SENATE BILL NO. 56–COMMITTEE ON GROWTH AND INFRASTRUCTURE

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 12, 2026

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to public utilities. (BDR 58-536)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: May have Fiscal Impact.
Effect on the State Highway Fund: No.

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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; establishing requirements for the consideration of public comments in proceedings before the Public Utilities Commission of Nevada; revising provisions governing the composition and qualifications of the members of the Commission; revising provisions governing judicial review of final decisions of the Commission; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law generally requires that all hearings and meetings conducted by the Public Utilities Commission of Nevada be open to the public. (NRS 703.110) Existing law also requires the Commission and certain utilities that supply electricity in this State to conduct consumer sessions and to solicit comments from the public concerning certain matters relating to public utilities. (NRS 704.069, 704.744) **Section 1** of this bill requires: (1) the Commission to fully consider all comments, criticisms and data from the public in any proceeding before the Commission, including, without limitation, those submitted during a consumer session; and (2) the Commission to include in its final decision a brief description of and a reasoned response to any such comment, criticism or data that raises an issue material to the proceeding.

Existing law provides that the Commission consists of three Commissioners appointed by the Governor. Existing law also: (1) requires each Commissioner to have at least 2 years of experience in certain fields; and (2) prohibits more than two Commissioners from belonging to the same political party or having experience in the same field. (NRS 703.030) **Section 2** of this bill: (1) increases the number of

Commissioners from three to six; (2) requires three Commissioners to have at least 2 years of experience in consumer protection; (3) increases from two to three the maximum number of Commissioners who may be members of the same political party or have experience in the same field; and (4) prohibits more than two Commissioners from having been an employee of the Commission for more than a cumulative period of 365 days before their appointment.

Existing law entitles any party of record to a proceeding before the Commission to judicial review of a final decision of the Commission upon the exhaustion of all administrative remedies. Existing law also: (1) prescribes the courts in which a petition for judicial review may be filed; (2) requires a party of record who desires to participate in the judicial review to file a statement of intent to participate in the petition for judicial review; (3) requires a petitioner seeking judicial review to serve and file a memorandum of points and authorities within 30 days after the Commission gives written notice that the record of the proceeding under review has been filed with the court; (4) requires the Commission and any other respondents to serve and file a reply memorandum of points and authorities within 30 days after service of the petitioner's memorandum; and (5) prohibits the filing of further memoranda and requires the parties to be ready for a hearing upon 20 days' notice. (NRS 703.373) **Section 3** of this bill authorizes the Regulatory Operations Staff of the Commission and the Bureau of Consumer Protection in the Office of the Attorney General to file a petition for judicial review in any county in this State. **Section 3** also requires a party of record who files a statement of intent to participate in judicial review to indicate whether the party supports, opposes or expresses no position on the petition for judicial review. Finally, **section 3**: (1) expands the requirement to serve and file a memorandum of points and authorities within 30 days to include any party of record that filed a statement of intent to participate in support of the petition for judicial review; (2) expands the requirement to serve and file a response memorandum within 30 days after service of the memorandum of authorities to include any party of record that filed a statement of intent to participate in opposition to the position; (3) eliminates the prohibition against further memoranda and instead authorizes the petitioner and parties of record in support of the petition to serve and file a reply memorandum within 20 days after service of the response memorandum; and (4) replaces the requirement that the parties be ready for a hearing upon 20 days' notice with procedures authorizing any party of record to request a hearing within 14 days after service of the reply memorandum.

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

Section 1. Chapter 703 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In any proceeding before the Commission, the Commission shall consider fully all comments, criticisms and data submitted by the public, including, without limitation, comments, criticisms and data submitted during a consumer session held pursuant to NRS 704.069 or 704.744.

2. The Commission shall include in its final decision a brief description of and a reasoned response addressing all comments, criticisms and data submitted pursuant to subsection 1 that raise an issue of fact or law, or a technical, economic or public interest

issue, and that is material to the proceeding before the Commission. The Commission may address substantially similar comments, criticisms or data collectively, provided that the response addresses the material issues raised by those comments, criticisms or data. The number of persons submitting substantially similar comments, criticisms or data must not be considered in determining whether the comment, criticism or data is material to the proceeding before the Commission.

Sec. 2. NRS 703.030 is hereby amended to read as follows:

703.030 1. The Commission consists of ~~[three]~~ ***six*** Commissioners appointed by the Governor for terms of 4 years.

2. The Governor shall appoint as members of the Commission ***:***

(a) Three persons who have at least 2 years of experience in one or more of the following fields:

~~[(a)]~~ ***(1)*** Accounting.

~~[(b)]~~ ***(2)*** Business administration.

~~[(c)]~~ ***(3)*** Finance or economics.

~~[(d)]~~ ***(4)*** Administrative law.

~~[(e)]~~ ***(5)*** Professional engineering.

(b) Three persons who have at least 2 years of experience in consumer protection.

3. Not more than ~~[two]~~ ***three*** of the Commissioners may be:

(a) Members of the same political party.

(b) From the same field of experience.

4. Not more than two of the Commissioners may have been an employee of the Commission a cumulative period of more than 365 days before appointment to the Commission.

5. As used in this section, "experience in consumer protection" means experience representing, assisting, promoting or protecting the rights and interests of consumers while employed by or in connection with:

(a) The Bureau of Consumer Protection in the Office of the Attorney General;

(b) A legal aid organization in this State, if the work performed concerned protecting consumers from unfair, fraudulent or unsafe business practices or advocating on behalf of customers of public utilities; or

(c) A consumer advocacy organization in this State, if the work performed concerned advocating on behalf of customers of public utilities.

Sec. 3. NRS 703.373 is hereby amended to read as follows:

703.373 1. Any party of record to a proceeding before the Commission is entitled to judicial review of the final decision upon

the exhaustion of all administrative remedies by the party of record seeking judicial review.

2. Proceedings for review may be instituted by filing a petition for judicial review ~~[in]~~ ***:***

(a) In any county in this State, if the petition for judicial review is filed by the Regulatory Operations Staff of the Commission or the Bureau of Consumer Protection in the Office of the Attorney General; or

(b) In the District Court in and for Carson City, in and for the county in which the party of record seeking judicial review resides, or in and for the county where the act on which the proceeding is based occurred ~~[.]~~ ***, if the petition for judicial review is filed by any other party of record.***

3. A petition for judicial review must be filed within 30 days after final action by the Commission on reconsideration or rehearing, or if the Commission takes no action on reconsideration or rehearing, within 30 days after the date on which reconsideration or rehearing is deemed denied. Copies of the petition for judicial review must be served upon the Commission and all other parties of record.

4. The Commission shall participate in the judicial review. Any party of record desiring to participate in the judicial review must file a statement of intent to participate in the petition for judicial review and serve the statement upon the Commission and every party within 15 days after service of the petition for judicial review. ***The statement of intent to participate must indicate whether the party of record supports, opposes or expresses no position on the petition for judicial review.***

5. Within 30 days after the service of the petition for judicial review or such time as is allowed by the court, the Commission shall transmit to the reviewing court a certified copy of the entire record of the proceeding under review, including a transcript of the evidence resulting in the final decision of the Commission ~~[.]~~ ***and the reasoned response required pursuant to subsection 2 of section 1 of this act.*** The record may be shortened by stipulation of the parties to the proceedings.

6. A petitioner who is seeking judicial review ***and any party of record that filed a statement of intent to participate pursuant to subsection 4 in support of the petition for judicial review*** must serve and file a memorandum of points and authorities within 30 days after the Commission gives written notice to the parties that the record of the proceeding under review has been filed with the court.

7. The Commission and any ~~[other respondents]~~ ***party of record that filed a statement of intent to participate pursuant to subsection 4 in opposition of the petition for judicial review*** shall

serve and file a ~~[reply]~~ ***response*** memorandum of points and authorities within 30 days after service of the memorandum of points and authorities. ~~[Upon service and filing of the reply memorandum by the Commission and any other respondents:~~

~~(a) No further memoranda may be filed; and~~

~~(b) The parties must be ready for a hearing upon 20 days' notice.]~~

8. ***The petitioner and any party of record that filed a statement of intent to participate pursuant to subsection 4 in support of the petition for judicial review may serve and file a reply memorandum of points and authorities, which must be served and filed within 20 days after service of the response memorandum.***

9. Within 14 days after service of the reply memorandum pursuant to subsection 8, any party of record may request a hearing. Unless a request for hearing has been filed, the matter shall be deemed submitted. If a hearing is requested, the court shall set the matter for hearing not more than 30 days after the court receives the request for a hearing. The court shall promptly notify the parties of the time and place set for the hearing.

10. Judicial review of a final decision of the Commission must be:

(a) Conducted by the court without a jury; and

(b) Confined to the record.

➥ In cases concerning alleged irregularities in procedure before the Commission that are not shown in the record, the court may receive evidence concerning the irregularities.

~~[9.]~~ ***11.*** The final decision of the Commission shall be deemed reasonable and lawful until reversed or set aside in whole or in part by the court. The burden of proof is on the petitioner to show that the final decision is invalid pursuant to subsection ~~[11.]~~ ***13.***

~~[10.]~~ ***12.*** All actions brought under this section have precedence over any civil action of a different nature pending in the court.

~~[11.]~~ ***13.*** The court shall not substitute its judgment for that of the Commission as to the weight of the evidence on questions of fact. The court may affirm the decision of the Commission or set it aside in whole or in part if substantial rights of the petitioner have been prejudiced because the final decision of the Commission is:

(a) In violation of constitutional or statutory provisions;

(b) In excess of the statutory authority of the Commission;

(c) Made upon unlawful procedure;

(d) Affected by other error of law;

(e) Clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; or

(f) Arbitrary or capricious or characterized by abuse of discretion.

Sec. 4. This act becomes effective on July 1, 2027.

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