

Amendment No. 225

Senate Amendment to Senate Bill No. 328	(BDR 58-658)
<b>Proposed by:</b> Senate Committee on Growth and Infrastructure	
<b>Amends:</b> 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) 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.

JFD/EGO



Date: 4/17/2021

S.B. No. 328—Revises provisions relating to energy storage systems.  
(BDR 58-658)





## SENATE BILL NO. 328—SENATOR LANGE

MARCH 22, 2021

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to energy storage systems. (BDR 58-658)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to energy; ~~requiring certain electric utilities to include in the resource plan submitted to the Public Utilities Commission of Nevada a plan for the procurement of energy storage systems as necessary to meet targets for the procurement of such systems; revising provisions requiring the Commission to establish targets for the procurement of energy storage systems; authorizing the Commission to waive energy storage system procurement targets or to not establish such targets under certain circumstances;~~ establishing qualifications for persons who install energy storage systems; requiring the Public Utilities Commission of Nevada to reevaluate the existing biennial targets for the procurement of energy storage systems by certain electric utilities; eliminating an obsolete provision relating to the establishment of such targets; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Public Utilities Commission of Nevada to: (1) determine, on or before October 1, 2018, whether it is in the public interest to establish by regulation biennial targets for the procurement of energy storage systems by certain electric utilities; and (2) if the Commission determines that it is in the public interest to establish such targets, adopt regulations establishing biennial targets for the procurement of energy storage systems by certain electric utilities. (NRS 704.795, 704.796) Existing regulations, with certain exceptions, establish progressively larger targets for the procurement of energy storage systems by certain electric utilities, culminating in a requirement that certain electric utilities procure energy storage systems capable of storing not less than 1,000 megawatts of electric power by December 31, 2030. Existing regulations also require the Commission to review the existing biennial energy storage targets when it reviews the resource plan submitted by an electric utility and determine whether the targets should be altered. (Section 10 of LCB File No. R106-19) ~~{Sections 3 and 9 of this bill increase the biennial targets for the procurement of energy storage systems by certain electric utilities by requiring the Commission to establish higher targets for the procurement of such systems, culminating in a requirement that certain electric utilities procure energy storage systems capable of storing not less than 3,000 megawatts of electric power by December 31, 2030.~~

— Section 3 authorizes the Commission to grant a waiver or deferral of the target for the procurement of energy storage systems during a calendar year in which the electric utility cannot procure a sufficient number of energy storage systems that provide benefits to the customers of the utility that exceed the costs of the energy storage system and that meet certain additional criteria. Section 3 requires the Commission, in deciding whether to grant a waiver or deferral to an electric utility, to consider all known and measurable benefits and costs of the procurement of energy storage systems and enumerates certain specific benefits and costs which must be considered. Section 3 also provides that the Commission is not required to establish targets for the procurement of energy storage systems if such systems are rendered unnecessary by technological innovations or other factors. Section 4 of this bill makes conforming changes to remove references to the adoption by the Commission of biennial targets for the procurement of energy storage systems by regulation because those targets are established by section 3. — Section 1 of this bill requires an electric utility to file with the Commission, as part of the triennial integrated resource plan of the utility, a plan for the procurement of energy storage systems as necessary to meet the targets for the procurement of energy storage systems established by the Commission. Section 8 of this bill requires an electric utility, on or before April 1, 2022, to file an amendment to its existing integrated resource plan that complies with the requirements of section 1 relating to a plan for the procurement of energy storage systems. Section 7.5 of this bill requires the Commission, not later than November 1, 2022, to: (1) reevaluate the existing biennial targets for the procurement of energy storage systems by certain electric utilities in regulations and to make any revisions to the targets which the Commission determines to be in the public interest; and (2) submit a report to the Legislative Commission concerning the reevaluation. Section 9 of this bill removes an obsolete provision that requires the Commission to determine whether to adopt regulations to establish the biennial targets by October 1, 2018, given that those regulations have been adopted. Section 3 of this bill makes a conforming change to remove a reference to this obsolete provision.

Section 5 of this bill prohibits a person from installing an energy storage system unless the person holds a valid license as an electrical contractor and for installations occurring on property other than a residential property after July 1, 2022, certain additional professional qualifications relating to the installation of energy storage systems. Section 6 of this bill provides that a violation of the provisions of section 5 is grounds for disciplinary action by the State Contractors' Board.

---

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

### Section 1. ~~NRS 704.741 is hereby amended to read as follows:~~

~~704.741 1. A utility which supplies electricity in this State shall, on or before June 1 of every third year, in the manner specified by the Commission, submit a plan to increase its supply of electricity or decrease the demands made on its system by its customers to the Commission. Two or more utilities that are affiliated through common ownership and that have an interconnected system for the transmission of electricity shall submit a joint plan.~~

~~2. The Commission shall, by regulation:~~

~~(a) Prescribe the contents of such a plan, including, but not limited to, the methods or formulas which are used by the utility or utilities to:~~

~~(1) Forecast the future demands, except that a forecast of the future retail electric demands of the utility or utilities must not include the amount of energy and capacity proposed pursuant to subsection [6] 7 as annual limits on the total amount of energy and capacity that eligible customers may be authorized to purchase from providers of new electric resources through transactions approved by the Commission pursuant to an application submitted pursuant to NRS 704B.310 on or after May 16, 2019; and~~

~~1 (2) Determine the best combination of sources of supply to meet the~~  
~~2 demands or the best method to reduce them; and~~

~~3 (b) Designate renewable energy zones and revise the designated renewable~~  
~~4 energy zones as the Commission deems necessary.~~

~~5 3. The Commission shall require the utility or utilities to include in the plan:~~

~~6 (a) An energy efficiency program for residential customers which reduces the~~  
~~7 consumption of electricity or any fossil fuel and which includes, without limitation,~~  
~~8 the use of new solar thermal energy sources.~~

~~9 (b) A proposal for the expenditure of not less than 5 percent of the total~~  
~~10 expenditures related to energy efficiency and conservation programs on energy~~  
~~11 efficiency and conservation programs directed to low-income customers of the~~  
~~12 electric utility.~~

~~13 (c) A comparison of a diverse set of scenarios of the best combination of~~  
~~14 sources of supply to meet the demands or the best methods to reduce the demands,~~  
~~15 which must include at least one scenario of low carbon intensity that includes the~~  
~~16 deployment of distributed generation.~~

~~17 (d) An analysis of the effects of the requirements of NRS 704.766 to 704.776,~~  
~~18 inclusive, on the reliability of the distribution system of the utility or utilities and~~  
~~19 the costs to the utility or utilities to provide electric service to all customers. The~~  
~~20 analysis must include an evaluation of the costs and benefits of addressing issues of~~  
~~21 reliability through investment in the distribution system.~~

~~22 (e) A list of the utility's or utilities' assets described in NRS 704.7338.~~

~~23 (f) A surplus asset retirement plan as required by NRS 704.734.~~

~~24 4. The Commission shall require the utility or utilities to include in the plan a~~  
~~25 plan for construction or expansion of transmission facilities to serve renewable~~  
~~26 energy zones and to facilitate the utility or utilities in meeting the portfolio standard~~  
~~27 established by NRS 704.7821.~~

~~28 5. The Commission shall require the utility or utilities to include in the plan a~~  
~~29 distributed resources plan. The distributed resources plan must:~~

~~30 (a) Evaluate the locational benefits and costs of distributed resources. This~~  
~~31 evaluation must be based on reductions or increases in local generation capacity~~  
~~32 needs, avoided or increased investments in distribution infrastructure, safety~~  
~~33 benefits, reliability benefits and any other savings the distributed resources provide~~  
~~34 to the electricity grid for this State or costs to customers of the electric utility or~~  
~~35 utilities.~~

~~36 (b) Propose or identify standard tariffs, contracts or other mechanisms for the~~  
~~37 deployment of cost effective distributed resources that satisfy the objectives for~~  
~~38 distribution planning.~~

~~39 (c) Propose cost effective methods of effectively coordinating existing~~  
~~40 programs approved by the Commission, incentives and tariffs to maximize the~~  
~~41 locational benefits and minimize the incremental costs of distributed resources.~~

~~42 (d) Identify any additional spending necessary to integrate cost effective~~  
~~43 distributed resources into distribution planning consistent with the goal of yielding~~  
~~44 a net benefit to the customers of the electric utility or utilities.~~

~~45 (e) Identify barriers to the deployment of distributed resources, including,~~  
~~46 without limitation, safety standards related to technology or operation of the~~  
~~47 distribution system in a manner that ensures reliable service.~~

~~48 6. The Commission shall require the utility or utilities to include in the plan~~  
~~49 a plan for the procurement of energy storage systems as necessary to meet the~~  
~~50 targets for the procurement of energy storage systems established by NRS~~  
~~51 704.796.~~

~~52 7. The Commission shall require the utility or utilities to include in the plan a~~  
~~53 proposal for annual limits on the total amount of energy and capacity that eligible~~

~~customers may be authorized to purchase from providers of new electric resources through transactions approved by the Commission pursuant to an application submitted pursuant to NRS 704B.310 on or after May 16, 2019. In developing the proposal and the forecasts in the plan, the utility or utilities must use a sensitivity analysis that, at a minimum, addresses load growth, import capacity, system constraints and the effect of eligible customers purchasing less energy and capacity than authorized by the proposed annual limit. The proposal in the plan must include, without limitation:~~

- ~~— (a) A forecast of the load growth of the utility or utilities;~~
- ~~— (b) The number of eligible customers that are currently being served by or anticipated to be served by the utility or utilities;~~
- ~~— (c) Information concerning the infrastructure of the utility or utilities that is available to accommodate market-based new electric resources;~~
- ~~— (d) Proposals to ensure the stability of rates and the availability and reliability of electric service; and~~
- ~~— (e) For each year of the plan, impact fees applicable to each megawatt or each megawatt hour to account for costs reflected in the base tariff general rate and base tariff energy rate paid by end-use customers of the electric utility.~~

~~[7.] 8. The annual limits proposed pursuant to subsection [6] 7 shall not apply to energy and capacity sales to an eligible customer if the eligible customer:~~

- ~~— (a) Was not an end-use customer of the electric utility at any time before June 12, 2019; and~~
  - ~~— (b) Would have a peak load of 10 megawatts or more in the service territory of an electric utility within 2 years of initially taking electric service.~~
- ~~[8.] 9. As used in this section:~~
- ~~— (a) “Carbon intensity” means the amount of carbon by weight emitted per unit of energy consumed.~~
  - ~~— (b) “Distributed generation system” has the meaning ascribed to it in NRS 701.380.~~
  - ~~— (c) “Distributed resources” means distributed generation systems, energy efficiency, energy storage, electric vehicles and demand response technologies.~~
  - ~~— (d) “Eligible customer” has the meaning ascribed to it in NRS 704B.080.~~
  - ~~— (e) “Energy” has the meaning ascribed to it in NRS 704B.090.~~
  - ~~— (f) “New electric resource” has the meaning ascribed to it in NRS 704B.110.~~
  - ~~— (g) “Provider of new electric resources” has the meaning ascribed to it in NRS 704B.130.~~

~~— (h) “Renewable energy zones” means specific geographic zones where renewable energy resources are sufficient to develop generation capacity and where transmission constrains the delivery of electricity from those resources to customers.~~

~~— (i) “Sensitivity analysis” means a set of methods or procedures which results in a determination or estimation of the sensitivity of a result to a change in given data or a given assumption.] (Deleted by amendment.)~~

**Sec. 2. [NRS 704.746 is hereby amended to read as follows:**

~~704.746 1. After a utility has filed its plan pursuant to NRS 704.741, the Commission shall convene a public hearing on the adequacy of the plan.~~

~~2. The Commission shall determine the parties to the public hearing on the adequacy of the plan. A person or governmental entity may petition the Commission for leave to intervene as a party. The Commission must grant a petition to intervene as a party in the hearing if the person or entity has relevant material evidence to provide concerning the adequacy of the plan. The Commission may limit participation of an intervenor in the hearing to avoid duplication and may prohibit continued participation in the hearing by an intervenor if the Commission~~

~~determines that continued participation will unduly broaden the issues, will not provide additional relevant material evidence or is not necessary to further the public interest.~~

~~3. In addition to any party to the hearing, any interested person may make comments to the Commission regarding the contents and adequacy of the plan.~~

~~4. After the hearing, the Commission shall determine whether:~~

~~(a) The forecast requirements of the utility or utilities are based on substantially accurate data and an adequate method of forecasting;~~

~~(b) The plan identifies and takes into account any present and projected reductions in the demand for energy that may result from measures to improve energy efficiency in the industrial, commercial, residential and energy producing sectors of the area being served;~~

~~(c) The plan adequately demonstrates the economic, environmental and other benefits to this State and to the customers of the utility or utilities associated with the following possible measures and sources of supply:~~

~~(1) Improvements in energy efficiency;~~

~~(2) Pooling of power;~~

~~(3) Purchases of power from neighboring states or countries;~~

~~(4) Facilities that operate on solar or geothermal energy or wind;~~

~~(5) Facilities that operate on the principle of cogeneration or hydrogeneration;~~

~~(6) Other generation facilities; and~~

~~(7) Other transmission facilities.~~

~~5. The Commission shall give preference to the measures and sources of supply set forth in paragraph (c) of subsection 4 that:~~

~~(a) Provide the greatest economic and environmental benefits to the State;~~

~~(b) Are consistent with the provisions of this section;~~

~~(c) Provide levels of service that are adequate and reliable;~~

~~(d) Provide the greatest opportunity for the creation of new jobs in this State; and~~

~~(e) Provide for diverse electricity supply portfolios and which reduce customer exposure to the price volatility of fossil fuels and the potential costs of carbon.~~

~~In considering the measures and sources of supply set forth in paragraph (c) of subsection 4 and determining the preference given to such measures and sources of supply, the Commission shall consider the cost of those measures and sources of supply to the customers of the electric utility or utilities.~~

~~6. The Commission shall:~~

~~(a) Adopt regulations which determine the level of preference to be given to those measures and sources of supply; and~~

~~(b) Consider the value to the public of using water efficiently when it is determining those preferences.~~

~~7. The Commission shall:~~

~~(a) Consider the level of financial commitment from developers of renewable energy projects in each renewable energy zone, as designated pursuant to subsection 2 of NRS 704.741; and~~

~~(b) Adopt regulations establishing a process for considering such commitments including, without limitation, contracts for the sale of energy, leases of land and mineral rights, cash deposits and letters of credit.~~

~~8. The Commission shall, after a hearing, review and accept or modify an emissions reduction and capacity replacement plan which includes each element required by NRS 704.7316. In considering whether to accept or modify an emissions reduction and capacity replacement plan, the Commission shall consider:~~

~~— (a) The cost to the customers of the electric utility or utilities to implement the plan;~~

~~— (b) Whether the plan provides the greatest economic benefit to this State;~~

~~— (c) Whether the plan provides the greatest opportunities for the creation of new jobs in this State; and~~

~~— (d) Whether the plan represents the best value to the customers of the electric utility or utilities.~~

~~— 9. In considering whether to accept or modify a proposal for annual limits on the total amount of energy and capacity that eligible customers may be authorized to purchase from providers of new electric resources through transactions approved by the Commission pursuant to an application submitted pursuant to NRS 704B-310 after May 16, 2019, which is included in the plan pursuant to subsection [6] 7 of NRS 704.741, the Commission shall consider whether the proposed annual limits:~~

~~— (a) Further the public interest, including, without limitation, whether the proposed annual limits promote safe, economic, efficient and reliable electric service to all customers of electric service in this State;~~

~~— (b) Align an economically viable utility model with state public policy goals; and~~

~~— (c) Encourage the development and use of renewable energy resources located in this State and, in particular, renewable energy resources that are coupled with energy storage.] (Deleted by amendment.)~~

**Sec. 3.** NRS 704.796 is hereby amended to read as follows:

~~704.796 If, pursuant to NRS 704.795, the Commission determines that it is in the public interest to establish by regulation targets for the procurement of energy storage systems by an electric utility, the~~

~~1. Except as otherwise provided in subsections 3 and 4, the Commission shall establish targets for the procurement of energy storage systems that require each electric utility to procure energy storage systems capable of storing electric power in an amount that:~~

~~— (a) By December 31, 2022, is equal to not less than 500 megawatts.~~

~~— (b) By December 31, 2024, is equal to not less than 1,000 megawatts.~~

~~— (c) By December 31, 2026, is equal to not less than 1,500 megawatts.~~

~~— (d) By December 31, 2028, is equal to not less than 2,000 megawatts.~~

~~— (e) By December 31, 2030, is equal to not less than 3,000 megawatts.~~

~~2. The Commission shall adopt regulations:~~

~~1. Establishing biennial targets for the procurement of energy storage systems by the electric utility;~~

~~2. (a) Setting forth the points of interconnection on the electric grid for the implementation of energy storage systems;~~

~~3. (b) Establishing that an energy storage system may be owned by the electric utility or any other person;~~

~~4. Establishing requirements for the filing by the electric utility of annual or biennial plans to meet biennial targets for the procurement and implementation of energy storage systems;~~

~~5. Prescribing a procedure by which the Commission must, at least once every 3 years, reevaluate the biennial targets for the procurement of energy storage systems by the electric utility;~~

~~6. (c) Establishing a procedure by which an electric utility may obtain a waiver or deferral of the biennial targets for the procurement of energy storage systems if the electric utility is not able to identify energy storage systems that provide benefits to customers of the utility that exceed the costs of energy storage systems; [pursuant to subsection 3.] and~~



1 7. ~~(d)~~ Requiring the electric utility to include such information as the  
2 Commission may require in each plan submitted by the electric utility pursuant to  
3 NRS 704.741.

4 ~~3. The Commission may grant a waiver or deferral of a target for the~~  
5 ~~procurement of energy storage systems for a calendar year if the Commission~~  
6 ~~determines that an electric utility is unable to meet the target for that calendar~~  
7 ~~year because, after making reasonable efforts, the electric utility is unable to~~  
8 ~~procure a sufficient number of energy storage systems which provide benefits to~~  
9 ~~customers of the utility that exceed the costs of energy storage systems and which~~  
10 ~~satisfy the requirement set forth in subsection 2 of NRS 704.797. In calculating~~  
11 ~~the benefits and costs of the procurement of particular energy storage systems,~~  
12 ~~the Commission shall consider all known and measurable benefits and costs,~~  
13 ~~including, without limitation:~~

14 ~~— (a) Any reduction in the need for the additional generation of electricity~~  
15 ~~during periods of peak demand;~~

16 ~~— (b) Any reduction in line losses;~~

17 ~~— (c) The benefits and costs related to ancillary services;~~

18 ~~— (d) Avoided costs for additional generation, transmission and generation~~  
19 ~~capacity;~~

20 ~~— (e) The benefits arising from a reduction of greenhouse gas emissions and~~  
21 ~~the emission of other air pollutants;~~

22 ~~— (f) The benefits and costs related to voltage support;~~

23 ~~— (g) The benefits of diversifying the types of resources used for the generation~~  
24 ~~of electricity;~~

25 ~~— (h) The administrative costs incurred by the electric utility;~~

26 ~~— (i) The cost to the electric utility of the integration of energy storage systems~~  
27 ~~into the transmission and distribution grid; and~~

28 ~~— (j) The cost of energy storage systems.~~

29 ~~4. The Commission is not required to adopt targets for the procurement of~~  
30 ~~energy storage systems for a calendar year pursuant to subsection 1 if the~~  
31 ~~Commission determines that technological innovations or other factors have~~  
32 ~~rendered increasing this capacity unnecessary to obtain the benefits set forth in~~  
33 ~~subsection 3.]~~

34 **Sec. 4.** ~~[NRS 704.797 is hereby amended to read as follows:~~

35 ~~704.797 1. [If the Commission adopts regulations pursuant to NRS 704.796~~  
36 ~~to establish biennial targets for the procurement of energy storage systems by an~~  
37 ~~electric utility, to] To meet the targets [set forth in those regulations,] for the~~  
38 ~~procurement of energy storage systems established pursuant to NRS 704.796, the~~  
39 ~~electric utility may procure energy storage systems that are either centralized or~~  
40 ~~distributed and either owned by the utility or by any other person, as prescribed by~~  
41 ~~regulation of the Commission.~~

42 ~~2. Electric energy storage systems procured by an electric utility to meet any~~  
43 ~~[biennial] targets for the procurement of energy storage systems established [by~~  
44 ~~regulation] pursuant to NRS 704.796 must:~~

45 ~~— (a) Reduce peak demand for electricity;~~

46 ~~— (b) Avoid or defer investment by the electric utility in assets for the generation,~~  
47 ~~transmission and distribution of electricity;~~

48 ~~— (c) Improve the reliability of the operation of the transmission or distribution~~  
49 ~~grid;~~

50 ~~— (d) Reduce the emission of greenhouse gases or other air pollutants; or~~

51 ~~— (e) Integrate renewable energy into the electric grid.] (Deleted by~~  
52 ~~amendment.)~~

1       **Sec. 5.** Chapter 624 of NRS is hereby amended by adding thereto a new  
2 section to read as follows:

3       1. *A person shall not install an energy storage system in this State unless he*  
4 *or she holds:*

5       (a) *A valid license in the specialty of electrical contracting with any*  
6 *subclassification required to perform such work issued pursuant to this chapter*  
7 *and the regulations of the Board; and*

8       (b) ~~1. If the installation is for a property other than a residential property~~  
9 ~~and is performed on or after July 1, 2022, a certificate demonstrating the~~  
10 ~~successful completion of the Energy Storage and Microgrid Training and~~  
11 ~~Certification program (ESAMTAC).~~

12       2. *As used in this section ~~1. "energy";~~*

13       (a) *"Energy storage system" has the meaning ascribed to it in NRS 704.793.*

14       (b) *"Residential property" means:*

15       (1) *Improved real estate that consists of not more than four residential*  
16 *units; or*

17       (2) *A single-family residential unit, including, without limitation, a*  
18 *condominium, townhouse or home within a subdivision, if the unit is sold, leased*  
19 *or otherwise conveyed unit by unit, regardless of whether the unit is part of a*  
20 *larger building or parcel that consists of more than four units.*

21       **Sec. 6.** NRS 624.3016 is hereby amended to read as follows:

22       624.3016 The following acts or omissions, among others, constitute cause for  
23 disciplinary action under NRS 624.300:

24       1. Any fraudulent or deceitful act committed in the capacity of a contractor,  
25 including, without limitation, misrepresentation or the omission of a material fact.

26       2. A conviction of a violation of NRS 624.730, or a conviction in this State or  
27 any other jurisdiction of a felony relating to the practice of a contractor or a crime  
28 involving moral turpitude.

29       3. Knowingly making a false statement in or relating to the recording of a  
30 notice of lien pursuant to the provisions of NRS 108.226.

31       4. Failure to give a notice required by NRS 108.227, 108.245, 108.246 or  
32 624.520.

33       5. Failure to comply with NRS 624.920, 624.930, 624.935 or 624.940 or any  
34 regulations of the Board governing contracts for work concerning residential pools  
35 and spas.

36       6. Failure to comply with NRS 624.600.

37       7. Misrepresentation or the omission of a material fact, or the commission of  
38 any other fraudulent or deceitful act, to obtain a license.

39       8. Failure to pay an assessment required pursuant to NRS 624.470.

40       9. Failure to file a certified payroll report that is required for a contract for a  
41 public work.

42       10. Knowingly submitting false information in an application for qualification  
43 or a certified payroll report that is required for a contract for a public work.

44       11. Failure to notify the Board of a conviction or entry of a plea of guilty,  
45 guilty but mentally ill or nolo contendere pursuant to NRS 624.266.

46       12. Failure to provide a builder's warranty as required by NRS 624.602 or to  
47 respond reasonably to a claim made under a builder's warranty.

48       13. *Failure to comply with section 5 of this act.*

49       **Sec. 7.** NRS 624.800 is hereby amended to read as follows:

50       624.800 For any violation of the provisions of NRS 624.005 to 624.750,  
51 inclusive, *and section 5 of this act* that is punishable as a misdemeanor, an  
52 indictment must be found, or an information or complaint filed, within 2 years after  
53 the commission of the offense.

1        Sec. 7.5. 1. Not later than November 1, 2022, based upon the most  
2 recent plan filed by an electric utility pursuant to NRS 704.741 on or before  
3 June 1, 2021, the Public Utilities Commission of Nevada shall reevaluate the  
4 biennial targets for the procurement of energy storage systems by an electric  
5 utility established by the Commission by regulation pursuant to NRS 704.796  
6 and make any revisions to the targets that the Commission determines to be in  
7 the public interest. The reevaluation required by this subsection is in addition  
8 to any reevaluation of the biennial targets for the procurement of energy  
9 storage systems required by the regulations adopted by the Commission  
10 pursuant to subsection 5 of NRS 704.796.

11        2. On or before November 1, 2022, the Commission shall prepare and  
12 submit a report to the Legislative Commission concerning its reevaluation of  
13 the biennial targets for the procurement of energy storage systems by an  
14 electric utility pursuant to subsection 1. The report must state any revisions to  
15 the targets that have been or will be adopted by the Commission as a result of  
16 the reevaluation.

17        Sec. 8. [A public utility required to file a plan pursuant to NRS 704.741 shall,  
18 on or before April 1, 2022, submit an amendment to its existing plan that complies  
19 with the provisions relating to a plan for the procurement of energy storage systems  
20 in subsection 6 of NRS 704.741, as amended by section 1 of this act.] (Deleted by  
21 amendment.)

22        Sec. 9. NRS 704.795 is hereby repealed.

23        Sec. 10. 1. This section [becomes] and sections 1 to 4, inclusive, and 7.5  
24 to 9, inclusive, of this act become effective upon passage and approval.

25        2. Sections [1 to 9, inclusive,] 5, 6 and 7 of this act become effective:

26        (a) Upon passage and approval for the purpose of adopting any regulations and  
27 performing any other preparatory administrative tasks that are necessary to carry  
28 out the provisions of this act; and

29        (b) On October 1, 2021, for all other purposes.

---

---

## TEXT OF REPEALED SECTION

---

---

**704.795 Commission required to determine whether targets for the procurement of energy storage systems by electric utility is in public interest; required factors to consider; calculation of benefits and costs.**

1. On or before October 1, 2018, the Commission shall determine whether it is in the public interest to establish by regulation biennial targets for the procurement of energy storage systems by an electric utility.

2. In making the determination required by subsection 1, the Commission shall consider:

(a) Whether the procurement of energy storage systems by an electric utility will achieve the following purposes:

(1) The integration of renewable energy resources which generate electricity on an intermittent basis into the transmission and distribution grid of the electric utility.

(2) The improvement of the reliability of the systems for the transmission and distribution of electricity.

(3) The increased use of renewable energy resources to generate electricity.

(4) The reduction of the need for the additional generation of electricity during periods of peak demand.

(5) The avoidance or deferral of investment by the electric utility in generation, transmission and distribution of electricity.

(6) The replacement of ancillary services provided by facilities using fossil fuels with ancillary services provided by the use of energy storage systems.

(7) The reduction of greenhouse gas emissions.

(b) The interconnection of energy storage systems at each point of the electric grid, including, without limitation, in the transmission and distribution of electricity and at the site of the customer.

3. For the purposes of subsection 1, the Commission shall determine that the establishment of targets for the procurement of energy storage systems by an electric utility is in the public interest if the benefits to customers of the electric utility exceed the costs of the procurement of energy storage systems. In calculating the benefits and costs of the procurement of energy storage systems, the Commission shall consider all known and measurable benefits and costs, including, without limitation:

(a) A reduction in the need for the additional generation of electricity during periods of peak demand;

(b) A reduction in line losses;

(c) The benefits and costs related to ancillary services;

(d) Avoided costs for additional generation, transmission and generation capacity;

(e) The benefits arising from a reduction of greenhouse gas emissions and the emission of other air pollutants;

(f) The benefits and costs related to voltage support;

(g) The benefits of diversifying the types of resources used for the generation of electricity;

(h) The administrative costs incurred by the electric utility;

(i) The cost to the electric utility of the integration of energy storage systems into the transmission and distribution grid; and

(j) The cost of energy storage systems.