

Section	NRS	Change	Explainer
Section 1		Legislative Findings & Declarations on Transportation Electrification	
Section 2	Chapter 701A	Adds new Sections 3 through 5 to Chapter 701A of NRS.	
Section 3	Chapter 701A- New Section	Adds definition of "Energy storage technology" for the Renewable Energy Tax Abatement Program	
Section 4	Chapter 701A- New Section	Adds definition of "Facility for the storage of energy from renewable generation", and excludes facilities located on a residential property from the definition, for the Renewable Energy Tax Abatement Program.	
Section 5	Chapter 701A- New Section	Adds definition of "Hybrid renewable generation and energy storage facility" for the Renewable Energy Tax Abatement Program.	
Section 6	701A.300	The words and terms used in Sections 3 through 5 of this act have the meanings ascribed to them in those sections.	
Section 7	701A.360	Adds "facility for the storage of electricity from renewable energy" and "hybrid renewable energy generation and energy storage facility" to the defined facilities eligible to apply for partial tax abatements.	Expands the Renewable Energy Tax Abatement (RETA) program to encourage the development of energy storage projects needed to reliably and cost-effectively integrate higher penetrations of renewable energy generation on the grid.
Section 8	701A.365	Adds "facility for the storage of electricity from renewable energy" and "hybrid renewable energy generation and energy storage facility" to the provision governing approval of an application for partial tax abatements.	

Section 9	701B.005	Repeals NRS 701B.670, governing the Electric Vehicle Infrastructure Demonstration program, in its entirety. (Effective July 1, 2023.)	Transition language. The Electric Vehicle Infrastructure Demonstration Program will no longer be needed and will terminate after the Commission considers and approves a transportation electrification plan submitted pursuant to Section 14 of the act.
Section 10	701B.670	Amends NRS 701B.670 with transition language (effective January 1, 2023) to remove the requirement that an electric utility submit an annual plan for the Electric Vehicle Infrastructure Demonstration Program.	Transition language. The Electric Vehicle Infrastructure Demonstration Program will terminate on June 30, 2023, after the Commission considers and approves a transportation electrification plan submitted pursuant to Section 14 of the act. This language removes the requirement for an electric utility to file an annual Electric Vehicle Infrastructure Demonstration Program plan for a time period when the program will no longer exist.
Section 11	Chapter 704	Adds new Section 12 through 35 to Chapter 704.	
Section 12	Chapter 704-New Section	Adds definition of “historically underserved community”	
Section 13	Chapter 704- New Section	Adds definition of "low-income household."	

Section 14	Chapter 704- New Section	Require that utilities must file with the Commission, as part of their distributed resources plan required by NRS 704.741(5), a plan to accelerate transportation electrification. The plan may include investments and incentives that facilitate deployment of charging infrastructure, electrification of public transit and publicly owned vehicle fleets, increased access in historically underserved communities, rate designs, programs, or management systems that encourage charging that supports the operation and optimal integration into the electric grid, and customer education and outreach programs. Requires the Commission to adopt regulations necessary to carry out the provisions of this section, including a process for an electric utility to recover all costs that it prudently and reasonably incurs to implement an approved plan.	Requires that the utilities' triennial submission of distributed resource plans to the Commission include plans to accelerate transportation electrification. Requires the Commission to adopt regulations necessary to carry out the provisions of this section.
Section 15	Chapter 704- New Section	The words and terms defined in sections 16 through 20 of this act have the meanings ascribed to them in those sections.	
Section 16	Chapter 704-New Section	"Electric utility" as used in these sections has the meaning ascribed to it in NRS 704.187	These sections apply to electric utilities that have an annual gross operating revenue of \$250 million or more in this State.
Section 17	Chapter 704 - New Section	"Electric utility that primarily serves densely populated counties" as used in these sections has the meaning ascribed to it in NRS 704.110(17)(c).	An electric utility that derives more of its annual gross operating revenue from customers located in counties whose population is 700,000 or more.

Section 18	Chapter 704-New Section	“Electric utility that primarily serves less densely populated counties” as used in these sections has the meaning ascribed to it in NRS 704.110(17)(d).	An electric utility that derives more of its annual gross operating revenue from customers located in counties whose population is less than 700,000.
Section 19	Chapter 704-New Section	“High-voltage transmission infrastructure” as used in these sections means bulk transmission lines capable of operating at a voltage of 345 kV or higher, and associated substations or substation expansions.	Applies to 345 kV or higher bulk transmission lines.
Section 20	Chapter 704-New Section	“Transmission infrastructure plan for clean energy economy” as used in these sections means a plan filed by an electric utility pursuant to section 21 of this act.	
Section 21 subsection 1	Chapter 704 - New Section	Requires an electric utility, on or before September 1, 2021, to file with the Commission, as an amendment to the plan required to be submitted pursuant to NRS 704.741, a plan for the construction of high-voltage transmission infrastructure planned to be in service no later than December 31, 2028. Provides that two or more affiliated electric utilities that have an interconnected system for transmission shall submit a joint plan.	Requires filing of a plan that will assure a reliable and resilient transmission network in the State, assist utilities in meeting clean energy portfolio standards, assist in the State’s economic development goals, expand transmission access to renewable energy zones, utilize federally granted rights of way within renewable energy transmission corridors in advance of expiration dates, and support development of regional transmission interconnections.
Section 21 subsection 2	Chapter 704-New Section	Limits the transmission infrastructure for clean energy economy plan to the following projects for which the Commission has previously approved conceptual design, permitting, and land acquisition: (a) high-voltage transmission infrastructure connecting northwest and northeast Nevada which increases	Limits the plan to specific high-voltage bulk transmission infrastructure projects for which the Commission has previously approved conceptual design, permitting and land acquisition.

		<p>import capacity by at least 800 megawatts</p> <p>(b) high-voltage transmission infrastructure located in Southern Nevada accessing a federally designated renewable energy transmission corridor to accommodate future renewable energy development and increased electricity demand.</p>	
Section 21 subsection 3	Chapter 704-New Section	<p>Provides that the default allocation of costs of high-voltage transmission infrastructure projects included in a joint plan submitted by an electric utility that primarily serves densely populated counties and an electric utility that primarily serves less densely populated counties shall be 70 percent and 30 percent, respectively.</p> <p>Allocation of costs may be reviewed and reassessed by the Commission after the projects are in service.</p>	<p>Sets a default percentage split of costs that must be allocated between two electric utilities submitting a joint plan, but allows the Commission to review and reassess that split of costs after the projects are in service.</p>
Section 21 subsection 4	Chapter 704-New Section	<p>Requires a transmission infrastructure for clean economy plan to include an evaluation of the impact that implementation of the plan would have on:</p> <ul style="list-style-type: none"> <li>Reliability of the utility’s transmission network</li> <li>Resilience of the transmission network to withstand natural or manmade events</li> <li>Development and use of renewable energy</li> <li>Economic activity and development in the state</li> <li>Projected carbon dioxide emissions</li> <li>Ability to diversity its supply portfolio of renewable energy to include larger amounts of geothermal and hydro</li> </ul>	<p>Addresses the evaluations that an electric utility must include in its plan.</p>

		<p>Ability to integrate larger amounts of electricity from variable renewable energy resources</p> <p>Ability to reduce energy supply costs by selling to other states</p> <p>Ability to reduce energy supply costs by buying from other states</p> <p>Ability to provide interstate transmission services</p> <p>Ability to accommodate requests for access to renewable energy resources</p> <p>Development of regional transmission interconnections</p> <p>Rates charged to bundled retail customers</p> <p>Financial risk to bundled retail customers</p>	
Section 22	Chapter 704-New Section	<p>Provides electric utility shall mitigate costs of the transmission infrastructure for a clean energy economy to the extent possible by utilizing available federal tax incentives and funding. Provides that if in any general rate case filed by an electric utility the recovery of amounts related to implementation of a transmission infrastructure for clean energy economy plan would result in an increase of more than 10% of the utility's annual revenue requirement, the utility must propose a method or mechanism by which such excess may be mitigated. The Commission may accept, modify, or reject such a rate method or mechanism.</p>	<p>An electric utility must propose a plan to mitigate the rate impact to its customers if, in any general rate case filed prior to June 1, 2028, the recovery of costs related to plan implementation would otherwise result in an increase of more than 10% in the utility's annual revenue requirement.</p>

Section 23	Chapter 704-New Section	Adds language that an electric utility may file an amendment to a transmission infrastructure for clean energy economy plan as an amendment to its resource plan as provided in NRS 704.751.	After approval by the Commission of a transmission infrastructure for clean energy economy plan, an electric utility may apply to the Commission for approval to amend the plan in the same manner it can request amendment of other provisions of an approved resource plan.
Section 24	Chapter 704-New Section	Adds language that if the Commission deems inadequate any portion of a transmission infrastructure for clean energy economy plan, the Commission may recommend to the electric utility a modification of that portion of the plan or amendment, and the electric utility may accept the modification or withdraw the proposed plan or amendment.	The Commission may recommend a modification to a transmission infrastructure for clean energy economy plan, and an electric utility may accept the modification or withdraw the plan.
Section 25	Chapter 704-New Section	The words and terms used in Sections 25 through 34 of this act have the meanings ascribed to them in those sections.	
Section 26	Chapter 704-New Section	“Regional Transmission Organization” as used in these sections means an entity established for the purpose of coordinating and efficiently managing the dispatch and transmission of electricity among public utilities on a multi-state or regional basis, with certain described characteristics.	
Section 27	Chapter 704- New Section	Adds definition of "Task Force" to mean the Regional Transmission Coordination Task Force created by Section 31 of this act.	
Section 28	Chapter 704-New Section	“Transmission Provider” as used in these sections means a public utility that provides transmission in interstate	

		commerce pursuant to a tariff approved by the Federal Energy Regulatory Commission.	
Section 29	Chapter 704- New Section	Adds definition of "User" to mean any entity or affiliate of an entity that buys or sells electricity in the regional transmission organization's region or in a neighboring region.	
Section 30	Chapter 704-New Section	Requires the Commission to require every transmission provider in the State to join a regional transmission organization on or before January 1, 2030. The Commission may waive or delay the requirement if (a) the transmission provider files an application with the Commission on or before January 1, 2027 requesting a waiver or delay, (b) the transmission provider demonstrates that it has made reasonable efforts to comply with the requirement but is unable to find an RTO that it can join by the deadline or that it would not be in the best interests of the utility and its customers to join, and (c) the Commission determines that it is in the public interest to grant the requested waiver or delay.	Requires transmission providers in this State to join a regional transmission organization by January 1, 2030, unless granted a waiver or extension of time by the Commission.



Section 31	Chapter 701-New Section	<p>(1) Creates The Regional Transmission Coordination Task Force. (2) Requires the Governor to appoint a person as Chair of the Task Force whose term shall be at the pleasure of the Governor.</p> <p>(3) The Task Force shall consist of the Chair and the following members appointed by the Governor:</p> <p>A representative of an electric utility that primarily serves densely populated counties</p> <p>A representative of an organization that represents rural electric cooperatives and municipally-owned electric utilities</p> <p>A representative of the Colorado River Commission</p> <p>A representative of a transmission line development company operating in this State</p> <p>A representative of the large-scale solar energy industry in this State</p> <p>A representative of the geothermal industry in this State</p> <p>A representative of the data center business in this State</p> <p>A representative of an organization that represents the mining industry in this State</p> <p>A representative of an organization that represents the gaming and resort businesses in this State</p> <p>A representative of a labor organization in this State</p> <p>A representative of an organization in this State that advocates on behalf of environmental or public lands issues</p> <p>A representative of the Office of Energy</p> <p>A representative of the Governor's</p>	Creates the Regional Transmission Coordination Task Force and provides for the appointment of voting and ex officio, non-voting members.
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Section 32	Chapter 701-New Section	<p>(1) Requires the members of the Task Force to meet not less than twice a year at the call of the Chair.  (2) Gives the Chair the ability to form and appoint working groups, chaired by one or more members of the Task Force and composed of persons with subject matter expertise.  (3) Gives the Chair the ability to issue operating guidelines, and identity and approve scope of work and issues for the Task Force and any working group.  (4) Defines a quorum as the majority of members present. A quorum may</p>	Provides for appointment of the Chair by the Governor, and management and governance of the Task Force.

		<p>exercise all powers conferred on the Task Force.</p> <p>(5) The members of the Task Force serve at the pleasure of the Governor.</p> <p>(6) The members of the Task Force serve without compensation.</p>	
Section 33 subsection 1	Chapter 701-New Section	<p>Adds language to require the Task Force to advise the Governor and the Legislature on</p> <p>(a) potential costs and benefits to transmission providers and customers of forming or joining a regional transmission organization (RTO)</p> <p>(b) policies that will accomodate entrance by transmission providers into an RTO by 2030</p> <p>(c) policies that will site transmission necessary to achieve the State’s clean energy and economic development goals</p> <p>(d) potential areas where growth in demand for electricity or renewable energy generation would be accommodated by additional transmission or RTO opportunities</p> <p>(e) businesses and industries that could locate in this State as a result of our position in an RTO</p>	<p>Outlines the responsibilities of the Task Force in advising the Governor and the Legislature on the joining or creation of a regional transmission organization.</p>
Section 33 subsection 2	Chapter 701-New Section	<p>Adds language to require the Task Force to submit to the Governor and Director of the Legislative Counsel Bureau a report on its activities and any recommended legislation to enable entrance by transmission providers in</p>	<p>Requires the Task Force to submit a report on its activities and legislative recommendations every two years to the Governor and Legislature.</p>

		the State into a regional transmission organization. Must be submitted by November 30, 2022 and every two years thereafter.	
Section 34	Chapter 701-New Section	(1) Requires the Office of Energy to provide personnel, facilities, equipment and supplies required by the Task Force to carry out its work. (2) Allows the PUCN, in consultation with the Task Force, to engage an independent third party to assess the potential costs and benefits to transmission providers and customers of forming or joining a regional transmission organization.	Provides necessary support for the work of the Regional Transmission Coordination Task Force from the Office of Energy and the Public Utilities Commission.
Section 35	Chapter 704 - New Section	Adds language clarifying that the public utility has the burden of proving reasonableness and prudence in any request to the Commission to establish or adjust a schedule, rate, toll or charge.	Establishes that the utility has the burden of proving reasonableness and prudence in applications submitted for approval by the Commission.
Section 36	704.021	Excludes persons owning or operating a net-metering system on a property with multiple tenants from the definition of public utility.	Clarifies that a landlord operating a net-metering system and providing electricity to tenants is not operating as a public utility where the residential or commercial units do not have individual electric meters, and the tenants are not charged for electricity based on the amounts they use.
Section 37	704.061	The words and terms used in Section 35 of this act have the meanings ascribed to them in NRS704.062 to 704.110.	

Section 38	704.100	Excludes changes in schedules filed and approved as part of a transportation electrification plan filed pursuant to Section 14 of the act from the procedures in NRS 704.100, which generally govern changes in schedules by a public utility.	Commission review and approval of these proposed schedules is specifically addressed in Section 14 of the act.
Section 39 subsection 3	704.741	(1) Changes “low carbon intensity” to “low carbon dioxide emissions.” (2) Requires that in the low carbon emissions scenario, by 2050 the amount of energy production from zero carbon dioxide sources will be equal to the forecast demand. (3) Requires that supply plans filed by June 1, 2027 be consistent with achieving an 80% reduction in carbon emissions from 2005 levels by 2030.	Aligns requirements for the low carbon scenario in resource planning with Nevada’s goal for electric utilities to achieve “net zero” carbon dioxide emissions by 2050. (SB358, 2019)
Section 39 old subsection 4	704.741	Deletes language requiring an electric utility to include in its resource plan a discrete plan for transmission facilities to serve renewable energy zones.	The transmission infrastructure plan for clean energy economy will address expansion of high-voltage transmission infrastructure to identified renewable energy zones.
Section 39 new subsection 4	704.741	Amends NRS 704.741 to require that an electric utility include in its distributed resources plan the transportation electrification plan required by Section 14 of the act.	Provides that a transportation electrification plan under Section 14 of the act will be filed as part of an electric utility’s distributed resources plan.
Section 40	704.746	Amends NRS 704.746 to add items the Commission shall consider in determining whether to accept or modify transportation electrification plans submitted pursuant to Section 7. Whether the plan is reasonably expected to achieve one or more of eight outlined purposes. Whether the plan provides electrical services and pricing that customers value.	Outlines specific considerations for the Commission to make when reviewing transportation electrification plans. Ensures the plans meet the intended purposes, provide value to customers, are transparent and publicly reporting, and consider costs and benefits to the customers.

		<p>Whether the plan is transparent and incorporates public reporting requirements.</p> <p>The costs to customers to implement the plan</p>	
Section 41	704.751	<p>Deletes language addressing the Commission's consideration of an electric utility's discrete plan for transmission facilities to serve renewable energy zones, as the requirement to include such a plan in its resource plan is being deleted from NRS 704.741.</p> <p>Adds language addressing the Commission's acceptance of a transmission plan for clean energy economy filed by an electric utility.</p>	<p>The transmission infrastructure plan for clean energy economy will address expansion of high-voltage transmission infrastructure to identified renewable energy zones.</p> <p>The Commission shall accept a transmission infrastructure plan for clean energy economy that meets the requirements of Section 21, subsections 2 and 3 and includes the evaluations required by Section 21 subsection 4.</p>
Section 42	704.7591	<p>Amends language to allow electric utilities to dispose of generation assets in a merger with an affiliated electric utility with approval from the Public Utilities Commission.</p>	<p>Legislation enacted in 2001 (AB 369) halted Nevada's planned restructuring of its electricity markets to allow retail competition, and the electric utilities' plans to sell their generating units as part of that restructuring. A provision of that legislation in NRS 704.7591 can be interpreted as having the unintended effect of allowing the Commission to approve the disposition of generation assets by an electric utility in a merger with an unrelated party, but not with an affiliate. As amended, the statute allows an electric utility to dispose</p>

			of its generation assets in a merger with an affiliated electric utility where the merger has been approved by the Commission.
Section 43	704.783	The words and terms used in Section 12 and 13 of this act have the meanings ascribed to them in those sections.	
Section 44	704.7836	Changes the requirements for an electric utility's energy efficiency plan. Current law requires not less than 5% of total plan expenditures must be directed to energy efficiency programs for low-income customers. As amended, not less than 10% of total plan expenditures must be spent on energy efficiency measures for customers in low-income households, and residential customers and public schools in historically underserved communities.	Requires at least 10% of energy efficiency plan spending be directed to measures for low-income households and historically underserved communities.
Section 45	704.788	Changes application deadline for the Economic Development Rate Rider program from December 31, 2017 to December 31, 2024.	Reopens the Economic Development Electric Rate Rider Program for remaining capacity under the 50 MW cap to encourage the location or relocation of new commercial and industrial businesses in this State by providing discounted rates for electricity to eligible participants.

Section 46	704.7881	Changes the 8-year time period for which declining percentage rate discounts apply from Years 1-8 to Years 3-10 of the required 10-year contract term.	
Section 47	704.7882	Adjusts the dates so that the Commission shall submit a report on the program to the Director of the LCB for the 82rd Session of the Legislature before December 31, 2022	
Section 48	704B.310	Removes a reference to the Electric Electric Vehicle Infrastructure Demonstration Program effective with termination of the Program on July 1, 2023.	
Section 49 subsection 1	Chapter 704-New Section	To provide the greatest economic recovery benefits and opportunities for creation of new jobs, requires an electric utility to file with the Commission by September 1, 2021 a plan for investments to accelerate transportation electrification in an amount not to exceed \$100 million during the January 1, 2022 through December 31, 2024 time period.	Requires electric utilities to submit plans to invest up to \$100 million in transportation electrification during 2022-2024.
Section 49 subsection 3	Chapter 704-New Section	Requires that plans filed pursuant to subsection 1 must provide for investments in certain programs. Describes five programs and their purpose, including an Interstate Corridor Charging Depot Program, an Urban Charging Depot Program, a Public Agency Electric Vehicle Charging Program, a Transit, School Bus and Transportation Electrification Custom Program, and an Outdoor Recreation and Tourism Program.	Describes five types of programs for transportation electrification investments: (a) Interstate Corridor Charging Depot (b) Urban Charging Depot (c) Public Agency Charging (d) Transit, School Bus and Transportation Electrification Custom Program (e) Outdoor Recreation and Tourism



Section 49 subsection 5	Chapter 704-New Section	(a) Requires that 40% of total program expenditures be directed towards investments in historically underserved communities. (b) Requires that 20% of the total program expenditures be dedicated to investments in the Outdoor Recreation and Tourism Program.	Ensures that investments reach all Nevadans and addresses the higher air pollution rates in marginalized communities. Ensures that at least 20% expenditures goes to serving the electric vehicle charging needs of Nevada's tourism and outdoor recreation economy.
Section 49 subsection 7	Chapter 704-New Section	Requires charging infrastructure and equipment located on the customer side of the meter installed under a program approved under this section to be installed by a contractor holding a valid license in the required classification, and with at least one electrician holding an Electric Vehicle Infrastructure Training Program certification.	Ensures that charging infrastructure and equipment located on the customer side of the meter is installed by electricians with the proper training.
Section 49 subsection 8	Chapter 704-New Section	Requires the Commission to issue an order approving or modifying the electric utility's plan within 90 days after filing.	Provides for expedited Commission review of the electric utility's plan to provide the greatest economic recovery benefits.
Section 49 subsection 11	Chapter 704-New Section	Provides that Commission approval of an electric utility's plan constitutes a finding that the investments and incentives included in the plan are prudent, and that the utility may recover through rates all costs that it prudently and reasonably incurs to implement the plan. Provides for the recording of plan implementation costs in a regulatory asset, with a Commission determination of a rate to recover plan costs in an electric utility's general rate application.	Provides for recovery through rates of costs prudently and reasonably incurred by an electric utility in implementing an approved plan.
Section 50		Excludes the reports to the Legislature required under Section 33 of this act from the provisions of subsection 1 of	

		NRS 218D380.	
Section 51	Chapter 704-New Section	(1) Provides that a distributed resources plan filed by an electric utility on or before Jun 1, 2021, is not required to include the transportation electrification plan otherwise required by Section 14 of the act and NRS 704.741(5), as amended by Section 39 of the act. (2) Requires an electric utility to submit on or before September 1, 2022, an amendment to its existing distributed resources plan that includes a transportation electrification plan that complies with Section 14 of the act and NRS 704.741(5), as amended by Section 39 of the act.	Transition language providing that an electric utility's first transportation electrification plan under Section 14 of the act will not be included in its next triennial distributed resources plan due to be filed on or before June 1, 2021, but will be filed as an amendment to its then-existing distributed resources plan on or before September 1, 2022.
Section 52		Excludes application of the amendatory provisions of Section 48 (removing a reference to the Electric Vehicle Demonstration Program after termination of the Program) to an order of the Public Utilities Commission issued pursuant to NRS 704B.310 before July 1, 2023	
Section 53		Excludes application of the amendatory provisions of Section 46 (changing the 8-year time period in which rate discounts apply under the Economic Development Electric Rate Rider program) to contracts entered into before the effective date of Section 46 of this act.	
Section 54		Requires an electric utility to file, on or before July 1, 2022, an amendment to its most recently filed energy efficiency plan to ensure that energy efficiency plan complies with the amendatory provisions of Section 44 of this act.	

Section 55		Repeals NRS 701.090, 701.500, 701.505, 701.510, and 701.515.	
Section 56		Repeals NRS 701B.670.	
Section 57		Allows a committee vote on this act before the expiration of the period prescribed for the return of a fiscal note in NRS 218D.475.	
Section 58		Sets effective dates for various sections of this act.	