

Amendment No. 195

Senate Amendment to Senate Bill No. 182

(BDR 58-286)

Proposed by: Senate Committee on Commerce, Labor and Energy**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"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

MSN/TMC



Date: 4/11/2011

S.B. No. 182—Makes various changes concerning renewable energy systems.
(BDR 58-286)



SENATE BILL NO. 182—SENATOR SCHNEIDER

FEBRUARY 21, 2011

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Makes various changes concerning renewable energy systems.
(BDR 58-286)

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 renewable energy; revising certain provisions governing the Solar Thermal Systems Demonstration Program; ~~[revising the prospective expiration dates of the Wind Energy Systems Demonstration Program and the Waterpower Energy Systems Demonstration Program; revising the capacity goals of the Wind Energy Systems Demonstration Program and the Waterpower Energy Systems Demonstration Program; requiring the Public Utilities Commission of Nevada to establish categories of participation in the Waterpower Energy Systems Demonstration Program for mining uses, municipalities and Indian tribes and tribal organizations;]~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~[This bill revises various provisions governing incentive programs for renewable energy.]~~
Section 1 of this bill revises provisions governing the Solar Thermal Systems Demonstration Program to remove the requirement that each solar thermal system have a meter or other measuring device installed. ~~[In addition, section 1 requires the Public Utilities Commission of Nevada to adopt regulations which identify the classifications and subclassifications of licenses which an installer must hold to install solar thermal systems pursuant to the Solar Thermal Systems Demonstration Program.]~~ **Section 2** of this bill revises provisions governing the performance certifications which must be obtained to establish eligibility for a rebate from **a utility under** the Solar Thermal Systems Demonstration Program.

~~[Section 3 of this bill increases the capacity goal for the Wind Energy Systems Demonstration Program from 5 megawatts of installed capacity by 2012 to 25 megawatts of installed capacity by 2016. Section 5 of this bill increases the capacity goal for the Waterpower Energy Systems Demonstration Program from 500 kilowatts of installed capacity by 2012 to 20 megawatts of installed capacity by 2016.]~~

~~The Waterpower Energy Systems Demonstration Program was established for agricultural uses. (NRS 701B.820) Section 4 of this bill additionally requires the Commission to establish categories of participation in the Waterpower Energy Systems Demonstration Program for: (1) mining uses by operators of mines that are customers of a public utility which supplies electricity in this State; (2) municipalities that are customers of a public utility which supplies electricity in this State; and (3) Indian tribes or tribal organizations that are customers of a public utility which supplies electricity in this State.~~

~~Sections 6 & 8 of this bill revise the prospective expiration dates of the Wind Energy Systems Demonstration Program and the Waterpower Energy Systems Demonstration Program from June 30, 2011, to June 30, 2013.~~

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

Section 1. NRS 701B.336 is hereby amended to read as follows:

701B.336 1. The Commission shall establish the Solar Thermal Systems Demonstration Program to carry out the intent of the Legislature to promote the installation of at least 3,000 solar thermal systems in homes, businesses, schools and other governmental buildings throughout this State by 2019.

2. The Demonstration Program must have four categories of participants as follows:

- (a) School property;
- (b) Public and other property;
- (c) Private residential property; and
- (d) Small business property.

3. To be eligible to participate in the Demonstration Program, a person must:

- (a) Apply to a utility on a form prescribed by the Commission;
- (b) Meet the qualifications established pursuant to subsection 5 and be approved by the utility;

(c) When installing a solar thermal system, use an installer who has been issued ~~the appropriate [subclassification] license~~ by the State Contractors' Board; ~~[pursuant to the regulations adopted by the Board]; [with a classification and subclassification which have been determined by the Commission pursuant to subsection 5 to be appropriate for installing solar thermal systems pursuant to the Demonstration Program];~~ and

(d) If the person participates in the category of school property or public and other property, provide for the public display of the solar thermal system, including, without limitation, providing for public demonstrations of the solar thermal system and for hands-on experience of the solar thermal system by the public.

4. The utility shall notify each applicant who is approved to participate in the Demonstration Program not later than 10 days after the approval.

5. The Commission shall adopt regulations which must include, without limitation, provisions which:

(a) Establish the qualifications an applicant must meet to qualify to participate in the Demonstration Program.

(b) Establish specifications for the design, installation, energy output and displacement standards of the solar thermal systems that qualify for the Demonstration Program.

(c) Require that the components of any solar thermal system be new and unused.

(d) Require that any solar thermal collector have a warranty against defects and undue degradation of not less than 10 years.

(e) Require that a solar thermal system be installed in a building which is connected to the existing distribution system of a utility in this State.

(f) ~~Require that a solar thermal system have a meter or other measuring device installed to monitor and measure the performance of the system and the quantity of energy generated or displaced by the system.~~

1 ~~—(e)~~ Require that a solar thermal system be installed in conformity with the
2 manufacturer's specifications and all applicable codes and standards.

3 ~~[(b)]~~ (g) Establish siting and installation requirements for solar thermal systems
4 to ensure efficient and appropriate installation and to promote maximized
5 performance of such systems.

6 ~~[(h) Identify the classifications and subclassifications of licenses issued by the
7 State Contractors' Board which the Commission determines are appropriate for
8 installing solar thermal systems pursuant to the Demonstration Program.]~~

9 6. As used in this section, "applicant" means a person who applies to the
10 utility to participate in the Demonstration Program.

11 **Sec. 2.** NRS 701B.342 is hereby amended to read as follows:

12 701B.342 1. The Commission shall adopt regulations establishing program
13 milestones and a rebate program for a participant who installs a solar thermal
14 system. The rebates provided by ~~the Commission~~ a utility pursuant to this
15 section must:

16 (a) Decline over time as the program milestones are reached;

17 (b) Be structured to reduce the cost of solar thermal systems; and

18 (c) Be based on the actual energy savings or predicted energy savings of the
19 solar thermal system as determined by the Commission.

20 2. The regulations must require that to be eligible for a rebate pursuant to the
21 Demonstration Program, a solar thermal system must have received an OG-100 or
22 OG-300 performance certification from the Solar Rating and Certification
23 Corporation ~~or any other performance certification approved by the~~
24 Commission.

25 3. In determining the amount of the rebates provided through the
26 Demonstration Program, the Commission shall consider any federal tax credits and
27 other incentives available to participants.

28 **Sec. 3.** ~~NRS 701B.590 is hereby amended to read as follows:~~

29 ~~701B.590 The Commission shall adopt regulations necessary to carry out the
30 provisions of the Wind Energy Systems Demonstration Program Act, including,
31 without limitation, regulations that establish:~~

32 ~~1. The capacity goals for the Program, which must be designed to meet the
33 goal of the Legislature of the installation of not less than [5] 25 megawatts of wind
34 energy systems in this State by [2012] 2016 and the goals for each category of the
35 Program;~~

36 ~~2. A system of incentives that are based on rebates that decline as the capacity
37 goals for the Program and the goals for each category of the Program are met. The
38 rebates must be based on predicted energy savings;~~

39 ~~3. The procedure for claiming incentives, including, without limitation, the
40 form and content of the incentive claim form.] (Deleted by amendment.)~~

41 **Sec. 4.** ~~NRS 701B.820 is hereby amended to read as follows:~~

42 ~~701B.820 1. The Waterpower Energy Systems Demonstration Program is
43 hereby created.~~

44 ~~2. [The Waterpower Demonstration Program is created for agricultural uses;~~

45 ~~3.] To be eligible to participate in the Waterpower Demonstration Program, a
46 person must meet the qualifications established pursuant to subsection [4.] 3, apply to
47 a utility and be selected by the utility for inclusion in the Waterpower
48 Demonstration Program;~~

49 ~~[4.] 3. The Commission shall adopt regulations providing for the
50 qualifications an applicant must meet to qualify to participate in the Waterpower
51 Demonstration Program. The regulations must establish categories of
52 participation in the Waterpower Demonstration Program for:~~

53 ~~(a) Agricultural uses;~~

~~(b) Mining uses by operators of mines that are customers of a utility;~~
~~(c) Municipalities that are customers of a utility; and~~
~~(d) Indian tribes and tribal organizations that are customers of a utility.]~~
(Deleted by amendment.)

Sec. 5. ~~[NRS 701B.840 is hereby amended to read as follows:~~

~~701B.840 The Commission shall adopt regulations that establish:~~

~~1. The capacity goals for the Program, which must be designed to meet the goal of the Legislature of the installation of not less than [500 kilowatts] 20 megawatts of waterpower energy systems in this State by [2012] 2016 and the goals for each category of the Program;~~

~~2. A system of incentives that are based on rebates that decline as the capacity goals for the Program and the goals for each category of the Program are met. The rebates must be based on predicted energy savings;~~

~~3. The procedure for claiming incentives, including, without limitation, the form and content of the incentive claim form.]~~ **(Deleted by amendment.)**

Sec. 6. ~~[Section 113 of chapter 509, Statutes of Nevada 2007, at page 2099, is hereby amended to read as follows:~~

~~Sec. 113. 1. This act becomes effective:~~

~~(a) Upon passage and approval for the purposes of adopting regulations and taking such other actions as are necessary to carry out the provisions of this act; and~~

~~(b) For all other purposes besides those described in paragraph (a):~~

~~(1) For this section and sections 1, 30, 32, 36 to 46, inclusive, 49, 51 to 61, inclusive, 107, 109, 110 and 111 of this act, upon passage and approval;~~

~~(2) For sections 1.5 to 29, inclusive, 43.5, 47, 51.3, 51.7, 108, 112 and 112.5 of this act, on July 1, 2007;~~

~~(3) For sections 62 to 106, inclusive, of this act, on October 1, 2007;~~

~~(4) For sections 31, 32.3, 32.5, 32.7, 33, 34 and 35 of this act, on January 1, 2009;~~

~~(5) For section 48 of this act, on January 1, 2010;~~

~~(6) For section 50 of this act, on January 1, 2011;~~

~~2. Sections 62 to 106, inclusive, of this act expire by limitation on June 30, [2011.] 2013.]~~ **(Deleted by amendment.)**

Sec. 7. ~~[Section 13 of chapter 246, Statutes of Nevada 2009, at page 1002, is hereby amended to read as follows:~~

~~Sec. 13. 1. This act becomes effective on July 1, 2009;~~

~~2. Sections 2 and 3 of this act expire by limitation on June 30, [2011.] 2013.]~~ **(Deleted by amendment.)**

Sec. 8. ~~[Section 21 of chapter 321, Statutes of Nevada 2009, at page 1410, is hereby amended to read as follows:~~

~~Sec. 21. 1. This section and sections 1 to 1.51, inclusive, 1.55 to 19.7, inclusive, and 19.9 to 20.9, inclusive, of this act become effective upon passage and approval;~~

~~2. Sections 1.51, 1.85, 1.87, 1.92, 1.93, 1.95, 4.3 to 9, inclusive, and 19.4 of this act expire by limitation on June 30, [2011.] 2013;~~

~~3. Sections 1.53 and 19.8 of this act become effective on July 1, [2011.] 2013.]~~ **(Deleted by amendment.)**

Sec. 9. The Public Utilities Commission of Nevada shall adopt ~~the~~ **any** regulations necessary to carry out the provisions of this act on or before December 31, 2011.

Sec. 10. ~~[1. This section and sections 6 to 9, inclusive, of this act become effective upon passage and approval;~~

1 ~~2. Sections 1 to 5, inclusive, of this act become~~ **This act becomes** effective
2 ~~[upon passage and approval for the purposes of adopting regulations and]~~ on July 1,
3 2011. ~~[, for all other purposes.]~~
4 ~~3. Sections 3, 4 and 5 of this act expire by limitation on June 30, 2013.]~~