

Amendment No. 546

Assembly Amendment to Assembly Bill No. 109	(BDR 58-622)
Proposed by: Assembly Committee on Commerce and Labor	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

EMR/HAC



Date: 4/21/2017

A.B. No. 109—Revises provisions relating to public utilities. (BDR 58-622)



ASSEMBLY BILL NO. 109—ASSEMBLYMAN ELLISON

PREFILED FEBRUARY 7, 2017

JOINT SPONSOR: SENATOR GOICOECHEA

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to public utilities. (BDR 58-622)

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 public utilities; requiring the Public Utilities Commission of Nevada to conduct a general consumer session in certain counties serviced by certain public utilities that furnish water; requiring the Consumer's Advocate of the Bureau of Consumer Protection in the Office of the Attorney General to intervene in certain proceedings concerning certain public utilities that furnish water; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the Public Utilities Commission of Nevada is required to conduct at least one general consumer session annually to solicit comments on issues concerning public utilities from the public in the counties with the largest and second largest populations in the State (currently Clark and Washoe Counties). (NRS 704.069) **Section 1** of this bill requires the Commission to also conduct a general consumer session in the county with the fifth largest population in the State (currently Elko County).

Under existing law, the Consumer's Advocate of the Bureau of Consumer Protection in the Office of the Attorney General is required to intervene and represent the public interest in certain proceedings conducted by the Public Utilities Commission. (NRS 228.360) **Section 2** of this bill requires the Consumer's Advocate also to intervene in proceedings in which a ~~public water utility that furnishes water or sewage disposal services, or both;~~ ***(1) is located in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties);*** and ***(2)*** which has an annual gross operating revenue of \$2,000,000 or more files a general rate application with the Commission.

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

Section 1. NRS 704.069 is hereby amended to read as follows:
704.069 1. Except as otherwise provided in subsections 9 and 11 of NRS
704.110, the Commission shall conduct a consumer session to solicit comments

1 from the public in any matter pending before the Commission pursuant to NRS
2 704.061 to 704.110, inclusive, in which:

3 (a) A public utility has filed a general rate application, an application to
4 recover the increased cost of purchased fuel, purchased power, or natural gas
5 purchased for resale, an annual deferred energy accounting adjustment application
6 pursuant to NRS 704.187 or an annual rate adjustment application; and

7 (b) The changes proposed in the application will result in an increase in annual
8 gross operating revenue, as certified by the applicant, in an amount that will exceed
9 \$50,000 or 10 percent of the applicant's annual gross operating revenue, whichever
10 is less.

11 2. In addition to the case-specific consumer sessions required by subsection 1,
12 the Commission shall, during each calendar year, conduct at least one general
13 consumer session in ~~the~~:

14 (a) ~~The~~ county with the largest population in this State ~~and at least one~~
15 ~~general consumer session in the~~;

16 (b) ~~The~~ county with the second largest population in this State ~~;~~ and

17 (c) ~~The county with the fifth largest population in this State.~~

18 ➡ At each general consumer session, the Commission shall solicit comments from
19 the public on issues concerning public utilities. Not later than 60 days after each
20 general consumer session, the Commission shall submit the record from the general
21 consumer session to the Legislative Commission.

22 **Sec. 2.** NRS 228.360 is hereby amended to read as follows:

23 228.360 1. The Consumer's Advocate:

24 (a) Shall intervene in and represent the public interest in:

25 (1) All proceedings conducted pursuant to NRS 704.7561 to 704.7595,
26 inclusive; ~~and~~

27 (2) All proceedings conducted pursuant to NRS 704.061 to 704.110,
28 inclusive, in which an electric utility has filed a general rate application or an
29 annual deferred energy accounting adjustment application ~~;~~ and

30 (3) ~~All proceedings conducted pursuant to paragraph (c) or (d) of~~
31 ~~subsection 3 of NRS 704.110~~ ~~in which a water utility in a county whose~~
32 ~~population is less than 100,000 has filed a general rate application.~~

33 (b) May, with respect to all public utilities except railroads and cooperative
34 utilities, and except as otherwise provided in NRS 228.380:

35 (1) Conduct or contract for studies, surveys, research or expert testimony
36 relating to matters affecting the public interest or the interests of utility customers.

37 (2) Examine any books, accounts, minutes, records or other papers or
38 property of any public utility subject to the regulatory authority of the Public
39 Utilities Commission of Nevada in the same manner and to the same extent as
40 authorized by law for members of the Public Utilities Commission of Nevada and
41 its staff.

42 (3) Except as otherwise provided in paragraph (a), petition for, request,
43 initiate, appear or intervene in any proceeding concerning rates, charges, tariffs,
44 modifications of service or any related matter before the Public Utilities
45 Commission of Nevada or any court, regulatory body, board, commission or agency
46 having jurisdiction over any matter which the Consumer's Advocate may bring
47 before or has brought before the Public Utilities Commission of Nevada or in which
48 the public interest or the interests of any particular class of utility customers are
49 involved. The Consumer's Advocate may represent the public interest or the
50 interests of any particular class of utility customers in any such proceeding, and the
51 Consumer's Advocate is a real party in interest in the proceeding.

52 2. As used in this section, "electric utility" has the meaning ascribed to it in
53 NRS 704.187.