Brian Sandoval
Governor

STATE OF NEVADA

Stacey Crowley, Director
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Suite 202
Carson City, NV 89701

OFFICE OF THE GOVERNOR
NEVADA STATE OFFICE OF ENERGY

POSTED DECEMBER 14, 2012

NOTICE OF PUBLIC HEARING FOR THE AMENDMENT OF PERMANENT REGULATIONS OF THE NEVADA STATE OFFICE OF ENERGY

LCB FILE NUMBER: R125-11

The Nevada State Office of Energy will hold one public hearing on the following date and locations:

Tuesday, January 15, 2013
10AM

Guinn Annex, 101 North Carson Street, Carson City, NV

The hearing will be video cast to:

Grant Sawyer Building, 555 East Washington Street, Suite 5100, Las Vegas, NV

Call-in if unable to attend in person:
Ph: (605) 562-3000
Participant Access Code 876064#

The Nevada State Office of Energy will receive testimony from all interested persons and consider and take action on the following proposed adoption of amendments, additions and deletions to the Nevada Administrative Code pertaining to the Office of Energy. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Office of Energy may proceed immediately to act upon any written submissions:

1. **The Need for and Purpose of the Proposed Amended Permanent Regulations.**

   The proposed amended regulation is intended to implement the provisions of NRS 701A.300-390, of Chapter 363, Stats. 2011 which authorize the Director of the Office of Energy to grant partial abatement of the local sales and use taxes, the taxes imposed pursuant to chapter 361 of NRS, or both local sales and use taxes and taxes imposed pursuant to chapter 361 of NRS.

Terms or Substance of the Proposed Amended Permanent Regulations or Description of the Subjects and Issues Involved.

To follow at: http://energy.nv.gov/Programs/Tax_Abatement_Rulemaking/

2. **Estimated Economic Effect of the Proposed Amended Permanent Regulations on the Business, which it is to Regulate and the Public.**

A. Adverse and Beneficial Effects.

The Legislature, through its hearings and deliberations regarding AB 522 (subsequently codified as NRS 701A.300 through 701A.450), received testimony and evidence regarding the impact that AB 522 would have upon small business in Nevada. The Legislature concluded that AB 522 would and was intended to have only positive impacts upon small business by encouraging and promoting small businesses to construct and operate renewable energy power generation facilities in Nevada. The mechanism chosen by the Legislature in AB 522 to effectuate its intent was to offer businesses partial abatements of sales and use taxes for three years and property taxes for twenty years for the construction and operation of such facilities

B. Immediate and Long-Term Effects.

The proposed regulations are intended to effectuate the Legislative intent contained in AB 522, and will not and are intended not to have any negative impact upon small businesses. The proposed regulations are and will have positive effects on small businesses that will be subject to the proposed regulations.

3. **Estimated Cost to Agency for Enforcement of Proposed Amended Permanent Regulations.**

The changes proposed by the Nevada Office of Energy should not incur any new costs for the enforcement of the proposed regulation.

4. **Regulations of Other State or Local Governmental Agencies which the Proposed Amended Permanent Regulations Overlap or Duplicate and the Necessity Therefore.**

The proposed amended permanent regulations do not appear to overlap or duplicate regulations of other state or local governmental agencies.

5. **Establishment of New Fee or Existing Fee Increase.**

None.

Persons wishing to comment on the proposed action of the Nevada State Office of Energy may appear at the above scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the Nevada State Office of Energy, 755 North Roop Street, Suite 202, Carson City, Nevada 89701. Written submissions must be received at least two weeks prior to the above scheduled public hearing.

A copy of this notice and the proposed permanent regulations to be adopted and amended will be on file at the Nevada 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 permanent regulations to be adopted and amended will be available at the Nevada State Office of Energy, 755 North Roop Street, Suite 202, Carson City, Nevada; Nevada Department of Taxation,1550 College Pkwy Suite 115,Carson City Nevada; Nevada Commission on Economic Development, 108 East Proctor, Carson City Nevada; Carson City Library, 900 N. Roop Street, Carson City Nevada; and in all counties at the main public library, for inspection and copying by members of the public during business hours. The text of the proposed permanent regulations will include the entire text of any section of the Nevada Administrative Code, which is proposed for amendment or repeal. Copies will be mailed to members of the public upon request. A reasonable fee may be charged for copies if deemed necessary.

Under NRS 233B.064(2), when adopting any regulation, the Agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporation, and its reason for overruling the consideration urged against its adoption.

Brita Tryggvi

Brita Tryggvi, Deputy Director for
Stacey Crowley, Director
December 13, 2012

Members of the public who are disabled and require accommodations or assistance at the meeting are requested to notify the State Office of Energy in writing or by calling 775-687-1850 no later than five working days prior to the meeting.

Notice has been posted at the following locations: Nevada State Office of Energy, 755 North Roop Street, Suite 202, Carson City, Nevada; Department of Taxation,1550 College Pkwy Suite 115,Carson City Nevada; Nevada Governor's Office on Economic Development, 808 West Nye Lane, Carson City, NV; Carson City Library, 900 N. Roop Street, Carson City Nevada. Notice was faxed to each County Public Library for posting.