

SENATE BILL NO. 339—COMMITTEE ON ENERGY,
INFRASTRUCTURE AND TRANSPORTATION

MARCH 23, 2009

Referred to Committee on Energy, Infrastructure and Transportation

SUMMARY—Requires the Colorado River Commission of Nevada to review and analyze available information, studies and reports to assess the feasibility of constructing a hydrokinetic generation project below Hoover Dam. (BDR 58-1150)

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 Colorado River Commission of Nevada to review and analyze available information, studies and reports to assess the feasibility of constructing a hydrokinetic generation project below Hoover Dam; requiring the Commission under certain circumstances to present its analysis to appropriate agencies of the Federal Government and request that those agencies determine whether to construct a hydrokinetic generation project below Hoover Dam; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the Colorado River Commission of Nevada to sell
2 electricity to certain customers without being subject to the jurisdiction of the
3 Public Utilities Commission of Nevada. (NRS 704.787) **Section 1** of this bill
4 requires the Colorado River Commission to review and analyze available
5 information, studies and reports to assess the feasibility of constructing a
6 hydrokinetic generation project below Hoover Dam to meet the existing and future
7 requirements of: (1) any customer that the Colorado River Commission was serving
8 or had a contract to serve on July 16, 1997; and (2) the Southern Nevada Water
9 Authority and its member agencies. **Section 1** additionally requires the Colorado
10 River Commission, if it determines that such a project is feasible, to present its
11 analysis to appropriate agencies of the Federal Government and request that those
12 agencies determine whether to construct a hydrokinetic generation project below
13 Hoover Dam.



14 **Section 2** of this bill requires the Colorado River Commission to report to the
15 Legislative Committee on Public Lands concerning the feasibility of constructing a
16 hydrokinetic generation project below Hoover Dam.

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

1 **Section 1.** NRS 704.787 is hereby amended to read as follows:
2 704.787 1. The Colorado River Commission of Nevada may
3 sell electricity and provide transmission service or distribution
4 service, or both, only to meet the existing and future requirements
5 of:

6 (a) Any customer that the Colorado River Commission of
7 Nevada on July 16, 1997, was serving or had a contract to serve; and

8 (b) The Southern Nevada Water Authority and its member
9 agencies for their water and wastewater operations,
10 ➔ without being subject to the jurisdiction of the Public Utilities
11 Commission of Nevada.

12 2. The Public Utilities Commission of Nevada shall establish a
13 just and reasonable tariff for such electric distribution service to be
14 provided by an electric utility that primarily serves densely
15 populated counties to the Colorado River Commission of Nevada
16 for its sale of electricity or electric distribution services, or both, to
17 any customer that the Colorado River Commission of Nevada on
18 July 16, 1997, was serving or had a contract to serve, and to the
19 Southern Nevada Water Authority and its member agencies to meet
20 the existing and future requirements for their water and wastewater
21 operations.

22 3. An electric utility that primarily serves densely populated
23 counties shall provide electric distribution service pursuant to the
24 tariff required by subsection 2.

25 4. *The Colorado River Commission of Nevada shall:*

26 (a) *Review and analyze available information, studies and*
27 *reports to assess the feasibility of constructing a hydrokinetic*
28 *generation project below Hoover Dam to assist in meeting any*
29 *existing or future requirements described in subsection 1; and*

30 (b) *If the analysis indicates that construction of such a*
31 *hydrokinetic generation project is feasible, present that analysis to*
32 *appropriate agencies of the Federal Government and request that*
33 *those agencies determine whether to construct a hydrokinetic*
34 *generation project below Hoover Dam.*

35 5. As used in this section:

36 (a) "Electric utility that primarily serves densely populated
37 counties" means an electric utility that, with regard to the provision
38 of electric service, derives more of its annual gross operating



1 revenue in this State from customers located in counties whose
2 population is 400,000 or more than it does from customers located
3 in counties whose population is less than 400,000.

4 (b) *“Hydrokinetic generation project” means a project that*
5 *generates electricity from waves or directly from the flow of water*
6 *in rivers, streams, channels and other inland waterways.*

7 (c) “Southern Nevada Water Authority” has the meaning
8 ascribed to it in NRS 538.041.

9 **Sec. 2.** The Colorado River Commission of Nevada shall, on
10 or before July 1, 2010, submit a report to the Director of the
11 Legislative Counsel Bureau for transmittal to the Legislative
12 Committee on Public Lands concerning the feasibility of
13 constructing a hydrokinetic generation project below Hoover Dam.

14 **Sec. 3.** This act becomes effective on July 1, 2009.

