



Executive Order 2017-03

ORDER ESTABLISHING THE GOVERNOR'S COMMITTEE ON ENERGY CHOICE

WHEREAS, on November 8, 2016, the voters of the State of Nevada approved Ballot Question 3: The Energy Choice Initiative (the "Initiative"), which would amend the Nevada Constitution if voters approve the Initiative again in the 2018 general election;

WHEREAS, Nevada voters overwhelmingly supported a State policy that "electricity markets be open and competitive so that all electricity customers are afforded meaningful choice among different providers, and that economic and regulatory burdens be minimized in order to promote competition and choices in the electric energy market";

WHEREAS, if voters approve the Initiative a second time in 2018, the Legislature has until July 1, 2023 to pass laws consistent with the Initiative;

WHEREAS, members of the State Legislature may consider legislation related to energy choice during the 2017 General Legislative Session;

WHEREAS, responding responsibly to the Initiative's goals will require input from lawmakers, regulators, ratepayers, and stakeholders from many different groups all across the State;

WHEREAS, it is critical that these lawmakers, regulators, ratepayers, and stakeholders begin to consider and find possible solutions to the changes advanced by the Initiative; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides that, "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada."

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, I hereby direct and order as follows:

1. The Governor's Committee on Energy Choice (the "Committee") is hereby established.
2. The Governor shall appoint all members of the Committee, and membership shall be comprised as follows:
 - The Lieutenant Governor of the State of Nevada
 - The Attorney General of the State of Nevada
 - One member of the Nevada State Senate nominated by the Majority Leader
 - One member of the Nevada State Senate nominated by the Minority Leader
 - One member of the Nevada State Assembly nominated by the Speaker
 - One member of the Nevada State Assembly nominated by the Minority Leader
 - Consumer Advocate of the Bureau of Consumer Protection
3. The Governor shall also appoint 15 additional members to the Committee. In selecting those 15 additional members, the Governor shall consider representatives from the following:
 - A rural/municipal co-op utility
 - Large consumers of electricity
 - The Nevada Resort Association
 - Mining
 - NV Energy
 - Organized labor

- Small or mid-sized businesses
 - Senior citizen organizations
 - Renewable energy industries
 - Homebuilders
 - Conservation organizations
4. In addition, the Governor shall appoint one representative of the Public Utilities Commission, one representative of the Governor's Office of Energy, and one representative of the Governor's Office of Economic Development to serve as *ex officio*, non-voting members of the Committee.
 5. The Lieutenant Governor of Nevada is appointed Chair of the Committee.
 6. At the Committee's first meeting, the Committee members shall elect a Vice-Chair by majority vote.
 7. The Chair will have the ability to issue guidelines for operation of the Committee and amend those guidelines as needed. The Chair may also form and appoint working groups, chaired by one or more members of the Committee and composed of persons with subject matter expertise, to aid it in its work. The Chair will identify and approve the scope of work and issues for the Committee and working groups.
 8. The Committee's mission shall be to identify the legal, policy, and procedural issues that need to be resolved, and to offer suggestions and proposals for legislative, regulatory, and executive actions that need to be taken for the effective and efficient implementation of the Initiative.
 9. The Committee shall be allowed 12 months to review, evaluate, and develop written plans for the full implementation of energy choice by 2023, provided that the Initiative again passes by a vote of the people in 2018, and shall submit such plans to the Governor. This report is due to the Governor no later than 18 months from the effective date of this Executive Order.
 10. The issues that the Committee shall address include, but are not limited to:
 - A. The need to amend laws governing the generation, transmission, purchase, and delivery of electricity to all Nevadans;
 - B. Ensuring that all Nevadans have reasonable access to the open energy markets;
 - C. Protecting consumers from energy-rate increases caused by the opening of energy markets;
 - D. Preventing ratepayers and investors from possible economic losses associated with stranded investments;
 - E. Promoting innovation and development in Nevada's renewable energy industries;
 - F. Developing and expanding Nevada's energy industries such that Nevada become a net exporter of energy;
 - G. Providing Nevadans with energy choice as soon is reasonably practical or possible.
 11. Members of the Committee shall receive no compensation for their service, and shall serve at the pleasure of the Governor.
 12. The Committee shall meet at the discretion and direction of its Chair.
 13. The Governor's Office of Energy shall provide administrative support to the Committee.
 14. All meetings of the Committee and any working groups of the Committee shall be subject to the Open Meeting Law, as codified in NRS Chapter 241. The Committee shall endeavor to solicit public comment as part of its consideration of the policy, legal, and procedural issues that need to be resolved to implement the Initiative. To the extent it deems appropriate, the Committee shall incorporate the public input it receives into its recommendations and findings.
 15. All records documenting the Committee's activities shall be retained and transferred to the State Archives for permanent retention in accordance with the State record retention policy.
 16. This Executive Order shall continue in existence until the Committee reports its recommendations and findings to the Governor, but no later than July 1, 2018, unless it is either terminated earlier or extended beyond that date by further executive order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 9th day of February, in the year two thousand seventeen.



[Handwritten Signature]

Governor of the State of Nevada

By the Governor:
[Handwritten Signature]

Secretary of State
[Handwritten Signature]

Deputy Secretary of State