

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Seventy-Seventh Session  
March 11, 2013**

The Committee on Commerce and Labor was called to order by Chairman David P. Bobzien at 1:39 p.m. on Monday, March 11, 2013, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [nelis.leg.state.nv.us/77th2013](http://nelis.leg.state.nv.us/77th2013). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman David P. Bobzien, Chair  
Assemblywoman Marilyn K. Kirkpatrick, Vice Chair  
Assemblywoman Irene Bustamante Adams  
Assemblywoman Maggie Carlton  
Assemblyman Skip Daly  
Assemblywoman Olivia Diaz  
Assemblyman John Ellison  
Assemblyman Jason Frierson  
Assemblyman Tom Grady  
Assemblyman Ira Hansen  
Assemblyman Crescent Hardy  
Assemblyman James W. Healey  
Assemblyman William C. Horne  
Assemblyman Pete Livermore

**COMMITTEE MEMBERS ABSENT:**

Assemblyman James Ohrenschall (excused)



**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Kelly Richard, Committee Policy Analyst  
Leslie Danihel, Committee Manager  
Linda Conaboy, Committee Secretary  
Olivia Lloyd, Committee Assistant

**OTHERS PRESENT:**

Marybel Batjer, Vice Chairwoman, Colorado River Commission of Nevada  
Jayne Harkins, Executive Director, Colorado River Commission of Nevada  
Ann C. Pongracz, Senior Deputy Attorney General, Colorado River  
Commission of Nevada  
Judy Stokey, representing NV Energy  
Donald J. Lomoljo, Utilities Hearings Officer, Public Utilities Commission  
of Nevada  
Anne-Marie Cuneo, Directory of Regulatory Operations, Public Utilities  
Commission of Nevada  
Daniel O. Jacobsen, Technical Staff Manager, Bureau of Consumer  
Protection, Office of the Attorney General  
Barry Gold, representing AARP Nevada  
Herbert E. Randall, Ed.D., Forum President, Nevada Silver Haired  
Legislative Forum  
Lucy Peres, Silver Senator, Nevada Silver Haired Legislative Forum  
Jonathan Friedrich, Private Citizen, Las Vegas, Nevada  
Robert E. Frank, Private Citizen, Las Vegas, Nevada  
Samuel S. Crano, Assistant Staff Counsel, Public Utilities Commission  
of Nevada

**Chairman Bobzien:**

[The roll was taken, and a quorum was present.] I would like to begin our  
hearing on Assembly Bill 199.

**Assembly Bill 199:** Revises provisions governing the sale of electricity and  
provision of transmission service and distribution service by the Colorado  
River Commission of Nevada. (BDR 58-206)

**Marybel Batjer, Vice Chairwoman, Colorado River Commission of Nevada:**

Governor Kenny Guinn appointed me to the Colorado River Commission (CRC) of Nevada. I appreciate the opportunity to participate in the public service provided by the staff of this agency as they carry on their responsibilities to hold and protect the rights of Nevada to its share of Colorado River water and power; to represent the state before federal, interstate, and international bodies addressing a wide range of issues affecting the management and operation of the river; and participate in programs that protect the environmental health of the Colorado River, including the Lower Colorado River Multi-Species Conservation Program, the Glen Canyon Adaptive Management Program, the Colorado River Basin Salinity Control Forum, and the Lake Mead Water Quality Forum.

I would like to explain the role of the CRC as the public power agency. Across the nation, public power agencies like the CRC provide electrical power. Unlike investor-owned private power companies, public power providers like the CRC are public service institutions and do not serve stockholders. Instead, public power agencies are operated by local and state governments to provide reliable, responsive, not-for-profit electric service. Public power agencies are accountable to the people they serve. The CRC is funded solely by its customers, receives no general revenue funds, and like other public power agencies around the country is governed under its own authorizing statutes and not subject to the type of Public Utilities Commission (PUC) regulations applied to the investor-owned utilities. I have seen this work well at the CRC. It is my responsibility to review proposed services, service facilities, and rates and budgets after the CRC staff has reviewed them. The CRC staff provides reliable, customer-focused electric power service with a strong environmental protection record of accomplishment for customers such as Boulder City, Lincoln County and Overton Public Power Districts, the Southern Nevada Water Authority and its member agencies, and the Black Mountain Industrial Complex near Henderson ([Exhibit C](#)).

I know that the CRC staff works hard to serve these customers. There are 34 people to carry out all of the water, power, and environmental functions. The CRC's entire hydro department has four people to carry out all of the agency's responsibilities for not only Hoover power but also for the power from other federal hydro projects, including Parker, Davis, and Glen Canyon Dams.

Jayne Harkins, the CRC executive director, will speak with you about the agency's responsibilities under the federal Hoover Power Allocation Act (HPAA), of 2011 ([Exhibit D](#)) and the reasons it is important to enact A.B. 199. Ms. Harkins came to the CRC from a career with the United States Bureau of Reclamation, where she served as the deputy regional director and where her

duties included management of the staff that operates Hoover Dam. Ms. Harkins has a strong background in Colorado River water and power issues.

**Jayne Harkins, Executive Director, Colorado River Commission of Nevada:**

The CRC holds and protects the rights of Nevada to its share of Colorado River water and power under the state and federal law and contracts and represents the state before federal agencies and other countries in a wide range of issues affecting the management and operation of the river.

Assembly Bill 199 is needed because the CRC's broad statutory authority under *Nevada Revised Statutes* (NRS) Chapter 538 is qualified by NRS 704.787, which identifies the power customers the CRC may currently serve without being subjected to the jurisdiction of the PUC. The bill proposes to add to this list the new customers who will receive Hoover power pursuant to the HPAA. The authority granted by A.B. 199 is completely consistent with the duties the CRC has always performed. The CRC supports enactment of A.B. 199 so we can ensure that the maximum quantity of hydropower resources available from Hoover Dam continues to flow into southern Nevada, as has occurred for the past three-quarters of a century.

On Friday, March 8, the CRC received draft amendments proposed by NV Energy. With the limited time available, we see that these draft amendments are overly broad, completely inappropriate to Hoover power, and likely to add so many charges to the price of Hoover hydropower that there would be no benefit to customers from receiving this resource. We are also concerned to see such a wide-ranging amendment at the last moment, prior to submission of testimony, when the CRC staff has been attempting to address these issues with NV Energy in meetings conducted since late last summer. [Read from prepared text ([Exhibit E](#)).]

[Ms. Harkins submitted a handout on 2011 HPAA ([Exhibit D](#)). She read from prepared text ([Exhibit E](#)) and submitted handouts on statute ([Exhibit F](#)), news statements by U.S. Senator Harry Reid and Congressman Joe Heck ([Exhibit G](#)), and Hoover contract capacity charts ([Exhibit H](#)).]

**Chairman Bobzien:**

You are in opposition to the amendment, correct?

**Jayne Harkins:**

Yes.

**Assemblywoman Kirkpatrick:**

In section 1, subsection 2, what is a "reasonable tariff"? I am concerned about who will benefit from this. It does not sound as if people who are within the service territory of NV Energy will see a benefit. I do not know anyone in urban Clark County who would benefit from those rates. Who are you selling it to?

**Jayne Harkins:**

Let us talk about who we are selling it to first. We have been using NV Energy because they have the wires to many places that we serve. If they do not, we then could build that transmission. Within NV Energy's service territory we have been thinking that NV Energy would supply that transmission service and the PUC would set the distribution. The CRC can market the Hoover power within portions of the state's six southern counties—Clark, Nye, Mineral, Esmeralda, Lincoln, and White Pine. People we are looking at, and those we have done outreach to and who have shown an interest, include irrigation districts, Nye County, and school districts. It can be state governmental entities, counties, or political subdivisions—these are the types of people who have expressed an interest. We have attempted to do outreach with them because the Western Area Power Administration (WAPA) has started the process for allocating their 69 megawatts, and we want Nevada participants to be ready and able to go into their process, which should be in early summer of 2013.

**Assemblywoman Kirkpatrick:**

In the past, it has been hard to get information to understand this. My constituents want to know why people in Boulder City get one-third of the rates that they get. I tried for two sessions to get information and it was impossible. If you are not under the auspices of the PUC, how does anyone receive information? How do we stay on top of those rates? Who oversees you?

**Jayne Harkins:**

We have a number of bosses, as I see it. We have a seven-member commission to which I report. The Commission meets publicly and sees that all of the decisions are made through the commissioners, four of whom are appointed by the Governor. In this particular process, they will be making the decision on who will get the Hoover power allocations. They will make that allocation based on statute and what is best for the state.

The other piece is our customers. They see our budget and review it before it goes to the commission and before it is submitted to the Governor's Office. When it comes to what is happening in the organization and in regard to our budget, our customers help us to define and oversee these things.

**Ann C. Pongracz, Senior Deputy Attorney General, Colorado River Commission of Nevada:**

I am responsible for providing advice and support to the Colorado River Commission. I have worked closely with Jayne and her staff to design the proceedings that the CRC conducts and which I believe would accomplish your objectives, Assemblywoman Kirkpatrick. The CRC plans to hold three regulatory proceedings as part of their process to allocate power. First will be an allocation criteria proceeding, where anyone who is interested and is in the market area can advise the CRC on what criteria it should apply. Second, there is a rule-making docket to incorporate the decision into the criteria proceedings so everyone knows that they are eligible. Finally, there is an allocation proceeding. As the CRC staff has been preparing to engage in these proceedings, they have done extensive outreach. For example, they have conducted workshops with the Nevada League of Cities and Municipalities and the Nevada Association of Counties in an attempt to inform as many people as possible in the communities within the market area. My impression is that work will continue throughout these regulatory proceedings and that they will all be open, public processes. Is that correct?

**Jayne Harkins:**

Yes, that is correct.

**Assemblywoman Kirkpatrick:**

I heard about this last summer, because of your outreach. However, those are potential customers; you were not reaching out for the good of the state as much as you are reaching out to potential customers. In section 1, subsection 1, paragraph (c), I thought everyone supported this and that we must have that section.

**Jayne Harkins:**

Yes. Section 1, subsection 1, paragraph (c) says that we can sell electricity and provide transmission to our current customers, the Southern Nevada Water Authority (SNWA), and its member agencies. In addition, it is looking at those new customers who we will gain from the resource pool under the Hoover Power Allocation Act.

**Assemblywoman Kirkpatrick:**

What happens if SNWA goes solely with you? That has been a concern in Laughlin for some time. They wonder how that will help a new solar plant come on line. They were going to have their own water resources there, and it appears that this allows them to do that. What happens to everyone's rates when some of these agencies, such as SNWA, come off the overall pool?

**Jayne Harkins:**

Southern Nevada Water Authority already has a Hoover allocation, so they would not be eligible for an allocation under this resource pool. Not all of our current customers, who have Hoover allocations are eligible for this pool. What Congress asked folks to do was to take the 5 percent pool and give the benefit to those who currently do not have it. It would not be SNWA. Some of the member agencies in North Las Vegas could make the request and apply, as could other governmental agencies. They could get the benefit after submitting an application. I do not know what Senator Joe Hardy, whom you mentioned earlier, was offering last session. I will have to check on that to gain a better understanding about what he was proposing in the last session and how Hoover power fits into that.

**Assemblywoman Kirkpatrick:**

When the current governmental agencies go off the regular base, do ratepayers' rates go up?

**Jayne Harkins:**

That is a part of NV Energy's concern, I think. We are not trying to impact any other rates. Although we have requested that information, we have never received it, and we want to understand their concerns. If you say a certain piece will be removed from NV Energy's service area, I do not think that all of the 69 megawatts that WAPA has will come to Nevada; it will be divided among the three states. The CRC has 11.5 megawatts, which can be allocated among six counties. I do not think it will all be within NV Energy's service area. Most likely, it will be spread out among all of those areas. When you look at this small quantity compared to NV Energy's entire service area, I do not know if it has an impact, but I think it needs to be examined with the PUC in an attempt to understand if there is enough change in rates to make an impact. Whether it is a negligible amount, or whether it is something that should be considered, I think that is part of NV Energy's concerns.

**Assemblywoman Kirkpatrick:**

In my world, if something changes, it changes how much I now need to charge everyone else to make up the difference. That is why I ask. Anytime that you change things, someone is impacted. The consumer is supposed to win; however, I do not see that. If the PUC needs to look at and how it should work, you would not be required to come before the PUC.

**Jayne Harkins:**

The CRC has never fallen under the jurisdiction of the PUC. We are a state agency. The PUC is there to balance the interests of the customers and the

shareholders. The CRC does not have shareholders; we are not a for-profit entity.

**Assemblywoman Kirkpatrick:**

This would allow you to be a full-blown utility because you are expanding your scope and your customer base. That is the difference.

**Jayne Harkins:**

We buy and sell electricity, and we bring hydropower in from the four dams on the river, including Hoover Dam. We bring that into the state by contract, and we sell to our current customer base, which falls under different contracts and time frames. From that, this will take a piece of Hoover power that we had and redistribute it among new customers.

**Assemblywoman Kirkpatrick:**

Page 3, line 6 says "to any customer," so we are expanding your base when currently you do not have the liberty to do that. That is my concern. There is nothing here that says there are a specific number of megawatts you will use. I also know that in the Assembly Ways and Means Committee, you were asking for a different variable. I would like to be clear on what you are trying to do. The other part of this is on page 3, line 25 and 26, which broadly states that regulations will be adopted. We need to understand what we need to do.

**Jayne Harkins:**

*Nevada Revised Statutes* (NRS) Chapter 538 gives us the broad ability to buy and sell electricity and to build transmission lines, while NRS 704.787 limits our customer base to its current boundaries. What we are doing by way of the Hoover Power Allocation Act is specific. The CRC gets 11.51 megawatts to reallocate. We can get a portion of the 69 megawatts, which is all the additional we are bringing in. Although it is not in this amendment, we are qualified and restricted by the amount of megawatts available from the Hoover Power Allocation Act. It is limited by the total availability from Hoover Dam.

**Ann Pongracz:**

Looking at the language from a technical perspective, in section 2, line 6, on page 3, I want to point out, for the record, the phrase "to any customer" is an existing law, and not something that is changing as a result of this amendment. The entire section 2 was initially put into the statute several sessions ago in order to create a mechanism under which Nevada Power could deliver power to the CRC's existing customers and be compensated. The use of the term "any customer" is included in the existing law to make sure that Nevada Power



has the opportunity to deliver power and to be paid to deliver power by that customer for the customers who are already listed in the statute.

**Assemblyman Hardy:**

By going forward with this bill, what effect does that have on NV Energy? Now, they are mandated to deal with certain renewable energies. Does that waive your right to do the same? This is confusing to me.

**Jayne Harkins:**

This bill does not change the renewable portfolio standard (RPS) in Nevada. Under the current *Nevada Revised Statutes*, only NV Energy has the RPS. Other public entities and electrical utilities such as the CRC do not have to comply with that RPS statute. This is not changing that in any way.

**Assemblyman Hardy:**

Why is it that others do not have to meet that same RPS standard?

**Jayne Harkins:**

If we want to look at something like that, I can tell you what the impact would be. We would have to understand what that might look like. None of the public utilities has been required, under Nevada statute, up to this time to be under a RPS.

**Chairman Bobzien:**

Ms. Harkins, you have hydropower, which is your allocation.

**Jayne Harkins:**

Yes, we have hydropower, which is what we bring into the state. It is a bit of an apples and oranges discussion.

**Assemblywoman Carlton:**

I think some of the discussions we had in the Senate Commerce and Labor Committee a decade ago, when we were talking about the RPS, concerned the inclusion of hydropower within Nevada. There was the fear that the larger utilities would get their hydropower from Hoover Dam, and it would not jump-start the solar, geothermal, and all the other renewable energy sources within the state. The goal was to eliminate hydropower, since we were 100 percent there already, and get into some of the other renewables in the state.

I would like to give this Committee a bit of history on behalf of the Legislative Committee on Public Lands, which received this presentation at its water meeting in southern Nevada with many other entities in attendance. There was

no opposition to the bill at that meeting or at the work session when we processed the bill. Things did arise afterwards. I gave instructions to the Legal Division and to the CRC that I did not want any significant changes, as the committee chair made, because it would not be what the committee had voted on. Any changes that were called for needed to come to us to make a decision. I was not comfortable taking a vote from my Committee on Public Lands on one issue and then having another bill processed here before you. I believe that is the reason why amendments have not been dealt with up until this time. You can lay that blame on me, because I did not feel it was appropriate for the entity to be rearranging the legislation after a committee had already voted on sending it to the full Legislature.

I think they have done a good job trying to address some of the problems and inconsistencies, and I think there is still some debate left about service territory and how we will address that. I believe any new customer they get will receive a cheaper form of power. It will be 100 percent renewable. There are two good things that can be acquired by someone in the state if they choose to do it, but there is no guarantee that anyone will take them up on it. There is no guarantee that power will come to us.

**Assemblyman Livermore:**

On page 3 of the bill, the top two lines state: "The Public Utilities Commission of Nevada shall establish a just and reasonable tariff for the electric distribution service". Can you give me some idea of what that might look like?

**Ann Pongracz:**

We have worked with this section of the statute for a number of years. It requires the PUC to establish the tariff. That is an existing legal requirement. The way it has worked is that, as a customer takes certain services from the CRC, an arrangement needs to be made between the customer and Nevada Power for that transition. Nevada Power then does a calculation to estimate what it may have been losing that it had anticipated to earn from that customer into the near future. That calculation is then incorporated into the calculation of an exit fee that is applied to the customer who chooses to receive certain services from the CRC. Once the parties come to agreement on what that fee should be, or what is acceptable, a contract is filed with the PUC and signed by the customer, the CRC, and Nevada Power. That contract is then presented to the PUC for their approval. It is a technical process that people have to go through, but it is all laid out procedurally with the PUC.

**Assemblyman Livermore:**

I am attempting to protect the consumer.

**Ann Pongracz:**

When people are involved in regulatory processes, there are questions about whether all of the costs that are included in various calculations should be included. It might be more appropriate, since this is a fee paid to Nevada Power, for that question to be directed to them. They have more detail on those calculations.

**Assemblyman Ellison:**

What happens if this bill was not passed the way it is presented or without the amendment? What would that trigger and what would happen then?

**Jayne Harkins:**

My biggest concern now is the 69 megawatts that is sitting with WAPA. They continue to ask if we can take on new customers. The way the federal legislation reads is that non-tribal customers who get an allocation from WAPA will become customers of the CRC. We will take those entities, and they will dictate to us who they are. My concern is that they will look at it and say we cannot take these customers on, and we do not want to wait for another legislative session, so they may give the allocations to Arizona and California.

**Assemblywoman Bustamante Adams:**

I do not think this would affect my constituents because it is to serve densely populated counties, is that correct? That is what page 3, line 28 refers to, is that correct?

**Ann Pongracz:**

Assembly Bill 199 would give the CRC authority to provide services to those who receive new allocations. If they were in a densely populated area, they would be subject to some additional requirements. That is the only relevance of that reference to densely populated areas. The CRC agreed to include that language in order to respond to concerns expressed by NV Energy. They asked the CRC if they could have the opportunity to deliver Hoover power to customers within their service territory, which is the service territory for densely populated areas. They wanted to be compensated for it in a certain fashion. Customers in densely populated areas are as eligible to receive proof of power under this bill as any other customer in the six counties within the market area administered by WAPA.

**Assemblywoman Bustamante Adams:**

My constituents would have to apply to become a customer, and then they would have to work through NV Energy to get that power delivered, is that correct?

**Jayne Harkins:**

Yes, they would have to apply to the CRC. The CRC would then go through the process and make a decision. If that entity were chosen to receive an allocation, we would work on those contracts to get the allocation from Hoover power. They would then have to go to NV Energy to get the transmission portion taken care of.

**Chairman Bobzien:**

Are there additional questions for the panel? [There was no response.] Do we have anyone else in favor of the bill? [There was no response]. We will now hear the opposition.

**Judy Stokey, representing NV Energy:**

I do not like coming to the table opposing this bill; we like the bill and understand that Nevada needs to get this 11 megawatts, if not more. We would like to get as much as possible. The state gave up 11 megawatts, and we want to get as much of that back to residents as we can.

We are opposed to it because we think there needs to be more clarification. Some of the questions and concerns that Committee members have addressed are our concerns. We have been working with the CRC, we have worked in past with them, and we are one of their customers. We have had a good relationship. Prior to this session, we discussed this bill and some amendments, in an attempt to make some of the clarifications necessary to make sure that our remaining customers, who do not get a portion of the 11 megawatts, are protected. There are some mandated costs that NV Energy customers pay, such as the universal energy charge, the renewable energy rebate program, the RPS, and other mandated items. If some of our customers leave the system to go with the CRC, we want to make sure that the remaining customers are not picking up the balance of those costs.

I will go through the amendment. [She read from the proposed amendment ([Exhibit I](#))].

In section 1, of paragraph (c), we would like to remove this language and move it to a separate section. Section 1, page 3, line 16, is the location where we like to add the new section, which would be section 4. This would clarify some of the concerns that the Committee members have had, as well as some of the things Ms. Harkins mentioned. Additionally, WAPA discussed having a minimum of 1 megawatt of load. You must have a contract with each entity; if you had a small allotment, you can imagine how many contracts you would be dealing with. It is a big administrative burden. Each time we had a new

contract, we would have to take it to the PUC, which involves extra administration. We thought the 1 megawatt load would be preferable.

The amendment rewords some of the CRC language. I had a discussion with CRC representatives earlier, and I think their intent has been not to be in competition with NV Energy and become a public utility. However, I want to clarify the language in the bill. In the areas of transmission and distribution, they thought we were being restrictive and that we were attempting to mandate that they could not offer distribution of transmission services to any of their customers throughout the state. That is not our intent. We want to limit their transmission distribution in our service territory. We would like to work with them to narrow that language.

Section 1, subsection 1, paragraph (c) refers to the transmission and distribution, which we would like to clarify. Section 5 refers to customer costs. We address the extra costs involved with remaining customers who would be responsible for the costs of the customers who leave. We do not have an analysis of what those costs would be, but we have discussed this many times. We do not know if it will be 11 megawatts, 69 megawatts, or a total of that. However, when a customer leaves and does not pay the amount going forward, it is a number that will be left to remaining customers. What we are asking is that customers be taken care of, that they will not be charged for customers who leave the system, and that we have a level playing field to protect our customers.

**Assemblywoman Kirkpatrick:**

How much transmission is possible with 11 megawatts? We like to use smaller venues to help with the feeder lines, but is this meant to keep your existing lines in place? In the overall picture, 11 megawatts is not a large amount.

**Judy Stokey:**

You are right, 11 megawatts is not much. However, we do not know what the final amount will be. Hopefully, we will receive some of the 69 megawatts the WAPA will allocate, plus the 11 megawatts; however, we do not know where that will be delivered. We do not believe our customers will want two transmission lines running down the street. We think we should be delivering that product within our service territory.

**Assemblywoman Kirkpatrick:**

My hope is that there will be a process. I have spent all summer working with the cooperatives because they have small feeder lines, which helps the longer lines do better. For instance, Nye County has ten miles' worth of service in order to get some of the bigger transmission lines. For me, it is not meant to

cut them out completely, and I do not want to see two service lines running down the street either. You make a good point about removing someone from your system and making fewer dollars available.

**Assemblywoman Carlton:**

Years ago, when we were discussing entities leaving the system—mostly the mines in northern Nevada—we set up an exit strategy for them to leave so that we could protect the urban areas from an undue increase in load. We know you service them. Alternatively, if a school district left, there would be a short-term problem because you generate electricity, but you also have to go to the spot market to get it sometimes. A year from now you could adjust for that, but in the immediate future, you could not. What in the existing exit structure would we need to change to make sure that we can hold the ratepayers harmless, so where they would not be penalized as much?

**Judy Stokey:**

With Assembly Bill No. 661 of the 71st Session, the exit strategy for customers to leave our system was put into place. It establishes an exit strategy and fees so that existing customers do not pay when other customers leave the system. There was a size limitation, a megawatt or more, but there were also major PUC hearings and investigations to make sure that those fees would be charged and captured before they left, so other customers would not be harmed.

**Assemblywoman Carlton:**

Those policies and procedures are in effect now, is that correct?

**Judy Stokey:**

Yes.

**Assemblywoman Carlton:**

The ratepayer has some level of protection when it comes to the possibility of a small municipality leaving the system. It is a long process; it does not happen instantly.

**Judy Stokey:**

If customers leave under A.B. No. 661 of the 71st Session, the law now says they could also leave under Senate Bill No. 211 of the 71st Session, which was the wastewater and water bill. If they did this, they would not necessarily be required to pay the exit fees. We want to make sure that it is clarified in statute that there is an exit strategy and that those exit fees would be paid.

**Assemblywoman Carlton:**

I think that is valid point. This should be a long, well thought-out, process for people to be able to do this and not simply jump. As far as the transmission goes, I thought we had already set up the statutes to cover this using a basic formula.

**Judy Stokey:**

If they were to run over our lines, that is okay. However, if they wanted to build their own or additional lines, that is the situation that we are attempting to clarify.

**Assemblywoman Carlton:**

I do not think I have heard anyone mention anything about building transmission lines. It is a difficult thing to do. We have waited many years to get a line from the north to the south.

**Chairman Bobzien:**

Are there any further questions for Ms. Stokey? [There were none.] Is there anyone else who opposes this bill? [There was no response]. Is anyone here to testify in the neutral position? We have people here from the PUC.

**Assemblywoman Carlton:**

I want to make sure the Committee understands the discussion and the concerns that we have. We are not sure what is in statute that can be used. We would like to better understand the Commission's viewpoint what you have heard today, and we would like you to clarify this for us.

**Donald J. Lomoljo, Utilities Hearings Officer, Public Utilities Commission of Nevada:**

Over the years the Public Utilities Commission has processed a number of contracts related to "211" exits (referring to Senate Bill No. 211 of the 71st Session) that Ms. Stokey referenced. Ms. Cuneo can walk you through some of that process.

**Anne-Marie Cuneo, Directory of Regulatory Operations, Public Utilities Commission of Nevada:**

There is a way to structure a required tariff under this statute to protect consumers. The way the PUC has done that, pursuant to NRS Chapter 704, is through an analysis of what their system would look like with and without the customer. Staff reviews it, adjusts it, and decides what we think the impact will be, both positive and negative. If it were positive for the customer to leave, there would be no exit charge. If it were a negative impact, we would recommend a charge to cover the exit. We have done reviews in the past, and

exit fees can be wide ranging, from minimal to substantial, depending upon when the customer left and what kind of load there was. I think, with some work, it will be possible to ensure that customers are protected via a tariff, a filing that is contemplated in this legislation.

**Assemblywoman Carlton:**

What periods are we looking at? If a small municipality was having financial trouble and determined this might be a better way to go, what would you envision as a period on this?

**Anne-Marie Cuneo:**

We can do the entire process within 180 days.

**Assemblywoman Carlton:**

I was thinking it would be that long. Are you are addressing the exit strategy and the transmission issue, or simply the exit strategy?

**Anne-Marie Cuneo:**

That would be just the exit fee. Transmission issues are generally handled by the Federal Energy Regulatory Commission (FERC).

**Assemblywoman Carlton:**

That would be under FERC, and they would have to design those contracts to be under the federal guidelines.

**Anne-Marie Cuneo:**

Yes.

**Assemblywoman Kirkpatrick:**

I think a good point was brought up on the universal energy charge (UEC). How do we ensure that people do not get caught up in that? There is a limited pool of money. How would you envision that working?

**Anne-Marie Cuneo:**

As part of the analysis done by the utility and staff, they take into account the rates and charges from the utility. One of the factors that will go into the exit fee is the diminished UEC. That will go into determining if there was a positive or negative impact.

**Assemblywoman Kirkpatrick:**

Where is that in the bill? I see it in the amendment, but not in the bill. Is that something that we will have to clean up and make it a bit tighter? Typical energy legislation, when it is the regulatory kind, does not always work out the



same way that we envision as legislators, and we spend time attempting to clean it up. I am wondering if that is something that needs to be addressed. If we need to clean it up, I would like you to tell me now, rather than waiting two years and watch the UEC money diminish.

**Anne-Marie Cuneo:**

You are correct; it is not in the bill. If you would like to make sure that it is done that way, that would be the best place to put it.

**Chairman Bobzien:**

Are there any additional questions? [There were none.] Is anyone else in the neutral position?

**Daniel O. Jacobsen, Technical Staff Manager, Bureau of Consumer Protection,  
Office of the Attorney General:**

We have talked with the CRC as well as NV Energy, and an exit proceeding was the first thing that came to our mind as we went through this bill. The explanation from the PUC makes sense to us.

**Chairman Bobzien:**

Are there any questions? [There were none.] Is there anyone else in the neutral position? [There was no response.] We have some work to be done on this bill, and we look forward to the parties getting together. We will close the hearing on A.B. 199. We welcome Assemblyman Healey who will present Assembly Bill 173.

**Assembly Bill 173: Revises provisions governing rates which may be charged by certain electric utilities. (BDR 58-966)**

**Assemblyman Healey:**

In 2005, Congress passed the Energy Policy Act (EP Act), which added five new standards to the Public Utility Regulatory Policy Act of 1978 (PURPA). One of the five standards was time-based metering and communications, also known as "time of use." A time-of-use rating allows the utility to charge customers a different price, depending upon the cost of providing power during a particular time of day, week, or year. Advocates for the time-of-use rating point out that this kind of rating mechanism can improve the accuracy of price signals to consumers during a time period. These signals provide an incentive to reduce electricity usage during high-cost periods, and they increase in during low-cost periods, thus improving overall efficiency.

However, an unintended consequence of time-of-use rating is that it penalizes those customers who are unable to change the amount of power that they use

during these high-cost periods. Consumers falling into this group include seniors, stay-at-home parents, people who work from their homes, people who are homebound for medical reasons, and night shift workers. These consumers are normally at home during late afternoon hours when the cost of providing electricity can be at its highest.

Following the enactment of the EP Act in 2005, regulators throughout the states, including the Public Utilities Commission (PUC) in Nevada, began to evaluate if time-of-use ratings should be considered by our utilities. According to a 2011 report published by the Energy Information Administration of the U.S. Department of Energy, by 2008 most of the states had ruled against adopting the time-based metering standards outlined in PURPA, instead deciding to review the utility plans on a case-by-case basis.

The protections of customers who are unable to choose to utilize power, or energy, during times of reduced costs were the basis for the decision by many jurisdictions. In Nevada, NV Energy is currently piloting time-of-use metering programs on a voluntary basis. The purpose of A.B. 173 is to mandate legislatively that at no point may a utility be allowed to require consumers to participate in a time-of-use pricing program.

The key provisions of A.B. 173 can be found on page 4 in section 4. This section prohibits a utility from making changes to a schedule or imposing a rate based on the time of day, day of the week, or time of the year during which a residential customer purchases the electricity. It similarly prohibits the PUC from approving such a request by a utility. This bill addresses residential customers and not commercial users.

I am pleased that NV Energy is in support of this bill and will be presenting an amendment for your consideration. The amendment allows a utilities customer to continue to opt in to a program using time-of-use rates on a voluntary basis. It is considered a friendly amendment and it has my full support. I would like to thank NV Energy for working closely with me to ensure that we achieve the legislative intent of this bill. [Submitted NV Energy myths and facts sheet ([Exhibit J](#)).]

**Daniel O. Jacobsen, Technical Staff Manager, Bureau of Consumer Protection,  
Office of the Attorney General:**

As smart meters have been deployed across the state, many residents have contacted us to express concern that they thought the next thing coming was mandatory time-of-use pricing. We evaluated it and brought this bill forward. Most customers are used to paying a flat rate for electricity. In Nevada, it is about 10 cents a kilowatt-hour, whether it is day or night, or summer or winter.

NV Energy is offering a trial of time-of-use pricing in the north. For some customers who can shift their usage out of peak periods—for instance, if they can choose to run appliances late at night or early in the morning instead of during the late evening—they might be able to save some money. We are not critical of NV Energy's efforts to try this. As we look at their trial, it seems as if their purpose is to identify customers who can shift their usage and help them save money. It is also clear that some customers cannot shift their usage. Many seniors have contacted us to explain that during the hot summers in Las Vegas, they cannot be away from their homes, so they cannot shift their usage patterns. This bill is to make sure that it never becomes mandatory for residential customers. We are confident that this will give many Nevadans some comfort.

This bill is designed to apply to NV Energy and does not apply to cooperatives or smaller companies. The key word is "require" residential customers to use this service. Some may be aware that large commercial customers are required to purchase their energy using time-of-use price structures. Some may think this is unfair to large commercial customers. It is significant to us that while one-third of the kilowatt-hours are sold to residential customers, half of the revenues come from those customers. If you are concerned that this bill would stop the company from sending signals to residential customers about whether they need to conserve, the signals are already being sent. Residential customers are paying healthy prices for electricity in this state.

**Assemblyman Healey:**

Posted on the Nevada Electronic Legislative Information System (NELIS) is an exhibit from Mr. Jacobson's office at the Bureau of Consumer Protection that illustrates the price structures ([Exhibit K](#)). It gives a clear picture of how this would particularly affect seniors on fixed incomes. A senior paying 11 cents in the winter could pay, during a peak summer period, close to 60 cents a kilowatt-hour. In Las Vegas, during the summer, this could impact a senior or anyone at home during peak times.

**Assemblyman Ellison:**

Critical peak demand is in the afternoon, correct?

**Dan Jacobsen:**

Yes, that is correct.

**Assemblyman Ellison:**

When people come home from work and turn on the air-conditioning, there will be a huge jump in their cost per kilowatt-hour. Most people set their budgets

based on their house payment and their utility bills, so this could be devastating. Can the utility choose who can opt out of this bill?

**Dan Jacobsen:**

The trial that NV Energy is proposing is voluntary. We are not opposed to that; we have looked at the bill and we are okay with it. As long as they are voluntary, and never forced on all residential customers, we agree with the bill. There may be some people who are not home between 1 and 9 p.m. who may benefit from this. They will get a discount late at night.

**Assemblyman Healey:**

In Nevada, where we have three active shifts of work, many people simply are not home during the day. This is where time-of-use may work well; they may save money. When you use energy during the peak times of the year, but at off-peak hours, the cost is half of what the flat rate is ([Exhibit K](#)). If you are home during off-peak hours and use your air conditioning, you could save a lot of money. That is why we do not oppose time-of-use; it is a good option for consumers. We want to make sure that it cannot become mandatory and that it is not an opt-out program; it is an opt-in program.

**Assemblyman Ellison:**

You said this is under the auspices of NV Energy, which owns other utilities, such as Sierra Pacific Power. Is anyone under their umbrella using this?

**Dan Jacobsen:**

It would be the two utilities that comprise NV Energy's operating companies; Sierra Pacific Power in the north, and Nevada Power in the south.

**Assemblyman Ellison:**

I hope this will not be like smart meters, where the customer was offered the option to opt out, but when they did, they were faced with high costs.

**Chairman Bobzien:**

That is not the topic of the bill.

**Assemblywoman Carlton:**

It is my understanding that during the voluntary program, the customers will be held harmless if they go over their allotment and will not have to pay any overages. Will people understand what the program is about?

**Dan Jacobsen:**

Yes, you are correct. The trial, for Sierra Pacific Power customers, is voluntary. It is my understanding that during the first year, if customers pay more than

they would have under the old system, they will have that overage refunded. If they stay for a second year, they will pay their bills as charged.

**Assemblywoman Carlton:**

If we are holding the customer harmless, and NV Energy must give rebates, it will affect the UEC, but it will also affect their profitability, which may allow them to incorporate that into one of their next rate filings as a loss. That could affect ratepayers. In addition, if customers save and conserve electricity, that conservation number can be used in a rate filing under their decoupling scheme. Either way, those monies can be built into a rate filing and will have to be closely monitored to make sure they benefit the people who should receive the benefits. Am I correct?

**Dan Jacobsen:**

Generally, you are correct. However, the size of the trial is limited; not everyone in northern Nevada can participate. I do not think they would seek loss sales compensation because that is associated with energy efficiency programs. I think you are right. The effects of this trial would flow into whatever rates are adopted. We are hopeful that limiting the scope of this will limit the impact, up or down, on the ratepayers.

**Assemblywoman Carlton:**

Under the trial, if customers use less and pay less, would that not count toward the conservation effort?

**Dan Jacobsen:**

If the company were to seek loss sales compensation because of this trial, my boss and I would submit testimony and oppose it vigorously.

**Chairman Bobzien:**

Are there additional questions for the panel? Seeing none, we will go to others in support.

**Barry Gold, representing AARP Nevada:**

AARP supports A.B. 173, which prohibits mandatory or opt-out time-of-use or otherwise time-differentiated electric rates. [Read from prepared text ([Exhibit L](#)).] AARP does not oppose offering optional rates to consumers with proper evaluation and consumer disclosure. Then, it is the customer's informed decision if the varying rate would suit his lifestyle.

However, there can be no denying that time-based rates will produce winners and losers. Assembly Bill 173 will ensure that no Nevada household is harmed by time-of-use rates. When so many Nevadans are struggling to pay their

energy bills, AARP does not want to see harm come to energy "losers," such as seniors, the disabled, stay-at-home parents, shift workers, and others, who cannot shift their electricity usage without negative impact to their comfort and possibly even their health. Customers who have already invested in energy efficiency, those who already use minimal amounts of energy, and those who rely on affordable electricity for health and safety would also be losers under a mandatory time-of-use scheme. [Continued to read from prepared text ([Exhibit L](#))].

**Herbert E. Randall, Ed.D., Forum President, Nevada Silver Haired Legislative Forum:**

In our Summary Report for 2012, we made seven recommendations for legislative action to the Legislative Commission and to the Governor in each even-numbered year.

In the second recommendation, which is a PUC concern, we recommended legislation to ensure consumer protection with utilities, especially legislation that would prohibit mandatory time-of-day utility rate pricing. The Nevada Silver Haired Legislative Forum is concerned that many seniors cannot shift their energy usage to benefit from the proposed time-of-day consumption rates.

There are many reasons why choice is important to us. Senior citizens, as a group, would suffer more than other groups and would most likely pay a higher price if we were forced into tiered or time-of-use rates.

Many seniors live on fixed and/or limited income. Most of us do not work outside the home. Many care for loved ones in the home, whether they are grandchildren, spouses, other close relatives, or themselves.

In her book *Another Country: Navigating the Emotional Terrain of Our Elders*, Dr. Mary Pipher writes, "Aging in America is harder than it needs to be." Let us not add to that difficulty by allowing time-of-use consumption rates. Please pass A.B. 173.

**Lucy Peres, Silver Senator, Nevada Silver Haired Legislative Forum:**

I am here to say ditto to what Mr. Randall said. I support the bill completely.

**Chairman Bobzien:**

Do we have any questions for the Nevada Silver Haired Legislative Forum? Seeing none, we will ask if anyone else in Las Vegas wishes to speak on A.B. 173.

**Jonathan Friedrich, Private Citizen, Las Vegas, Nevada:**

I strongly support this bill and applaud Assemblyman Healey's efforts to bring it forth. In November 2011, I spoke with a group of people in Summerlin West, and I discussed the new type of meters and what was coming. The next day, I received a phone call from Mr. Peter Easler, who works for NV Energy. In that phone call, he told me that time-of-use rates were being planned, and that the rates between 1 and 7 p.m. would be tripled. This would have a disastrous effect on the elderly, the homebound, poor people, and those who are unemployed. There are three large senior communities in the south: Sun City Summerlin, Sun City Aliante, and Sun City Anthem. About 30,000 people live there. They have limited incomes.

I brought this to the attention of another legislator who said, "If they cannot afford the electric, let them go to the casinos." I do not think that is an option.

**Chairman Bobzien:**

Are there any questions? [There were none.]

**Robert E. Frank, Private Citizen, Henderson, Nevada:**

I represent myself. I am a member of the Commission on Common Interest Communities and Condominium Hotels, but I am not authorized to represent them. There are about 3,000 homeowners' associations (HOA) in Nevada, with about 1 million people living in these HOAs. There is a common perception that energy rates are already too high in Nevada, and it is outrageous to think of tripling rates for people who have to live at home, as previously mentioned. I will not duplicate what has already been said.

I support the bill as written; however, I do not trust the motives of the so-called friendly amendment. I do not know why it is submitted. When I look at it, I do not see what benefit it provides and I think it may be superfluous. Having been an energy consumer and growing up under a cooperative in central Oklahoma, we learned that we could trust our energy company to do what was best for the customers. So I find it appalling to see this time-of-use concept because I do not see any way that someone could justify this being anything but totally voluntary. If it is voluntary, I find it difficult to believe that over a period of years that someone could participate in such a program and save money. I think the entire idea of time-of-use metering and charging is a bad idea.

**Chairman Bobzien:**

Are there any questions? [There were none.] Is there anyone else to speak in support of the bill? [There was no response]. We will go to the opposition.

**Judy Stokey, representing NV Energy:**

I am here to offer a friendly amendment ([Exhibit M](#)) as the sponsor of A.B. 173 mentioned. We want to add to section 4, subsection 1, that we are still able to offer voluntary time-of-use programs, as we do now. That is the only intent of this amendment. I would like to put on the record that we are not looking to recoup lost revenues for our dynamic pricing trial.

**Chairman Bobzien:**

To be clear, this is a friendly amendment, according to Assemblyman Healey.

**Assemblyman Ellison:**

Do you propose that small businesses will have adjustable rates?

**Judy Stokey:**

Everything now is voluntary for our residential and small commercial customers. Large commercial customers are on time-of-use rates.

**Assemblyman Ellison:**

Do you see anything happening to change this for small commercial?

**Judy Stokey:**

I do not know.

**Assemblyman Livermore:**

How do you plan to market the opt-in program? Through a press release, a television ad, letters?

**Judy Stokey:**

Our Dynamic Pricing Trial program has been approved through the PUC. Our voluntary programs are marketed through bill inserts, through our website, or other kinds of marketing. We typically do not do direct mail; however, we attempt to show the benefits of time of use. The more people who are on these programs, typically, the more costs will be defrayed, and all customers will benefit.

**Chairman Bobzien:**

You mentioned notification of the initial program has gone out, and I received that packet of marketing materials. You also mentioned that this is a small pool of customers. Can you describe that?

**Judy Stokey:**

I do not have specifics on the program, but I think there are under 4,000 customers statewide.



**Chairman Bobzien:**

Are there additional questions for Ms. Stokey? [There were none.] Is there more testimony in opposition to A. B. 173? [There was no response]. Is there anyone in the neutral position? [There was no response]. We will close the hearing on A.B. 173 and open the hearing on Senate Bill 15.

**Senate Bill 15: Authorizes certain public utilities to request a waiver from the requirement to submit a resource plan to the Public Utilities Commission of Nevada. (BDR 58-323)**

**Donald J. Lomoljo, Utilities Hearings Officer, Public Utilities Commission of Nevada:**

Senate Bill 15 would allow the larger water utilities subject to PUC jurisdiction to seek a waiver to the resource planning requirements that are required of larger water utilities. That planning requirement requires those water and sewer utilities with \$1 million or more in gross operating revenues to file a resource plan with the PUC every three years. A resource plan is a comprehensive forecast of expected demand over the immediate planning horizon, the next three-year period, and the longer-term planning horizon, which would be the next 20-year period. The three-year horizon is called an action plan period, and that is where the utilities seek approval of projects that would fall within that three-year period. There are a limited number of water and sewer utilities who are subject to this resource-planning requirement. Now, we have only three water and sewer utilities that are subject to that requirement. Two of those have already filed, while another filed within the last two weeks. The proposed bill would allow those water and sewer utilities to seek a waiver of that requirement if they are not expecting growth and demand in their service territories or significant capital expenditures in the next three years. That would have the effect of saving those utilities the time and effort from filing those applications, and it would save those utilities' ratepayers the cost of those filings. We filed some information on the Nevada Electronic Legislative Information System (NELIS) ([Exhibit N](#)) on the cost of preparation of those filings.

**Samuel S. Crano, Assistant Staff Counsel, Assistant Staff Counsel, Public Utilities Commission of Nevada:**

One of the documents filed on NELIS was for Spring Creek Utilities Company, which had an integrated resource plan (IRP) in 2009. It was contested; in fact, it went through hearings, with a final cost of \$664,000, which was passed on to the customers. Utilities Inc. of Central Nevada (UICN) had an IRP filing in 2011, which cost more than \$300,000. The aim of S.B. 15 is to try to reduce those costs and keep some of the costs from being passed on to the ratepayers.

**Assemblywoman Carlton:**

I am looking at your exhibit, and I do not know who UIN is.

**Sam Crano:**

That is Utilities Inc. of Nevada (UIN), located in northwest Reno. Last year they crossed the million-dollar revenue threshold and recently filed their first IRP. We do not have the costs on that yet, but we have been working with them to contain those costs, but there is only so much we can do under the current scheme.

**Assemblywoman Carlton:**

Is there anyone else that this bill will apply to?

**Sam Crano:**

No, not currently. These are the three companies. Pahrump Utility Company is getting close, but they have not crossed the threshold.

**Assemblywoman Carlton:**

You want to get rid of their resource planning, but you just told me that Spring Creek Utilities had a contentious one. I am trying to understand why we would want to get rid of a public hearing on issues in which people are truly interested.

**Don Lomoljo:**

The waiver provision has certain requirements. Section 2 of the bill states that utilities seeking a waiver must "include proof satisfactory that the public utility will not experience a significant increase in demand for its services or require the acquisition or construction of additional infrastructure to meet present or future demand during the 3-year period covered by the plan."

If the utility is not planning major expenditures or is not experiencing growth, we see not much benefit we see for them to file a plan. However, the waiver is only a one-time waiver. The utility would be required to come in at least every six years if the waiver were to be granted.

**Assemblyman Ellison:**

Please recap the Spring Creek Utilities situation. There were hundreds of people who testified, and it seemed to be ignored. The rate increase was massive. Please let me know how this will not happen again, or with this waiver, would the public be exempt from testimony?

**Sam Crano:**

That proceeding was highly contested. That IRP dealt with the arsenic treatment, which was a unique event. Some argued that they should have been putting money into that instead of paying it all at once. This bill will be waived if they do not plan to build something; if they still plan to build, they would file the IRP, as Spring Creek did. They filed another one last year, which went through quickly, and it is expected to be much less expensive. The waiver would only allow them to waive if they did not need to build. If they were going to build, they would have to have an open public hearing.

**Don Lomoljo:**

Prior to 2007, when resource planning for water and sewer utilities was put in place, there was no structural oversight over resource planning for those kinds of utilities. When it was put in place in 2007, that added some structure, requiring these utilities to come in every three years to provide oversight and receive input from the PUC on how to go forward with catching up on infrastructure improvement. Some utilities had been lagging and not keeping up with growth in their service territories. Resource planning is a valuable tool; however, we are trying to avoid some of the expense when there is little to no growth or construction.

**Assemblywoman Kirkpatrick:**

The reason that we put things in place is when we see problems. I do not like the word waiver on anything, because we tend to start waiving everything. Are these the only three utilities across the state that are subject to this? Why is this your job and not someone else's?

**Don Lomoljo:**

Yes, you are correct; those are the only utilities currently subject to water and sewer resource planning in the state. They are the three utilities that have gross operating revenues more than \$1 million. The PUC regulates about 20 water and sewer utilities across the state, and most of those are small. The three larger water utilities are small, with about 4,000 customers each. The reason we have proposed this bill is the large expense to the utility, which is ultimately passed on to the customers when little to no growth is expected, and there is little benefit in our eyes to filing a resource plan. In addition, it saves administrative expense and time by the PUC to process these applications when we could be spending our resources in other areas where they have more value.

**Assemblywoman Kirkpatrick:**

Why would you not be asking for an administrative procedure, which we do on many other things, as opposed to a waiver?

**Sam Crano:**

There is a procedure outlined in the file showing they do not have growth and showing they do not expect any. That has to be approved by the PUC, which can deny that. If they deny it, they have to file the IRP. We are concerned about multiple waivers, which is why there cannot be consecutive waivers. You can have one waiver, and then you come in and file an IRP the next time.

**Assemblywoman Kirkpatrick:**

There are no consecutive waivers?

**Don Lomoljo:**

That is on line 29.

**Assemblywoman Kirkpatrick:**

So there cannot be consecutive waivers? Are you encouraging them to apply for waivers every three years?

**Sam Crano:**

Currently, they are required to file once every three years.

**Chairman Bobzien:**

Are there additional questions? [There was no response]. Is there additional testimony in support of S.B. 15? [There was no response]. Is there any opposition? [There was no response]. Is there anyone who is neutral? Seeing no one, the hearing on the bill is closed. Do we have anyone wishing to provide us with public comment? [There was no response.] This meeting is adjourned [at 3:41 p.m.].

RESPECTFULLY SUBMITTED:

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Linda Conaboy  
Recording Secretary

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Earlene Miller  
Transcribing Secretary

APPROVED BY:

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Assemblyman David P. Bobzien, Chairman

DATE: \_\_\_\_\_

**EXHIBITS**

**Committee Name:** Committee on Commerce and Labor

**Date:** March 11, 2013

**Time of Meeting:** 1:39 p.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
A.B. 199	C	Marybel Batjer	Hoover Power Customers
A.B. 199	D	Jayne Harkins	Hoover Power Allocation Act
A.B. 199	E	Jayne Harkins	Prepared testimony
A.B. 199	F	Jayne Harkins	Excerpts from NRS
A.B. 199	G	Jayne Harkins	Senator Reid handouts
A.B. 199	H	Jayne Harkins	Hoover Contract capacity charts
A.B. 199	I	Judy Stokey	NV Energy proposed amendment
A.B. 173	J	Assemblyman Healey	NV Energy Myths vs. facts
A.B. 173	K	Assemblyman Healey	Bureau of Consumer Protection handout
A.B. 173	L	Barry Gold	Written testimony
A.B. 173	M	Judy Stokey	NV Energy proposed amendment
S.B. 15	N	Don Lomoljo	PUCN handout