the good faith belief that the household is otherwise eligible to receive assistance pursuant to this section.

5. Before July 1, 2002, if a household is eligible to receive assistance pursuant to this section, the Welfare Division shall determine the amount of assistance that the household will receive by using the existing formulas set forth in the state plan for low-income home energy assistance.

6. On or after July 1, 2002, if a household is eligible to receive assistance pursuant to this section, the Welfare Division:

(a) Shall, to the extent practicable, determine the amount of assistance that the household will receive by determining the amount of assistance that is sufficient to reduce the percentage of the household's income that is spent on natural gas and electricity to the median percentage of household income spent on natural gas and electricity statewide.

(b) May adjust the amount of assistance that the household will receive based upon such factors as:

- (1) The income of the household;
- (2) The size of the household;
- (3) The type of energy that the household uses; and
- (4) Any other factor which, in the determination of the Welfare Division, may make the household particularly vulnerable to increases in the cost of natural gas or electricity.

7. The Welfare Division shall adopt regulations to carry out and enforce the provisions of this section and NRS 702.250.

8. In carrying out the provisions of this section, the Welfare Division shall:

- (a) Solicit advice from the Housing Division and from other knowledgeable persons;
- (b) Identify and implement appropriate delivery systems to distribute money from the Fund and to provide other assistance pursuant to this section;
- (c) Coordinate with other federal, state and local agencies that provide energy assistance or conservation services to low-income persons and, to the extent allowed by federal law and to the extent practicable, use the same simplified application forms as those other agencies;
- (d) Establish a process for evaluating the programs conducted pursuant to this section;
- (e) Develop a process for making changes to such programs; and

(f) Engage in annual planning and evaluation processes with the Housing Division as required by NRS 702.280.”.

Amend sec. 12, page 6, by deleting line 15 and inserting:

“(a) For calendar years ~~{2003 and 2004,}~~ **2005 and 2006**, not less than ~~{5}~~ **6** percent of”.

Amend sec. 12, page 6, by deleting line 18 and inserting:

“(b) For calendar years ~~{2005 and 2006,}~~ **2007 and 2008**, not less than ~~{7}~~ **9** percent of”.

Amend sec. 12, page 6, by deleting line 21 and inserting:

“(c) For calendar years ~~{2007 and 2008,}~~ **2009 and 2010**, not less than ~~{9}~~ **12** percent of”.

Amend sec. 12, page 6, by deleting line 24 and inserting:

“(d) For calendar years ~~{2009 and 2010,}~~ **2011 and 2012**, not less than ~~{11}~~ **15** percent”.

Amend sec. 12, page 6, by deleting line 27 and inserting:

“(e) For calendar years ~~{2011 and 2012,}~~ **2013 and 2014**, not less than ~~{13}~~ **18** percent”.

Amend sec. 12, page 6, line 30, by deleting “2013” and inserting “~~{2013}~~ **2015**”.

Amend sec. 12, page 6, line 31, by deleting “15” and inserting “~~{15}~~ **20**”.

Amend sec. 14, page 10, by deleting line 27 and inserting:

“this section must be deposited in the ~~{State General Fund,}~~ **Trust Fund for Renewable Energy and Energy Conservation.**”.

Amend the title of the bill, first line, after “energy;” by inserting:

“reducing the amount of certain administrative charges to which the Public Utilities Commission of Nevada is entitled from money collected for the universal energy charge; increasing the amount of certain administrative expenses available for use by the Welfare Division of the Department of

Human Resources for programs to assist eligible households in paying for natural gas and electricity;”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Under existing law, a specific percentage of the electricity sold by public utilities and other providers of electric service must be generated or acquired from certain types of renewable energy systems. This requirement is called the portfolio standard for renewable energy and energy from a qualified energy recovery process. (NRS 704.7801-704.7828) A provider may comply with the portfolio standard by using its own renewable energy systems to generate electricity, by entering into renewable energy contracts to purchase electricity from other parties or by acquiring credits under the system of renewable energy credits established by the Public Utilities Commission of Nevada. (NRS 704.7821)

This bill allows a provider to receive credits toward meeting the portfolio standard if the provider pays part of the costs for certain energy efficiency measures that save electricity. The provider may receive additional credits if the energy efficiency measures save electricity during periods when the demand for electricity is at its peak.

This bill also allows the Commission to adopt regulations establishing a temporary renewable energy development program to assist with the completion of new renewable energy projects which have contracts to supply electricity to providers under the portfolio standard. If a temporary renewable energy development program is established, this bill creates certain requirements and procedures for closing the program.

Under existing law, a provider that is a public utility may be required to enter into certain long-term contracts to comply with the portfolio standard. (NRS 704.7821)

This bill requires the Commission to adopt regulations establishing methods to classify the financial impact of such long-term contracts as additional imputed debt of the provider.

Under existing law, each retail customer who purchases natural gas or electricity for consumption in this State must pay a universal energy charge for the natural gas or electricity. (NRS 702.160) Existing law entitles the Public Utilities Commission of Nevada to collect an administrative charge of not more than 3 percent of the money collected for the universal energy charge. (NRS 702.170)

This bill decreases the amount of the administrative charge to which the Commission is entitled from 3 percent to 2 percent.

Finally, under existing law, 75 percent of the money deposited into the Fund for Energy Assistance and Conservation must be distributed to the Welfare Division of the Department of Human Resources for programs to assist eligible households in paying for natural gas and electricity. Existing law further authorizes the Welfare Division to use not more than 3 percent of that money for its administrative expenses in carrying out those programs. (NRS 702.260)

This bill increases the amount of those administrative expenses to not more than 7 percent.