



**GOVERNOR'S OFFICE OF ENERGY**

**POSTED OCTOBER 24, 2013**

**NOTICE OF INTENT TO ACT UPON A REGULATION**

**Notice of Hearing for the Amendment  
of Regulations of the Governor's Office of Energy**

**LCB FILE NUMBER: R064-13**

The Governor's Office of Energy will hold a public hearing at  
**10A.M. on November 25, 2013** at the following location:

Governor's Office of Energy, 755 North Roop Street, Suite 202, Carson City, NV

The hearing will be video cast to:

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

The purpose of this hearing is to receive comment from all interested persons and take action on the following proposed adoption of amendments to regulation that pertain to chapter 701A of the Nevada Administrative Code.

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

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

The proposed amended regulation is intended to implement the requirement of a fee to approve applications and review annual compliance filings for partial abatement of the local sales and use taxes or 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.

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

A text of the proposed regulation prepared by the Legislative Counsel Bureau pursuant to NRS 233B.063 can be found at:

[http://energy.nv.gov/Programs/Tax\\_Abatement\\_Rulemaking/](http://energy.nv.gov/Programs/Tax_Abatement_Rulemaking/)

### **3. 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 regulation will impose a fee upon the business which it is to regulate. The beneficial effect is that the fee allows the Governor's Office of Energy to continue to administer the Renewable Energy Tax Abatement Program.

#### **B. Immediate and Long-Term Effects.**

The immediate effect is the ability to receive and process an application for partial tax abatement. The long term effects are thereby expanding renewable energy in the state of Nevada and creating construction jobs for Nevada workers.

### **4. Methods used by agency in determining impact on small business.**

The applicants that apply for a partial abatement of taxes are investing a minimum of \$3,000,000. A small business impact study was not conducted because the fee charged by the agency will not place a significant economic burden on small business.

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

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

### **6. Regulations of Other State or Local Governmental Agencies which the Proposed Amended Permanent Regulations Overlap or Duplicate.**

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

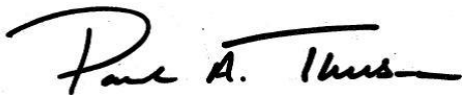
### **7. Establishment of New Fee or Existing Fee Increase.**

The regulation establishes the amount of a new fee required under AB 239 (2013). The fee was determined using an estimate of hours spent to administer one application to the Renewable Energy Tax Abatement program, and subsequent annual compliance report filings.

Persons wishing to comment on the proposed action of the Governor's Office of Energy may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the Governor's Office of Energy, 755 North Roop Street, Suite 202, Carson City, Nevada 89701. Written submissions must be received at least **ten working days** prior to the above scheduled public hearing. If no person who is directly affected by this proposed action appears to request time to make an oral presentation, the Governor's Office of Energy may proceed immediately to act upon written submissions.

A copy of this notice and the proposed permanent regulations to be 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 Governor's Office of Energy, 755 North Roop Street, Suite 202, Carson City, Nevada; and in all counties 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>. 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.



---

Paul Thomsen, Director  
October 22, 2013

**Members of the public who are disabled and require accommodations or assistance at the meeting are requested to notify the Governor's 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; Carson City Library, 900 N. Roop Street, Carson City Nevada. Nevada State Capitol Building, 101 North Carson Street, Carson City, Nevada. Governor's Office of Energy website: <http://energy.nv.gov>. Notice was faxed to each County Public Library for posting.