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23-04011

Public Utilities Commission of Nevada
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Bureau of Consumer Protection



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STATE OF NEVADA
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May 31, 2023

Trisha Osborne
Assistant Commission Secretary
Public Utilities Commission of Nevada
1150 East William Street
Carson City, NV 89701

Re: Docket No. 23-04011

Dear Ms. Osborne:

Please accept for filing the Comments of the Bureau of Consumer Protection;
Withdrawal of Intervention in the above-referenced docket.

Should you have any questions regarding this filing, please contact me at (702)
486-3490.

Sincerely,

ERNEST FIGUEROA
Consumer Advocate

/s/ Paul Stuhff
PAUL STUHFF
Senior Deputy Attorney General
Bureau of Consumer Protection
8945 West Russell Road, Suite 204
Las Vegas, NV 89148

PS/bj

cc: Parties of Record

Bureau of Consumer Protection
8945 West Russell Road, Suite 204
Las Vegas, Nevada 89148

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

1
2 Annual Report of Nevada Power Company)
3 d/b/a NV Energy and Sierra Pacific Power)
4 Company d/b/a NV Energy on compliance)
5 With the Portfolio Energy Standard for) Docket No. 23-04011
6 Renewable Energy for Compliance Year)
7 2022.)
8)

**COMMENTS OF THE BUREAU OF CONSUMER PROTECTION;
WITHDRAWAL OF INTERVENTION**

8 COMES NOW, the BUREAU OF CONSUMER PROTECTION (“BCP”), and
9 files Comments pursuant to the Public Utilities Commission of Nevada’s
10 (“Commission”) Notice issued in the above-captioned docket on April 27, 2023.
11

I. INTRODUCTION

12
13 On April 14, 2024, Nevada Power Company d/b/a NV Energy (“NPC”) and
14 Sierra Pacific Power Company d/b/a NV Energy (“SPPC” and collectively, “the
15 utilities”) filed their annual Renewable Portfolio Standard (“RPS”) compliance report
16 pursuant to Nevada Revised Statute (“NRS”) 704.7825 and Nevada Administrative
17 Code (“NAC”) 704.8879. The annual RPS compliance report details the Portfolio
18 Energy Credits (“PECs”)¹ that NPC and SPPC used to comply with the 29 percent
19 RPS for calendar year 2022.

20 BCP’s Comments focus on the types of PECs that NPC and SPPC used to
21 comply with the 2022 RPS of 29 percent. In 2013, the Nevada Legislature passed
22

23 ¹ Nevada PECs are only partially equivalent to the Renewable Energy Credits (“RECs”) tracked by the
24 Western Renewable Energy Generation Information System (“WREGIS”). The WREGIS tracking
25 system is used partially by Nevada, by all other western states, and by the Canadian provinces of
26 British Columbia and Alberta. Nevada counts credits for station usage, solar multipliers, energy
27 efficiency, and waste heat generation that do not qualify for RECs in the WREGIS tracking system.
28 Hence, Nevada has set up its own tracking system – Nevada Tracks Renewable Energy Credits
29 (“NVTREC”) – to track these Nevada specific PECs that do not qualify as RECs in the WREGIS
30 tracking system.

1 Senate Bill (“S.B.”) 252 to eliminate the statutory loopholes that allow the utilities to
2 comply with the RPS. The testimony of Lydia Ball, then Executive Director of the
3 Clean Energy Project, before the Senate Committee on Commerce and Labor on April
4 5, 2013, supporting S.B. 252, makes this point.

5 Last month, the CEP commissioned a study of the RPS. The study
6 was conducted by Carl Linvill, a former energy advisor to then-
7 Governor Kenny Guinn, and Jeremy Aguero, a principal with
8 Applied Analysis of Las Vegas. The study considered three ways
9 to improve the RPS. The first scenario involved cleaning the RPS
10 by removing deductions and loopholes, such as the energy
11 efficiency standard and the photovoltaic multiplier, which
12 allowed NV Energy to meet the RPS. The second option was to
13 increase the RPS to 35 percent of retail sales by 2025. Finally, the
14 third option was a combination of the first two scenarios. The CEP
15 has determined the best path forward is to remove the deductions
16 and loopholes. This will create demand for clean energy sooner,
17 and it will stabilize energy rates. Additionally, this option will
18 align Nevada with other western states’ energy policies and help
19 the western renewable energy market thrive.² (Emphasis added)

15 Consistent with the intent of a clean RPS envisioned by S.B. 252, the
16 Commission’s Order approving the annual RPS compliance report in this proceeding
17 should direct the utilities in their subsequent annual RPS compliance reports to
18 detail the following: (1) the total thousand PECs (“kPECs”) by type of PECs; (2) the
19 percentage of each PEC type to total PECs; and (3) the percentage of PEC types for
20 total RPS compliance. BCP has prepared three tables for compliance year 2022 that
21 show that NPC and SPPC were only able to surpass the 2022 RPS of 29 percent
22 because of the statutory loopholes that S.B. 252 sought to clean from the RPS.

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25 _____
26 ² Minutes of the Senate Committee on Commerce and Labor, April 5, 2013, page 3. Available online
27 at: <https://www.leg.state.nv.us/Session/77th2013/Minutes/Senate/CL/Final/711.pdf>.

TABLE 1

NEVADA POWER & SIERRA PACIFIC POWER		
Portfolio Energy Credits (in Thousands)		
TYPE OF PEC	NPC	SPPC
Renewable Energy Credits	5,289,265	1,824,693
Carry Forward from Prior Years	1,273,682	685,187
Demand Side Management	607,770	227,710
Station Usage	626,875	103,943
Solar Multiplier	258,158	59,612
Waste Heat Generation	36,465	0
Credit Obligations to DOS & NGR Customers	(325,712)	(92,360)
Total	7,766,503	2,808,786

TABLE 2

NEVADA POWER & SIERRA PACIFIC POWER		
Percentage of PEC Types to Total PECs		
TYPE OF PEC	NPC	SPPC
Renewable Energy Credits	68.10%	64.96%
Carry Forward from Prior Years	16.40%	24.39%
Demand Side Management	7.83%	8.11%
Station Usage	8.07%	3.70%
Solar Multiplier	3.32%	2.12%
Waste Heat Generation	0.47%	0.00%
Credit Obligations to DOS & NGR Customers	-4.19%	-3.29%
Total	100.00%	100.00%

TABLE 3

NEVADA POWER & SIERRA PACIFIC POWER		
Percentage of PEC Types for Total RPS Compliance		
TYPE OF PEC	NPC	SPPC
Renewable Energy Credits	25.24%	23.24%
Carry Forward from Prior Years	6.08%	8.73%
Demand Side Management	2.90%	2.90%
Station Usage	2.99%	1.32%
Solar Multiplier	1.23%	0.76%
Waste Heat Generation	0.17%	0.00%
Credit Obligations to DOS & NGR Customers	-1.55%	-1.18%
Total	37.06%	35.77%

1 **II. COMMENTS**

2 **A. PECs from Renewable Energy Credits (“RECs”)**

3 Renewable Energy Credits or RECs are defined by multi-state Renewable
4 Energy Certificate Tracking Systems as one megawatt-hour of renewable energy. For
5 example, the Midwest Renewable Energy Tracking System (“M-RETS”) defines a
6 REC as follows: “M-RETS defines a REC as 1 MWh of renewable energy.”³ Likewise,
7 WREGIS defines a “Certificate” as follows:

8 **Certificate:** A WREGIS Certificate (also called a Renewable
9 Energy Credit (REC)) represents all Renewable and
10 Environmental Attributes of MWh of electricity generation from
11 a renewable energy Generating Unit registered with WREGIS.
The WREGIS system will create exactly one Certificate per MWh
of eligible generation.⁴ (Emphasis added)

12 When Nevada’s two electric utilities issue a joint news release touting that
13 they exceeded the 2022 RPS requirement of 29 percent by nearly 8 percent,⁵ the
14 public is under the impression that this achievement was accomplished solely with
15 RECs. The public is unaware that the Nevada statutes and regulations have created
16 loopholes, such as station usage and solar multipliers, that make it possible for the
17 two electric utilities to meet and exceed the annual RPS requirements.

18 Table 3 shows that approximately 25.2 percent of NPC’s retail sales in 2022
19 and approximately 23.2 percent of SPPC’s retails in 2022 were from energy that
20 qualifies as RECs. It is the statutory and regulatory loopholes in the accounting for
21

22 ³ See Midwest Renewable Energy Tracking System Operating Procedures, Effective 04/24/2023, at
23 page 81. Available online at: [https://www.mrets.org/wp-content/uploads/2023/03/MRETS-Operating-
Procedure-2023.3.pdf](https://www.mrets.org/wp-content/uploads/2023/03/MRETS-Operating-Procedure-2023.3.pdf).

24 ⁴ See WECC WREGIS Operating Rules, Effective October 2022, at page 9. Available online at:
25 [https://www.wecc.org/Administrative/WREGIS%20Operating%20Rules%20October%202022%20Fina
l.pdf](https://www.wecc.org/Administrative/WREGIS%20Operating%20Rules%20October%202022%20Final.pdf).

26 ⁵ See the utilities’ news release, *NV Energy Exceeds Nevada’s 2022 Renewable Energy Requirement by
27 Nearly Eight Percent*. Available online at: [https://www.nvenergy.com/about-nvenergy/news/news-
releases/nv-energy-exceeds-nevadas-2022-renewable-energy-requirement-by-nearly-eight-percent](https://www.nvenergy.com/about-nvenergy/news/news-releases/nv-energy-exceeds-nevadas-2022-renewable-energy-requirement-by-nearly-eight-percent).

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Nevada PECs that allow the utilities to claim much higher percentages of PEC compliance. The utilities should be directed in subsequent annual RPS compliance reports to publicly report how many of its PECs were generated from RECs consistent with Tables 1 to 3 above.

B. PECs from Carry Forward from Prior Years

In 2009, the Nevada Legislature passed Assembly Bill (“A.B.”) 387 to allow for PECs from Carry Forward from Prior Years. The relevant section of A.B. 387 was codified as NRS 704.7828(2) and reads as follows:

NRS 704.7828 Regulations; authority to carry forward or sell excess electricity; enforcement; administrative fines.

...
2. If a provider exceeds the portfolio standard for any calendar year:

(a) The Commission shall authorize the provider to carry forward to subsequent calendar years for the purpose of complying with the portfolio standard for those subsequent calendar years any excess kilowatt-hours of electricity that the provider generates, acquires or saves from portfolio energy systems or efficiency measures;

(b) By more than 10 percent but less than 25 percent of the amount of portfolio energy credits necessary to comply with its portfolio standard for the subsequent calendar year, the provider may sell any portfolio energy credits which are in excess of 10 percent of the amount of portfolio energy credits necessary to comply with its portfolio standard for the subsequent calendar year; and

(c) By 25 percent or more of the amount of portfolio energy credits necessary to comply with its portfolio standard for the subsequent calendar year, the provider shall use reasonable efforts to sell any portfolio energy credits which are in excess of 25 percent of the amount of portfolio energy credits necessary to comply with its portfolio standard for the subsequent calendar year.

➤ Any money received by a provider from the sale of portfolio energy credits pursuant to paragraphs (b) and (c) must be credited against the provider’s costs for purchased fuel and

1 purchased power pursuant to NRS 704.187 in the same calendar
 2 year in which the money is received, less any verified
 3 administrative costs incurred by the provider to make the sale,
 4 including any costs incurred to qualify the portfolio energy credits
 5 for potential sale regardless of whether such sales are made.

6 ...

7 As shown in BCP Table 2 above, PECs that were carried forward from prior
 8 years were approximately 16.4 percent of NPC's PECs and approximately 23.4
 9 percent of SPPC's PECs in 2022. A review of Tables 5.1 and 5.2 in the utilities' annual
 10 RPS compliance report shows that PECs from Carry Forward from Prior Years will
 11 contribute more to RPS compliance than any other type of PECs except for those from
 12 solar energy in future compliance years. While the statute provides for carry
 13 forwards, one has to question how many of the carry forward PECs were generated
 14 from RECs and how many were created from statutory loopholes.

15 **Table 5.1 Nevada Power Summary Table-Continued**

Nevada Power	Actual		Projected ^a			
	2022	2023	2024	2025	2026	
NON-DSM CREDIT SUMMARY						
Prior Year Carry Forward Credits	c	1,273,682	1,688,803	2,429,804	3,884,400	5,570,431
Geothermal		1,842,374	1,668,544	1,658,614	1,654,738	1,654,738
Solar		2,956,584	3,606,571	5,494,120	6,564,201	6,539,832
Biomass/Methane		58,426	59,993	59,993	59,993	59,993
Hydro		350,132	327,223	327,223	327,223	327,223
Waste Heat Recovery		36,465	32,838	32,838	32,838	32,838
NVE Owned Small Systems		851	14	14	14	14
Wind		323,632	353,300	353,300	353,300	353,300
Net Metered (RenewablesGenerations) & ABT		642,299	638,460	635,271	632,098	628,941
Less Non-RPS Credit Commitments	b	(325,712)	(533,419)	(708,976)	(708,876)	(700,648)
Total Non-Solar, Non-DSM PCs		7,158,733	7,842,328	10,282,201	12,799,930	14,466,661

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Table 5.2 Sierra Pacific Power Summary Table-Continued

Sierra Pacific Power	Actual	Projected *			
	2022	2023	2024	2025	2026
NON-DSM CREDIT SUMMARY					
Prior Year Surplus Carry Forward Credits	d. 685,187	531,684	813,068	1,461,974	2,142,532
Geothermal	644,699	627,709	708,745	807,253	1,034,643
Solar	1,160,847	1,814,913	2,708,562	2,965,224	2,945,949
Biomass/Methane	9,340	9,159	8,692	0	0
Hydro	52,877	46,851	46,851	42,060	36,591
NVE Owned Small Systems	15	2	2	2	2
Net Metered (Renewables Generations)	120,471	119,843	120,440	119,840	119,243
Less Non-DSM, Non-RPS Credit Commitments & Credit Sales	e. (92,360)	(257,843)	(319,485)	(344,044)	(200,266)
Total Non-Solar PCs	2,581,076	2,892,318	4,086,874	5,052,309	6,078,694

While the utilities already provide the PEC from Carry Forward from Prior Years as shown in Table 5.1 and 5.2 in the annual RPS compliance report, BCP believes it would be helpful to the public to present this information in same format as BCP Tables 1 to 3 above in future annual RPS compliance reports so the public can easily ascertain the magnitude that these types of PECs contribute to RPS compliance.

C. PECs from Demand Side Management

In 2005, the Nevada Legislature passed Assembly Bill (“A.B.”) 3 during the 22nd Special Session to include PECs from the energy saved with energy efficiency measures, also referred to as demand-side management (“DSM”), into Nevada’s RPS.⁶ Eight years later, the Nevada Legislature passed S.B. 252 during the 2013 session to phase out PECs from DSM qualifying for inclusion in Nevada’s RPS.⁷ Currently, the utilities are allowed to include PECs from DSM for 10 percent of their RPS compliance. After 2024, the utilities will no longer be able to include PECs from DSM for their RPC compliance. BCP believes it would be helpful to the public to present the PECs from DSM in the same format as BCP Tables 1 to 3 above for the 2023 and 2024 annual RPS compliance reports.

⁶ https://www.leg.state.nv.us/Session/22nd2005Special/bills/AB/AB3_EN.pdf.

⁷ <https://www.leg.state.nv.us/Session/77th2013/Reports/history.cfm?DocumentType=2&BillNo=252>.

1 **D. PECs from Station Usage**

2 In 2004, the Commission adopted its RPS regulations to carry out the RPS
3 statute, S.B. 372, from the 2001 legislative session.⁸ Section 15(2)(b) of the
4 Commission's adopted regulations, LCB File No. R115-03, codified as NAC
5 704.8927(2)(b), provided for renewable energy credits from station usage.

6 Sec. 15. 1. Electricity generated by a renewable energy system
7 which is authorized to participate in the system of renewable en-
8 ergy credits must be metered and the renewable energy system
9 shall submit meter readings quarterly to the Commission.

10 2. Except as otherwise provided in subsections 3, 4 and 5, the
11 Administrator shall certify renewable energy credits to a renew-
12 able energy system for:

13 (a) The net metered output of electricity in kilowatt-hours de-
14 livered to the transmission system or the distribution system and
15 sold to a provider of electric service. The net metered output must
16 be provided to the Administrator by the entity that owns, operates
17 or controls the meters used to monitor the net metered output of
18 electricity of the renewable energy system.

19 (b) The difference between the metered generation of electric-
20 ity in kilowatt-hours and the net metered output of electricity set
21 forth in paragraph (a). Unless otherwise provided for in a contract
22 for renewable energy, the renewable energy credits certified by
23 the Administrator pursuant to this paragraph must be awarded
24 to the owner of the renewable energy system. (Emphasis added)

25 Station usage is not energy that is delivered to the transmission or distribution
26 system to be delivered to retail customers. The RPS is a percentage of the energy sold
27 to retail customers. Therefore, given that station usage energy is not sold to retail
28 customers, one has to question why station usage PECs were ever allowed to count
for RPS compliance. This is the reason that the multi-state Renewable Energy

⁸ Although it is often asserted that Nevada adopted its RPS in 1997 rather than in 2001, BCP does not agree with this assertion because the RPS statute from 1997, NRS 704.989, was repealed by S.B. 372 (2001). Furthermore, the Commission never adopted regulations to carry out NRS 704.989, nor was any renewable energy project ever built to comply with NRS 704.989.

1 Certificate Tracking Systems, M-RETS and WREGIS, do not recognize station usage
2 (station service) as qualifying for RECs.

3 M-RETS will measure the output from each Generating Unit
4 delivered into either the transmission or distribution grid.
5 Certificates do not reflect, nor does M-RETS measure losses occur
6 on the bulk transmission or distribution systems after the
7 metering. M-RETS will not create Certificates for that portion of
8 the generation used to supply station service. Therefore,
9 generation data supplied to M-RETS must not reflect station
10 service supplied from the Generator's side of the point of
11 interconnection. For wholesale Generators also serving onsite
12 loads, M-RETS will create Certificates for the onsite load distinct
13 from station service, if the Generator Owner can provide evidence
14 that the metering used is capable of distinguishing between on-
15 site load and station service. Otherwise, M-RETS will assume a
16 conservative default fraction of total generation is station service
17 unless it can be proved otherwise.⁹ (Emphasis added)

18 Station Service WREGIS Certificates will not be created for
19 generation supplying Station Service unless specifically
20 requested by a state, provincial or voluntary program and
21 approved by the WREGIS Administrator. Generation supplying
22 Station Service must be netted from total generation, regardless
23 of whether the Generating Unit provides its own Station Service
24 or purchases it from another entity. Station Service is defined by
25 the WREGIS PA Advice Letter posted to the WREGIS website.¹⁰

26 As stated above, the Nevada Legislature passed S.B. 252 in 2013 to partially
27 clean up the Nevada RPS of its statutory loopholes. One of the loopholes eliminated
28 was for PECs from station usage for facilities placed into service on or after January
1, 2016, with the exception of counting PECs for station usage for geothermal
facilities.¹¹

⁹ See Midwest Renewable Energy Tracking System Operating Procedures, Effective 04/24/2023, at page 45.

¹⁰ See WECC WREGIS Operating Rules, Effective October 2022, at page 32.

¹¹ NRS 704.78215 Calculation of portfolio energy credits.

...

1 Nonetheless, while station usage is separately reported in Tables 5.1 and 5.2
2 of the utilities' annual compliance reports, BCP believes it would be helpful to the
3 public to present the PECs from station usage in the same format as BCP Tables 1 to
4 3 above for future annual RPS compliance reports.

5
6 **E. PECs from Solar Multipliers¹²**

7 In 2003, the Nevada Legislature passed A.B. 296 to provide for a multiplier of
8 2.4 for each kilowatt-hour of energy generated from a solar photovoltaic system on
9 the premises of a retail customer as long as the retail customer utilized 50 percent of
10 the energy produced by the system.

11 Sec. 2. For the purpose of complying with a portfolio stand-
12 ard established pursuant to NRS 704.7821, a provider shall be
13 deemed to have generated or acquired 2.4 kilowatt-hours of elec-
14 tricity from a renewable energy system for each 1.0 kilowatt-hour
15 of actual electricity generated or acquired from a solar photovol-
16 taic system, if:

- 17 1. The system is installed on the premises of a retail cus-
18 tomer; and
- 19 2. On an annual basis, at least 50 percent of the electricity
20 generated by the system is utilized by the retail customer on that
21 premises.

22 3. Except as otherwise provided in this subsection, for portfolio energy systems placed into operation
23 on or after January 1, 2016, the amount of electricity generated or acquired from a portfolio energy
24 system does not include the amount of any electricity used by the portfolio energy system for its basic
25 operations that reduce the amount of renewable energy delivered to the transmission grid for distri-
26 bution and sale to customers of the provider. The provisions of this subsection do not apply to a port-
27 folio energy system placed into operation on or after January 1, 2016, if a provider entered into a
28 contract for the purchase of electricity generated by the portfolio energy system on or before December
31, 2012. For the purposes of this subsection, the amount of any electricity used by a portfolio energy
system for its basic operations:

- (a) Except as otherwise provided in paragraph (b), includes electricity used for the heating, light-
ing, air-conditioning and equipment of a building located on the site of the portfolio energy system,
and for operating any other equipment located on such site.
- (b) Does not include the electricity used by a portfolio energy system that generates electricity
from geothermal energy for the extraction and transportation of geothermal brine or used to pump or
compress geothermal brine. (Emphasis added)

¹² In addition to the statutory 2.4 multiplier, NAC 704.8927(3)(a) allows for an additional multiplier
of 1.05 for customer maintained distributed renewable energy systems installed prior to 12/31/2015.

1 One of the clean ups to the RPS from S.B. 252 of the 2013 Nevada Legislative
2 Session was to eliminate the solar multipliers in NRS 704.7822 for any solar
3 photovoltaic systems installed after December 31, 2015.

4 **NRS 704.7822 Calculation of electricity generated or**
5 **acquired from certain solar photovoltaic systems.** For the
6 purpose of complying with a portfolio standard established
7 pursuant to NRS 704.7821 or 704.78213, a provider shall be
8 deemed to have generated or acquired 2.4 kilowatt-hours of
9 electricity from a renewable energy system for each 1.0 kilowatt-
10 hour of actual electricity generated or acquired from a solar
11 photovoltaic system, if:

- 12 1. The system is installed on the premises of a retail
13 customer;
- 14 2. The system was placed into operation on or before
15 December 31, 2015; and
- 16 3. On an annual basis, at least 50 percent of the electricity
17 generated by the system is utilized by the retail customer on that
18 premises.

19 Unfortunately, the number and percentage of PECs that are created by solar
20 multipliers is not publicly reported in the utilities' annual RPS compliance report.
21 BCP believes it would be helpful to the public to present the PECs from solar
22 multipliers in the same format as BCP Tables 1 to 3 above for future annual RPS
23 compliance reports.

24 **F. PECs from Waste Heat Generation**

25 In 2003, the Nevada Legislature passed A.B. 429 to provide for PECs from
26 waste heat generation. Specifically, section 6 of A.B. 429 provided for the following:

27 **Sec. 6.** Chapter 704 of NRS is hereby amended by adding
28 thereto a new section to read as follows:

1. "Qualified energy recovery process" means a system with
a nameplate capacity of not more than 15 megawatts that con-
verts the otherwise lost energy from:

1 (a) The heat from exhaust stacks or pipes used for engines or
2 manufacturing or industrial processes; or

3 (b) The reduction of high pressure in water or gas pipelines
4 before the distribution of the water or gas,
5 to generate electricity if the system does not use additional fossil
6 fuel or require a combustion process to generate such electricity.

7 2. The term does not include any system that uses energy,
8 lost or otherwise, from a process whose primary purpose is the
9 generation of electricity, including, without limitation, any pro-
10 cess involving engine-driven generation or pumped hydrogenera-
11 tion.

12 Waste heat generation, or its Nevada statutory definition, qualified energy
13 recovery process, is not generation from renewable energy as defined in NRS
14 704.7811.¹³ While waste heat generation included in the RPC compliance report is
15 from a single generating unit in NPC's service territory and is a tiny fraction of the
16 total PECs, BCP believes it would be helpful to the public to present the PECs from
17 waste heat generation in the same format as BCP Tables 1 to 3 above for future
18 annual RPS compliance reports.

19 **G. PECs for Distribution Only Service ("DOS") and Nevada GreenEnergy
20 Rider ("NGR") Customers**

21 The PEC credit obligations that NPC and SPPC incur for their respective DOS
22 and NGR customers are shown in Tables 5.1 and 5.2 of the annual RPS compliance
23 report. Nonetheless, BCP believes it would be helpful to the public to present these

24 ¹³ **NRS 704.7811 "Renewable energy" defined.**

- 25 1. "Renewable energy" means:
26 (a) Biomass;
27 (b) Geothermal energy;
28 (c) Solar energy;
(d) Waterpower; and
(e) Wind.

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PEC credits in the same format as shown in BCP Tables 1 to 3 above for future annual RPS compliance reports.

III. CONCLUSION

The BCP appreciates the opportunity to file these Comments. Given that BCP's Comments are limited to its recommendation to direct the utilities in future annual RPS compliance reports to provide more public transparency on the types of PECs that the utilities used to comply with the RPS as shown in BCP Tables 1 to 3 above, BCP does not believe that this docket needs to be set to further proceedings. Therefore, the BCP withdraws its intervention filed in the instant docket on April 24, 2023.

Respectfully submitted May 31, 2023.

ERNEST FIGUEROA
Consumer Advocate

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CERTIFICATE OF SERVICE

Docket No. 23-04011

I certify that I am an employee of the Bureau of Consumer Protection and that on this day I have served the foregoing document upon all parties of record in this proceeding by emailing or mailing a true copy thereof, properly addressed with postage prepaid or forwarded as indicated below to:

STAFF COUNSEL PUBLIC UTILITIES COMMISSION OF NEVADA 1150 EAST WILLIAM STREET CARSON CITY, NV 89701 pucn.sc@puc.nv.gov	DONALD LOMOLJO PUBLIC UTILITIES COMMISSION 1150 EAST WILLIAM STREET CARSON CITY, NV 89701 dlomoljo@puc.nv.gov
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Dated: May 31, 2023

/s/ Beverly Joiner
An Employee of the
Bureau of Consumer Protection