

**SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY
NRS 233B.0608/233B.0609**

LCB File No.

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Comment was not solicited from small business as the amendments to this regulation do not change the language in a way that would pose a substantive change over the way contractors and subcontractors (small businesses) pay wages now. The Governor's Office of Energy (GOE) has determined that the draft regulations as currently considered may have an effect on contractors but are not likely to pose a direct or significant economic burden upon a small business or contractor, nor would they directly restrict the formation, operation, or expansion of a small business. Furthermore, the primary user of the program governed by these regulations are not considered small businesses.

2. The manner in which the analysis was conducted.

The Director and staff analyzed the typical applicant to the program and determined that the proposed amended regulations only apply to contractors of the facilities seeking partial property tax and sales and use tax abatements from GOE. These requirements would only directly affect those businesses, and not all small businesses. Therefore, the net effect of the proposed amended regulations is still positive in that a business complying with the requirements of the regulations will also be receiving abatements that outweigh any additional costs.

3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

A. Adverse and Beneficial Effects.

The proposed regulation amendments further clarify requirements which must be met by applicants to the program. GOE concluded that these amendments were intended to have only positive impacts upon contractors by encouraging and promoting facilities to construct and operate renewable energy power generation facilities in Nevada.

GOE considered the ability for small businesses to identify the policies and procedures that GOE utilizes to manage the abatement program under its authority. The revision or addition of regulations might require additional time or expertise to review, however, GOE provides free, state-wide assistance to all companies who wish to understand this abatement program. Thus, GOE believes that the additional clarification in the proposed regulations will have no negative impact to small businesses.

B. Immediate and Long-Term Effects.

The proposed regulations are intended to effectuate the Legislative intent and will not and are intended not to have any negative impact upon contractors.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

There were no methods considered as the proposed regulation changes are not substantive and not known to have an impact upon small business or contractors in the state of Nevada.

5. The estimated cost to the agency for enforcement of the proposed regulation.

There is no added cost to the agency for the proposed regulation amendments and additions.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

There is no fee associated with this regulation.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

There are not provisions that duplicate or are more stringent than federal, state, or local standards.

8. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.

The GOE determined that the regulation would not have any negative or positive impact on small business because the regulation amendments only provide clarification regarding existing requirements.

I certify that, to the best of my knowledge or belief, that a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in the statement is accurate

Angela Dykema, Director