



GOVERNOR'S OFFICE OF ENERGY

MINUTES
of the workshop of the
GOVERNOR'S OFFICE OF ENERGY

LCB File Number TBD

June 22, 2020

Via FreeConferenceCall:
Dial-in Number: 602.580.9297
Access Code: 781.287.9

Online Meeting Link: <https://join.freeconferencecall.com/lwickham5>

In attendance:

David Bobzien, Governor's Office of Energy, Jennifer Taylor, Governor's Office of Energy, Laura Wickham, Governor's Office of Energy, Lezlie Helget, Governor's Office of Energy, Nancy Morris, Legislative Council Bureau, Kate Helnemann, NV Energy, Josh Hicks, McDonald Carano, Alfredo Alonso, Lewis and Roca, Bryce Alstead, Holland & Hart, Robin Martin, Ormat Technologies, Kyle Davis, Interwest Energy Alliance, David Grazda, Director of Asset Management, Susan Fisher, McDonald Carano, Erika Arvizo, Arevon Energy, Michael Walsh, Las Vegas Global Economic Alliance, Kimberly Pisane, Marilyn Burke, Shanon Amonette.

- 1. Call to order:** The meeting was called to order at 1:32 PM by Director David Bobzien.
- 2. Introductions of Those in Attendance:** Those in attendance introduced themselves.
- 3. Director's comment:** Director Bobzien explained the amended proposed Regulation and the order of the workshop. Pursuant to NAC 701A, the Regulation relates to Renewable Energy Tax Abatement Fees, Definition of wages, and Duties of applicant – Maintenance of records and submissions to the Governor's Office of Energy and the Board of County Commissioners.
- 4. Public comment and discussion:** Director Bobzien asked for public comment, there was none.

5. Discussion of Proposed Regulation:

Section 1.

Josh Hicks: Clarification on regulation wage definition is slightly different than the statutory definition of wage in 701A.365(7). Strike outdated reference 338.010 and replace it with the current 701A.365(7)? Section B of the statute had a few other things, health, pension, bonified fringe benefits.

Laura Wickham: There was no specific reason why the language was used in the Regulation, we can certainly look into swapping those statutes.

Josh Hicks: Effect date of regulations, SB298 changed the definition of wages depending on when an application was submitted. Would this definition sync with the statutory effective date of SB298 and change of wage in the statute?

Laura Wickham: Yes, that would be correct.

David Bobzien: Yes, that is our understanding.

Section 2.

Alfredo Alonso: Concerned about changing the burden of information to the applicant. This info is obtained through the contractor, while statute clearly requires that we collect it, this language in the proposed reg seems to take it a bit further. We do not have a problem collecting the data, but 338 is voluntary, and I do not think we want a lot of this information out there. We may want to make this look a little closer to the current provisions in 338 because of the "without limitation" language you may be going far further than the current statute requires.

Laura Wickham: We could certainly look into the "without limitation" portion. "Without limitation" was in the Bill. 338.070 does have two items that are voluntary, only ethnicity, and gender. Under section A we are allowed to get all the information. Under section B, the only thing to be kept confidential is the driver's license number. Do not know how we can get around the "without limitation" language found in SB298.

Alfredo Alonso: Without getting too far into Section 3, you are now taking the payroll reports and providing them to the County, that's one more place where those records exist. Again, concern #1 puts applicants in a position where they must verify that the contractor's information is accurate.

Bryce Alstead: Is the intention of compiling this information for projects after 7/1?

Laura Wickham: Only going forward.

Section 3.

Laura Wickham: Alfredo, I know this was another concern, reports that have to go to the County. Again, that is bound in SB 298 section 3, where it states "shall submit annually to the Office of Energy and the board of county commissioners a certified payroll report on a form or in a format prescribed by the Director."

Alfredo Alonso: Correct. That gives a lot of leeway as to what that report looks like; lets redact from it. You should consider, for the protection of these folks, that you redact a lot of that information. We should be concerned with any identifiable info that could compromise employee. Has nothing to do with payroll itself. All that information could be redacted with the exception of verifying the license is from the State of Nevada and who the person is.

Laura Wickham: Agreed. As long as we know who the person is and that they were a resident of Nevada. We will have to create a format or form that we will ask the facilities to provide this report on. Just as you are concerned, we are concerned too; we do not like to hold records that we do not have to hold. This will be examined so that we only have the information that is absolutely necessary to prove to the public the facility is eligible.

Alfredo Alonso: Going back to Section 2, you could also determine what information is being kept, that's within 338. What gets turned in to GOE - there is some flexibility in what we would require to be collected.

David Bobzien: We hear the concerns. That's why Section 3 (1) be accompanied by a statement certifying the truthfulness and accuracy of the payroll report, and that goes hand in hand with redactions. We will take that into consideration.

Section 4.

Nate, Interwest Energy Alliance: We support the proposed changes.

Laura Wickham: We want to get as much feedback to ensure GOE is broad as possible in including activities that support renewable energy development.

Nate, Interwest Energy Alliance: Technical point on the use of fees, not exceed needs clarification.

David Bobzien: We had a lot of discussions that fee authority is not to exceed the actual cost, but additional increment afforded under SB 298.

Nate, Interwest Energy Alliance: We have a couple of other non-technical potential additions or modifications to activities enumerated here. We would like to see regional market development and transmission planning as additional activities.

David Bobzien: That is fantastic, thank you.

Nate, Interwest Energy Alliance; Additionally, on the mapping portion, we would just like to make sure on anything that happens there that the industry should be a part of that development; outcomes of mapping exercises are influenced by modeling inputs. Make sure the industries are included as maps are developed.

David Bobzien: Good intent to put down. Our office recognizes that these activities are intended to be a net benefit for the industry.

Section 5: No comments on this section.

6. Public comment and discussion: Director Bobzien asked for public comment, there was none.

7. Adjournment: 2:00 P.M.