

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.

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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:**

1 Under existing law, the Public Utilities Commission of Nevada is required to  
2 conduct at least one general consumer session annually to solicit comments on  
3 issues concerning public utilities from the public in the counties with the largest  
4 and second largest populations in the State (currently Clark and Washoe Counties).  
5 (NRS 704.069) **Section 1** of this bill requires the Commission to also conduct a  
6 general consumer session in the county with the fifth largest population in the State  
7 (currently Elko County).  
8 Under existing law, the Consumer's Advocate of the Bureau of Consumer  
9 Protection in the Office of the Attorney General is required to intervene and  
10 represent the public interest in certain proceedings conducted by the Public Utilities  
11 Commission. (NRS 228.360) **Section 2** of this bill requires the Consumer's  
12 Advocate also to intervene in proceedings in which a water utility that: (1) is  
13 located in a county whose population is less than 100,000 (currently all counties  
14 other than Clark and Washoe Counties); and (2) which has an annual gross



15 operating revenue of \$2,000,000 or more files a general rate application with the  
16 Commission.

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

1       **Section 1.** NRS 704.069 is hereby amended to read as follows:  
2       704.069 1. Except as otherwise provided in subsections 9 and  
3       11 of NRS 704.110, the Commission shall conduct a consumer  
4       session to solicit comments from the public in any matter pending  
5       before the Commission pursuant to NRS 704.061 to 704.110,  
6       inclusive, in which:

7       (a) A public utility has filed a general rate application, an  
8       application to recover the increased cost of purchased fuel,  
9       purchased power, or natural gas purchased for resale, an annual  
10       deferred energy accounting adjustment application pursuant to NRS  
11       704.187 or an annual rate adjustment application; and

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

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

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

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

23       (c) *The county with the fifth largest population in this State.*

24       ↪ At each general consumer session, the Commission shall solicit  
25       comments from the public on issues concerning public utilities. Not  
26       later than 60 days after each general consumer session, the  
27       Commission shall submit the record from the general consumer  
28       session to the Legislative Commission.

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

30       228.360 1. The Consumer's Advocate:

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

32       (1) All proceedings conducted pursuant to NRS 704.7561 to  
33       704.7595, inclusive; ~~and~~

34       (2) All proceedings conducted pursuant to NRS 704.061 to  
35       704.110, inclusive, in which an electric utility has filed a general  
36       rate application or an annual deferred energy accounting adjustment  
37       application ~~;~~ *and*

38       (3) *All proceedings conducted pursuant to paragraph (c) or*  
39       *(d) of subsection 3 of NRS 704.110 in which a water utility in a*



1 *county whose population is less than 100,000 has filed a general*  
2 *rate application.*

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

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

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

14 (3) Except as otherwise provided in paragraph (a), petition  
15 for, request, initiate, appear or intervene in any proceeding  
16 concerning rates, charges, tariffs, modifications of service or any  
17 related matter before the Public Utilities Commission of Nevada or  
18 any court, regulatory body, board, commission or agency having  
19 jurisdiction over any matter which the Consumer's Advocate may  
20 bring before or has brought before the Public Utilities Commission  
21 of Nevada or in which the public interest or the interests of any  
22 particular class of utility customers are involved. The Consumer's  
23 Advocate may represent the public interest or the interests of any  
24 particular class of utility customers in any such proceeding, and the  
25 Consumer's Advocate is a real party in interest in the proceeding.

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



