

**PROPOSED REGULATION OF THE NEVADA ENERGY DIRECTOR
NEVADA STATE OFFICE OF ENERGY**

**NOTICE OF HEARING
AND
NOTICE OF INTENT TO ACT UPON A PERMANENT REGULATION
FOR NRS 701.220**

LCB File No. R024-11

The Nevada State Office of Energy ("NSOE") has opened a rulemaking to adopt, amend or repeal regulations pertaining to Chapter 701 of the Nevada Administrative Code ("NAC") related to regulations for the conservation of energy in buildings, including manufactured homes; namely, adoption of the 2009 *International Energy Conservation Code*, pursuant to Nevada Revised Statutes ("NRS") 701.220.

This rulemaking is being conducted by the Nevada Energy Director ("Director") pursuant to Chapters 233B and 701 of the NRS and the NAC.

NOTICE IS HEREBY GIVEN that, pursuant to NRS 233B.061, the Director has scheduled HEARINGS in this matter to be held as follows:

CARSON CITY
TUESDAY, October 18, 2011, 8:30 a.m.
Nevada State Legislature
401 S. Carson Street, Room 4100
Carson City, Nevada 89701

This hearing will be available via teleconference by calling: 1-888-636-3807;
Access Code: 6652155

This hearing may also be attended via video conference at the following location:

Nevada State Legislature
Grant Sawyer State Office Building
555 E. Washington Avenue, Room 4401
Las Vegas, Nevada 89101

ELKO
THURSDAY, November 10, 2011, 1:00 p.m.
City of Elko – City Hall, Council Chambers
1751 College Avenue
Elko, Nevada 89801

(No video conferencing will be available at the Elko hearing.)

This hearing will be available via teleconference by calling: 1-888-636-3807;
Access Code: 6652155

The purpose of these hearings is to solicit comments from interested persons on the regulations regarding the **energy consumption in buildings, including manufactured homes; namely, adoption of the 2009 version of the *International Energy Conservation Code***. At each hearing, all interested persons will be afforded a reasonable opportunity to submit data, views or arguments on the proposed regulations, orally or in writing. Written comments must be submitted with the comment form provided by the Director. Written submissions must be received by the Office of Energy at 755 North Roop Street, Suite 202, Carson City, Nevada on or before October 11, 2011 for the October 18, 2011 hearing, and November 7, 2011 for the November 10, 2011 hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Office of Energy may proceed immediately to act upon any written submissions. A period devoted to comments by the general public, if any, and discussion of those comments will be provided at each hearing.

The following information is provided pursuant to the requirements of NRS 233B.0603:

The proposed regulations are required to implement the program for the conservation of energy in buildings, including manufactured homes; namely, adoption of the 2009 *International Energy Conservation Code*, pursuant to NRS 701.220. The proposed regulations establish minimum standards for building energy codes statewide. Any definitive measure of the incremental impacts (i.e., difference between the IECC in place currently and the 2009 IECC) as a result of the proposed regulations is indeterminable at this time. However, several local jurisdictions in Nevada have already adopted the 2009 IECC, so some small businesses are already subject to its provisions not as a result of the proposed regulations.

Economic Effects on Business which regulation is to regulate

Adverse effects include higher costs for construction.

Beneficial effects include increased business for energy efficiency auditors, builders, and retrofit contractors; lower utility bills for Nevadans; and safer, more comfortable buildings in Nevada.

Immediate effects include higher costs for construction; increased business for energy efficiency auditors, builders, and retrofit contractors; lower utility bills for Nevadans' and safer, more comfortable buildings in Nevada.

Long-term effects include higher costs for construction; increased business for energy efficiency auditors, builders, and retrofit contractors; lower utility bills for Nevadans; and safer, more comfortable buildings in Nevada.

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Small Business Impact Determination

In making a small business impact determination, the Staff of Public Utilities Commission of Nevada used the Delphi Method. The Delphi Method is a systematic, interactive, forecasting method based on independent inputs of selected Staff experts who form a consensus opinion as to the likely impact of the regulation on small businesses and the public. As a result of the Staff study, the NSOE determined that the regulation had no direct and significant impact on small businesses.

Estimated Cost to Enforce the Proposed Regulation

It is indeterminable at this time the estimated cost of enforcement to the NSOE since costs would be dependent on time spent to review local amendments to the code, and/or to receive requests from persons who may petition the Director to exempt a building from a standard contained in the IECC. It is also indeterminable at this time the estimated costs to local municipalities for enforcement of the proposed regulations, however, as previously noted, several jurisdictions have already adopted the 2009 IECC.

The proposed regulations do not overlap or duplicate any existing state or federal regulation. The proposed regulations are required pursuant to federal law, under the provisions of Section 410 of the American Recovery and Reinvestment Act of 2009. The proposed regulations do not include provisions that are more stringent than a federal regulation that regulates the same activity. The proposed regulations do not establish a new fee or increase an existing fee.

Interested persons may present their views regarding the proposed regulation at the time, in the manner, and at place specified in this Notice. Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption. The proposed regulations were submitted to the Legislative Counsel Bureau for inclusion in the Register of Administrative Regulations created pursuant NRS 233B.0653.

The proposed regulation has been designated as LCB File No. R024-11 by the Legislative Counsel Bureau. A copy of this notice and the text of LCB File No. R024-11 will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the proposed regulation to be adopted will be available at the Nevada State Capitol, 101 N. Carson Street, Carson City, Nevada and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to

NRS 233B.0653, and on the internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. To request copies, call (775) 687-1850 or e-mail ehnunez@energy.nv.gov.

Members of the public who are disabled and require special accommodations or assistance at the hearing should notify the Director in writing at 755 North Roop Street, Suite 202, Carson City, NV 89701, no later than 5 working days prior to the hearing.

By the Nevada Energy Director


Stacey Crowley

Dated: Carson City, Nevada

9/13/11

This notice of hearing has been sent to all persons on the NSOE’s electronic service list for NRS 701.220 administrative regulations and posted at the meeting locations, the NSOE website at: <http://energy.state.nv.us/energy-efficiency/programs/energy-related-codes.html> and posted at the following locations:

Location	Address	City
Carson City Library	900 N. Roop Street	Carson City, NV 89701
Churchill County Library	5553 S. Maine Street	Fallon, NV 89406
Clark County Library	1401 E. Flamingo Rd.	Las Vegas, NV 89119
Douglas County Library	PO Box 337	Minden, NV 89423
Elko County Library	720 Court Street	Elko, NV 89801
Esmeralda County Library	PO Box 430	Goldfield, NV 89316
Eureka County Library	210 South Monroe Street	Eureka, NV 89316
Humboldt County Library	85 East Fifth Street	Winnemucca, NV 89445
Lander County Library	PO Box 141	Battle Mtn, NV 89820
Lincoln County Library	PO Box 330	Pioche, NV 89043
Lyon County Library	20 Nevin Way	Yerington, NV 89447
Mineral County Library	PO Box 1390	Hawthorne, NV 89415
Nevada State Library	100 Stewart Street	Carson City, NV 89701
Nevada State Office of Energy	755 Roop Street Suite 202	Carson City, NV 89701
Pershing County Library	PO Box 781	Lovelock, NV 89419
Storey County Library	PO Box 14	Virginia City, NV 89449
Tonopah Public Library	PO Box 449	Tonopah, NV 89049
Washoe County Library	7100 Pyramid Lake HWY	Sparks, NV 89436
White Pine County Library	950 Campton St	Ely, NV 89301
Legislative Police – Carson City	775.684.6705	
Capitol Police Las Vegas	702.486.2012	