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In accordance with NRS Chapter 719,  
this filing has been electronically signed and filed  
by: /s LoriPetersen

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By electronically filing the document(s),  
the filer attests to the authenticity of the electronic signature(s) contained therein.

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This filing has been electronically filed and deemed to be signed by an authorized  
agent or  
representative of the signer(s) and  
NPC SPPC



February 28, 2020

Ms. Trisha Osborne, Assistant Commission Secretary  
Public Utilities Commission of Nevada  
Capitol Plaza  
1150 East William Street  
Carson City, Nevada 89701-3109

RE: Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for Approval of their Joint Natural Disaster Protection Plan.

Dear Ms. Osborne:

Enclosed for filing with the Public Utilities Commission of Nevada ("Commission") please find the Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for Approval of their Joint Natural Disaster Protection Plan. Also enclosed is a draft notice of the Petition pursuant to NAC § 703.162.

Should you have any questions regarding this filing, please contact me at (775) 834-3551 or [jcaviglia@nvenergy.com](mailto:jcaviglia@nvenergy.com).

Respectfully submitted,

/s/ Justina Caviglia  
Justina Caviglia  
Senior Attorney

**EXHIBIT A**  
**APPLICATION**



1 efforts to timely comply with the requirements and schedule set forth in SB329 and the  
2 regulation. The comprehensive analyses used to prepare this NDPP were developed through  
3 significant collaboration with stakeholders, and by reviewing and monitoring California  
4 utilities' wildfire mitigation plans. NV Energy has embraced the NDPP concept, and has  
5 prepared a comprehensive and complete plan, which focuses on reducing Nevada's  
6 vulnerability to natural disasters.

7 **II.**

8 **THE APPLICANTS**

9 Nevada Power and Sierra are Nevada corporations and wholly-owned subsidiaries of  
10 NV Energy, Inc. Nevada Power and Sierra are public utilities as defined in NRS § 704.020,  
11 and are subject to the jurisdiction of the Commission. Nevada Power is engaged in providing  
12 electric service to the public in portions of Clark and Nye counties, Nevada pursuant to a  
13 certificate of public convenience and necessity issued by this Commission. Sierra provides  
14 electric service to the public in portions of fourteen northern Nevada counties, including the  
15 communities of Carson City, Minden, Gardnerville, Reno, Sparks, and Elko. Sierra owns and  
16 operates a certificated local distribution company engaged in the retail sale of natural gas to  
17 customers in the Reno-Sparks metropolitan area.

18 Sierra's primary business office is located at 6100 Neil Road in Reno, Nevada and  
19 Nevada Power's primary business office is located at 6226 West Sahara Avenue in Las Vegas,  
20 Nevada. All correspondence related to this Application should be served electronically upon  
21 the following address: [regulatory@nvenergy.com](mailto:regulatory@nvenergy.com). Hardcopy documents should be  
22 transmitted to NV Energy's counsel as set forth below:

23 Justina Caviglia  
24 Senior Attorney  
25 6100 Neil Road  
26 Reno, NV 89511  
27 Telephone: 775.834.3551  
28 Facsimile: 775.834.4098  
[jcaviglia@nvenergy.com](mailto:jcaviglia@nvenergy.com)

Manager, Regulatory Services  
6100 Neil Road  
Reno, NV 89511  
Telephone: 775.834.5823  
[regulatory@nvenergy.com](mailto:regulatory@nvenergy.com)

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**III.**

**APPLICATION EXHIBITS**

To aid the Commission in considering this first NDPP, NV Energy has included with this Application and incorporated herein by reference the following Application Exhibits:

- Application **Exhibit A** is a proposed notice of the Application as required by NAC § 703.162.
- Application **Exhibit B** is a copy of the “As Enrolled” version of Senate Bill 329 (2019 Legislature).
- Application **Exhibit C** is a copy of the regulations approved by the Commission in an order in Docket No. 19-06009 dated January 30, 2020, submitted to the Legislative Counsel Bureau and the Office of the Secretary of State on February 5, 2020, and approved by the Legislative Commission on February 26, 2020 (the “Regulations”).
- Application **Exhibit D** is a complete narrative version of the Natural Disaster Protection Plan.

**IV.**

**SUPPORTING MATERIAL**

All material required to adequately demonstrate and defend the substantially accurate data supporting the analysis and the requests for affirmative relief is set forth herein. A summary of this information, which references the NDPP Narrative, technical appendices, and prepared direct testimony making up this filing, is set forth by general topic below. The NDPP Narrative has been presented in ten sections, following the basic outline of the natural disaster protection plan process set out in the Regulations. **Mr. Kevin Geraghty**, Senior Vice President, Operations, sponsors the Natural Disaster Protection Plan.

**Section 1 – Executive Summary.** This section provides an overview of the contents in the NDPP Narrative.

**Section 2 –Objectives of the plan.** This section of the narrative describes the objectives NV Energy followed in developing the NDPP, how the NDPP meets the

1 requirements of SB329, the stakeholder process used to prepare the NDPP, and definitions  
2 and acronyms used in the filing.

3 **Section 3 - Natural Disaster Risk Analysis and Drivers.** This section of the  
4 narrative describes the risk assessment of natural disaster threats relative to NV Energy's  
5 electric service territory and electrical assets. Based upon the risk assessment the following  
6 natural disasters are profiled and discussed in the plan:

- 7 • Wildfires and grassland fires;
- 8 • Flooding and monsoons;
- 9 • High wind gusts, thunderstorm winds, and microbursts;
- 10 • Winter storms and blizzards;
- 11 • Earthquakes; and
- 12 • Landslides and avalanches.

13 **Section 4 - Natural Disaster Protection Strategies and Programs.** This section of  
14 the narrative describes the strategies and programs to reduce the risk to NV Energy's assets  
15 during a natural disaster. Based upon the requirements of SB329 and the regulations, this  
16 section discusses the following strategies and programs in detail:

- 17 • Operation practices;
- 18 • Inspections and corrections;
- 19 • System hardening;
- 20 • Vegetation management;
- 21 • Emerging technologies & strategies; and
- 22 • Situational awareness.

23 **Section 5 – Proactive De-Energization (Public Safety Outage Management).** This  
24 section discusses the development of the Public Safety Outage Management program for  
25 proactive de-energization as a measure of last resort to protect the public

26 **Section 6- Emergency Response and Restoration.** This section describes NV  
27 Energy's emergency response and restoration plan.

28 **Section 7 – Community Outreach.** This section of the narrative describes the expert  
working group workshops and public meetings held during the development of the plan.

**Section 8 – Metrics, Performance, Monitoring and Plan Accountability.** This  
Section describes NV Energy's use of metrics, auditing and monitoring of the plan.

1 **Section 9- Reporting and Filing Timelines.** This section of the narrative describes  
2 NV Energy’s plan to meet SB329’s annual filing and updates.

3 **Section 10- Plan Implementation Cost Implications.** This section shows the cost  
4 of implementing all suggested programs and projects.

5 **Appendix A – Natural Disaster Threat Maps.** Appendix A provides maps  
6 identifying the current conclusions of NV Energy’s threat assessments for all natural disasters  
7 the state of Nevada.

8 **Appendix B - Proactive De-Energization Zone Maps.** Appendix B provides maps  
9 of the areas which are subject to Public Safety Outage Management de-energization.

10 **Appendix C - PSOM Notification Form.** Appendix C is the Public Safety Outage  
11 Management form, to be used by NV Energy to inform customers of a potential de-  
12 energization event.

13 **Appendix D - Mt. Charleston, South Lake Tahoe and Incline Village/North Lake  
14 Tahoe Project/Program Implications.** Appendix D is a breakdown of projects by areas

15 **V.**

16 **CONFIDENTIALITY**

17 None of the information set forth in the NDPP, Technical Appendices or Prepared  
18 Direct Testimony is commercially confidential and/or trade secret information subject to  
19 protection pursuant to NRS § 703.190.

20 **VI.**

21 **REQUESTS FOR RELIEF**

22 NV Energy respectfully requests that pursuant to the regulations adopted in Docket  
23 No. 19-06009, LCB File No. R085-19, the Commission issue an order accepting the Plan  
24 within 180 days and containing the following findings:

- 25 1. Accepting the Plan as it is set forth in Exhibit D to this Application;
- 26 2. Finding that this filing fully satisfies the reporting requirements of NRS §  
27 704.7983 and Docket No. 19-06009, LCB File No. R085-19;



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3. Granting any other requests as are specifically set forth in the testimony and exhibits filed herewith, both those that are directly addressed and those that are not directly addressed in this Application; and

4. Granting such additional other relief as the Commission may deem appropriate and necessary.

Dated and respectfully submitted this 28<sup>th</sup> day of February, 2020.

NEVADA POWER COMPANY  
D/B/A NV ENERGY  
SIERRA PACIFIC POWER COMPANY  
D/B/A/ NV ENERGY

/s/Justina Caviglia  
Justina Caviglia  
Senior Attorney  
6100 Neil Road  
P.O. Box 10100  
Reno, Nevada 89520  
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/s/Michael Greene  
Michael Greene  
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**EXHIBIT B**  
**"As Enrolled" SENATE BILL 329**

Senate Bill No. 329—Senator Brooks

CHAPTER.....

AN ACT relating to the prevention of natural disasters; requiring an electric utility to submit a natural disaster protection plan to the Public Utilities Commission of Nevada; setting forth the requirements for such a plan; authorizing an electric utility to recover costs relating to the development and implementation of a natural disaster protection plan; prohibiting, with certain exceptions, a person who is not a qualified electrical worker from performing certain work on the electric infrastructure of an electric utility; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides for the regulation of electric utilities by the Public Utilities Commission of Nevada. (Chapter 704 of NRS) **Section 1.3** of this bill requires an electric utility to, on or before June 1 of every third year, submit a natural disaster protection plan to the Commission. **Section 1.3** generally requires a natural disaster protection plan to contain certain information, procedures and protocols relating to the efforts of the electric utility to prevent or respond to a fire or other natural disaster.

Existing law generally requires a public utility to submit an application and obtain the approval of the Public Utilities Commission of Nevada for a change in any schedule of rates or services. (NRS 704.110) **Section 1.3** provides that any expenditures made by an electric utility in developing and implementing a natural disaster protection plan are required to be recovered as a separate monthly rate charged to all customers of the electric utility.

**Section 1.7** of this bill prohibits a person from performing work on the electric infrastructure of an electric utility unless that person is a qualified electrical worker or an apprentice electrical lineman under the direct supervision of a qualified electrical worker. **Section 1.7** authorizes the Commission to authorize persons who are not qualified electrical workers to perform certain tree trimming relating to line clearance under the direction of a certified arborist.

EXPLANATION — Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 704 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.3 and 1.7 of this act.

**Sec. 1.3. 1.** *An electric utility shall, on or before June 1, 2020, and on or before June 1 of every third year thereafter, in the manner specified by the Commission, submit a natural disaster protection plan to the Commission.*

**2.** *A natural disaster protection plan submitted to the Commission pursuant to subsection 1 must:*



*(a) Identify areas within the service territory of the electric utility that are subject to a heightened threat of a fire or other natural disaster.*

*(b) Propose an approach for the mitigation of potential fires or other natural disasters that is cost effective, prudent and reasonable.*

*(c) Describe the preventive measures and programs the electric utility will implement to minimize the risk of its electric infrastructure causing a fire.*

*(d) Describe the participation of the electric utility, including, without limitation, any commitments made, in any community wildfire protection plans, as defined in 16 U.S.C. § 6511, established in this State.*

*(e) Propose protocols for de-energizing distribution lines and disabling reclosers on those lines in the event of a fire or other natural disaster. Such protocols must consider the associated impact of such actions on public safety and mitigate any adverse impact on public safety plans, including, without limitation, impact on critical first responders and on health and communication infrastructure.*

*(f) Describe the procedures the electric utility intends to use to inspect the electric infrastructure of the electric utility.*

*(g) Describe the procedures the electric utility intends to use for vegetation management.*

*(h) Describe the procedures the electric utility intends to use to restore its distribution system in the event of a natural disaster.*

*(i) Demonstrate that the natural disaster protection plan is consistent with the emergency response plan submitted by the electric utility pursuant to NRS 239C.270.*

*(j) Describe the ability of the electric utility to implement the natural disaster protection plan and identify additional funding needed for the implementation of the plan.*

*3. The procedures, protocols and measures set forth in a natural disaster protection plan submitted pursuant to subsection 1 must comply with all applicable requirements of the most recent version of the International Wildland-Urban Interface Code, published by the International Code Council or its successor organization, including, without limitation, the requirements relating to clearances set forth in Appendix A of the Code. Nothing in this subsection shall be construed to prohibit an electric utility from setting forth in a natural disaster response plan procedures, protocols and measures that are more restrictive than those set forth in the Code.*



4. *The Commission shall adopt regulations to provide for the method and schedule for preparing, submitting, reviewing and approving a plan submitted pursuant to subsection 1.*

5. *An electric utility whose natural disaster protection plan has been approved by the Commission in accordance with the regulations adopted by the Commission pursuant to subsection 4 shall provide a copy of the approved plan to the chief officer of each fire department and each state, city and county emergency manager within the service territory of the electric utility.*

6. *All prudent and reasonable expenditures made by an electric utility to develop and implement a plan submitted pursuant to subsection 1 must be recovered as a separate monthly rate charged to the customers of the electric utility. The electric utility shall designate the amount charged to each customer as a separate line item on the bill of the customer.*

7. *A rural electric cooperative established pursuant to chapter 81 of NRS may submit to the Commission a natural disaster protection plan containing the information set forth in subsection 2. The Commission shall review a plan submitted by a rural electric cooperative and provide advice and recommendations. The board of directors of a rural electric cooperative may allow the rural electric cooperative to recover expenditures made to develop and implement a natural disaster protection plan from the rates charged to the customers of the rural electric cooperative.*

8. *As used in this section, "electric utility" has the meaning ascribed to it in NRS 704.7571.*

**Sec. 1.7. 1.** *Except as otherwise provided in subsections 2 and 3, a person shall not perform work on the electric infrastructure of an electric utility, including, without limitation, the construction, installation, maintenance, repair or removal of such infrastructure, unless the person is a qualified electrical worker.*

2. *An apprentice electrical lineman may perform work on the electric infrastructure of an electric utility, including, without limitation, the construction, installation, maintenance, repair or removal of such infrastructure, under the direct supervision of a qualified electrical worker.*

3. *The Commission may authorize a person who is not an employee of an electric utility to perform tree trimming related to line clearance in an easement or right-of-way dedicated or restricted for use by an electric utility. If a person who is not an employee of an electric utility performs tree trimming related to line clearance in such an easement or right-of-way, the tree*



*trimming must be performed under the direction of an arborist certified by the International Society of Arboriculture.*

*4. As used in this section:*

*(a) "Apprentice electrical lineman" means a person employed and individually registered in a bona fide electrical lineman apprenticeship program with:*

*(1) The Office of Apprenticeship of the Employment and Training Administration of the United States Department of Labor or its successor agency; or*

*(2) The State Apprenticeship Council pursuant to chapter 610 of NRS.*

*(b) "Electric utility" has the meaning ascribed to it in NRS 704.7571.*

*(c) "Qualified electrical worker" means:*

*(1) A person who has completed an electrical lineman apprenticeship program lasting at least 4 years that was approved by the Office of Apprenticeship of the Employment and Training Administration of the United States Department of Labor or its successor agency or the State Apprenticeship Council pursuant to chapter 610 of NRS; or*

*(2) A person who has completed 10,000 hours or more as a journeyman lineman and has performed at least 1,500 hours of documented live-line work on electrical conductors at a voltage of at least 4,160 kilovolts.*

**Sec. 2.** This act becomes effective upon passage and approval.



**EXHIBIT C**  
**ORDER OF JANUARY 30, 2020**

**BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

Investigation and Rulemaking to amend, adopt, and/or )  
repeal regulations in accordance with Senate Bill 329 )  
(2019). ) Docket No. 19-06009  
\_\_\_\_\_ )

At a general session of the Public Utilities  
Commission of Nevada, held at its offices  
on January 29, 2020.

PRESENT: Chair Hayley Williamson  
Commissioner C.J. Manthe  
Assistant Commission Secretary Trisha Osborne

**ORDER**

The Public Utilities Commission of Nevada (“Commission”) makes the following  
findings of fact and conclusions of law:

**I. INTRODUCTION**

On June 6, 2019, the Commission opened a rulemaking docket to implement Senate Bill 329 (2019) (“SB 329”). This matter was designated as Docket No. 19-06009.

**II. SUMMARY**

The proposed regulation, appended hereto as Attachment 1, is adopted as a permanent regulation.

**III. PROCEDURAL HISTORY**

- On June 6, 2019, the Commission opened the investigation and rulemaking.
- This rulemaking is being conducted pursuant to the Nevada Revised Statutes (“NRS”) and the Nevada Administrative Code (“NAC”), Chapters 233B, 703, and 704, and SB 329.
- On June 13, 2019, the Commission issued a Notice of Rulemaking, a Notice for Request for Comments, and Notice of Workshop in Docket No. 19-06009.
- The Regulatory Operations Staff of the Commission (“Staff”) participates as a matter of right pursuant to NRS 703.301.
- On June 18, 2019, the Commission issued Procedural Order No. 1 and a Notice of Workshop for June 28, 2019.



- On June 26, 2019, Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy (together, “NV Energy”) filed comments.
- On June 28, 2019, the Tahoe Chamber Board of Directors filed comments.
- On June 28, 2019, the Commission held a workshop.
- On July 16, 2019, the International Brotherhood of Workers Local Union 396 and International Brotherhood of Workers Local 1245 (“IBEW”) filed comments.
- On July 17, 2019, Nevada Rural Electric Association (“NREA”), NV Energy, Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and New Cingular Wireless PCS, LLC (collectively “AT&T”), Cort Ancman, and Staff filed comments. The Nevada Bureau of Consumer Protection (“BCP”) filed a letter stating that it would not be filing initial comments.
- On July 27, 2019, Mora Snyder submitted comments.
- On July 31, 2019, Allan O’Connor submitted comments.
- On July 31, 2019, NV Energy, Cellco Partnership d/b/a Verizon Wireless (“Verizon”), CTIA—The Wireless Association, BCP, Staff, Central Telephone Company d/b/a CenturyLink and CenturyTel of the Gem State, Inc. d/b/a CenturyLink (collectively “CenturyLink”) filed reply comments.
- On August 20, 2019, the Commission held a workshop and discussed submitted comments and reply comments.
- On August 22, 2019, the Presiding Officer issued Procedural Order No. 2.
- On September 9, 2019, the Commission held an informal workshop.
- On September 20, 2019, participants provided an update to the Commission on the status of the draft regulations.
- On September 23, 2019, the Commission held a workshop.
- On September 26, 2019, the Presiding Officer issued Procedural Order No. 3.
- On October 10, 2019, NV Energy, BCP, Staff and CenturyLink filed comments.
- On October 14, 2019, the Presiding Officer sent proposed regulations to the Legislative Counsel Bureau (“LCB”) for review.
- On October 15, 2019, Procedural Order No. 4 was issued.
- On October 29, 2019, the Commission received revised regulations from LCB.

- On October 30, 2019, CenturyLink filed comments.
- On October 31, 2019, NV Energy, Cox Nevada Telcom, LLC (“Cox”) and Charter Fiberlink NV-CCVII, LLC (“Charter”), Staff, BCP, AT&T, and Nevada Telecommunications Association filed comments.
- On November 1, 2019, the Presiding Officer issued Procedural Order No. 5 directing Staff to conduct an investigation pursuant to NRS 233B.0608(1) to determine whether the proposed regulations were likely to impose a direct and significant economic burden upon small businesses or likely to directly restrict the formation, operation, or expansion of a small business.
- On November 1, 2019, the Commission issued a Notice of Workshop, and Notice of Hearing.
- On November 5, 2019, the Presiding Officer issued Amended Procedural Order No. 5.
- On November 5, 2019, the Commission issued an Amended Notice of Workshop and Amended Notice of Hearing.
- On November 5, 2019, CTIA filed comments.
- On December 10, 2019, LCB returned revised proposed regulation in revised form.
- On December 12, 2019, Staff filed a briefing memorandum recommending that the Commission find that a small business impact statement pursuant to NRS 233B.0608(2) is not required.
- On December 18, 2019, the Commission issued an Order finding that the proposed regulation is not likely to impose a direct and substantial economic burden upon small businesses nor is it likely to directly restrict the formation, operation, or expansion of a small business.
- On December 19, 2019, the Commission held a workshop pursuant to NRS 233B.061(2).
- On December 20, 2019, the Commission held a hearing pursuant to NRS 233B.061(3).
- On December 20, 2019, the Commission issued a Notice of Intent to Act Upon a Regulation for the Adoption, Amendment and Repeal of Regulations.

#### **IV. REGULATIONS**

1. The proposed regulations, appended hereto as Attachment 1, implement SB 329, which requires electric utilities to submit to the Commission a natural disaster protection plan.

2. Sections three through six of the proposed regulations define “critical fire weather conditions,” “ignition event,” “natural disaster,” and “natural disaster protection plan.”

3. Section seven requires an electric utility to, on or before March 1 of every third year, submit a natural disaster protection plan (“NDPP”) to the Commission, provides for joint utilities affiliated through common membership to file a joint natural disaster plan, and permits an NDPP to be an amended version of a previous plan. (*Id.*) Section seven also outlines the details and requirements that must be included in a NDPP. Section seven includes requirements related to Public Safety Outage Management events, vegetation management standards, and protocol requirements to ensure an electric system’s reasonable level of safety, reliability, and resiliency in the event of a natural disaster.

4. Section eight of the regulation outlines treatment of an expedited element of a NDPP, the timeframe permitted for the Commission to approve an NDPP, requests by an electric utility to amend an NDPP, and persons who may petition the Commission for modification of an NDPP. Section eight provides that the Commission will issue an order approving or modifying an NDPP not later than 180 days after the date on which the plan was submitted.

5. Section nine relates to rural electric cooperatives and provides that the Commission shall issue an advisory opinion when concerning an NDPP submitted by a rural electric cooperative not later than 150 days after the date on which the plan is submitted.

6. Section ten permits an electric utility, on or before September 1 of the first and second years, to file a progress report concerning the NDPP that will apply to each year remaining for the period covered by the NDPP.

7. Section 11 relates to ignition events and reporting requirements for various events. Section 11 requires that an electric utility submit a monthly report to the Commission

consisting of comprehensive data concerning the cause of each event occurring in the service territory of the electric utility during the immediately preceding month that: a) was determined by the agency responsible for fire protection in the area where the event occurred to be an ignition event; and b) took place in an extreme fire risk area or high fire risk area. Section 11 also imposes reporting requirements regarding outages initiated to preserve public safety, proactive de-energization events, and wildfires caused by utility infrastructure that burn more than an acre of land.

8. Section 12 relates to NDPP accounting and requires an electric utility to separately track and account for all prudent and reasonable expenditures made by the electric utility to develop and implement the NDPP. Section 12 also requires that on or before March 1 of each year, an electric utility shall submit to the Commission an application to recover the cost of prudent and reasonable expenditures made by the electric utility during the immediately preceding year to develop and implement the NDPP. Section 12 provides that the Commission will issue a final decision on the application not later than 180 days after the date on which the application was submitted.

9. Section 13 details the construction or acquisition of a capital project owned by the electric utility pursuant to the NDPP and requires that the electric utility create a regulatory asset or liability account for the capital project. (*Id.* at 7-8.) Section 13 outlines how the electric utility shall calculate and record in the account a return on investment, depreciation expenses related to the capital projects included in the NDPP, actual incremental monthly operations and maintenance costs incurred to carry out the NDPP and carrying charges on the costs.

10. Section 14 details the process for an electric utility to apply for authorization from the Commission to utilize a person, who is not employed by the electric utility, to perform tree

trimming. Section 14 also imposes certain record keeping requirements on electric utilities that utilizes a person who is not an employee to perform tree trimming. (*Id.*)

**Summary of Public Comments in 233B Workshop and Hearing**

11. Staff, NV Energy, BCP, AT&T, CenturyLink and NREA filed comments and participated in the workshop and hearing held pursuant to NRS 233B. 061. All workshop participants support adoption of the proposed regulation in its final form, attached hereto as Attachment 1.

12. Comments filed by participants in response to Procedural Order No. 4 raised issues regarding utility infrastructure colocation that were not expressly addressed by SB 329 or the proposed regulations. Amended Procedural Order No. 5 determined that given time constraints and the Parties’ concerns, such issues should be addressed in a separate proceeding.

**Commission Discussion and Findings**

13. Based on the foregoing, the Commission finds that it is in the public interest to adopt as permanent the proposed regulations attached hereto as Attachment 1.

14. The Commission finds that a separate investigation and rulemaking is necessary to address utility infrastructure colocation issues and associated costs related to the implementation of NDPPs.

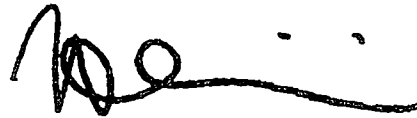
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THEREFORE, it is ORDERED:

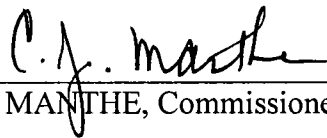
1. The proposed regulations, attached hereto as Attachment 1, are ADOPTED AS PERMANENT.

2. The Assistant Commission Secretary SHALL open an investigation and rulemaking docket with the following caption: Investigation and Rulemaking into utility infrastructure colocation issues and associated costs related to implementing Natural Disaster Protection Plans.


By the Commission,



HAYLEY WILLIAMSON,  
Chair and Presiding Officer



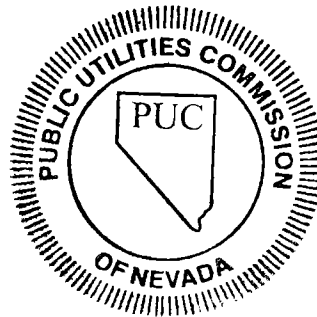
C.J. MANTHE, Commissioner

Attest:   
TRISHA OSBORNE,  
Assistant Commission Secretary

Dated: Carson City, Nevada

11/30/20

(SEAL)



# **ATTACHMENT 1**

**REVISED PROPOSED REGULATION OF THE PUBLIC UTILITIES  
COMMISSION OF NEVADA**

**PUCN Docket No. 19-06009**

**LCB File No. R085-19**

**December 20, 2019**

Explanation – Matter in *bold italics* is new; matter in bracket [~~omitted material~~] is material to be omitted

**Section 1.** Chapter 704 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 14, inclusive, of this regulation.

**Sec. 2.** *As used in sections 2 to 14, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *"Critical fire weather conditions" means a combination of weather and fuel conditions that are ideal for the ignition and rapid spread of wildfires.*

**Sec. 4.** *"Ignition event" means an event in which electric utility infrastructure starts a fire or scorches combustible material.*

**Sec. 5.** *"Natural disaster" means any natural catastrophe, including, without limitation, wind, wildfire, storm, high water, earthquake, avalanche, landslide, mudslide or heat wave.*

**Sec. 6.** *"Natural disaster protection plan" means a natural disaster protection plan submitted to the Commission pursuant to section 1.3 of Senate Bill No. 329, chapter 102, Statutes of Nevada 2019, at page 555.*

**Sec. 7. 1.** *An electric utility shall, on or before March 1, 2020, and on or before March 1 of every third year thereafter, submit a natural disaster protection plan to the Commission. Two or more electric utilities that are affiliated through common ownership and that have*



*an interconnected system for the transmission of electricity may submit a joint natural disaster protection plan. A natural disaster protection plan may be an amended version of a previous plan.*

*2. An electric utility shall include in its natural disaster protection plan all of the following information:*

- (a) A description of a risk-based approach used by the electric utility to identify areas within the service territory of the electric utility that are prone to different types of natural disasters and an identification of potential threats in the foreseeable future, including, without limitation, an identification of areas within the service territory of the electric utility that are subject to a heightened threat of a fire or other natural disaster.*
- (b) A description of the preventive strategies and programs, including, without limitation, operational practices, inspections and corrections, and system hardening that the electric utility will adopt to minimize the risk of its electric lines and equipment causing catastrophic wildfires. In determining which preventive strategies and programs to include in the description required by this paragraph, the electric utility shall consider dynamic climate change and other natural disaster risks.*
- (c) A description of the metrics that the electric utility plans to use to evaluate the performance of the natural disaster protection plan and the assumptions underlying the use of those metrics.*
- (d) The threshold criteria for the de-energization of portions of the distribution and transmission system of the electric utility due to a natural disaster that considers the associated impacts on public safety.*

*(e) The protocols that the electric utility plans to use:*

*(1) For disabling reclosers and de-energizing portions of the distribution and transmission system of the electric utility that considers the associated impacts on public safety; and*

*(2) To mitigate the public safety impacts of the protocols described in subparagraph (1), including, without limitation, impacts on critical first responders and on health and communication infrastructure.*

*(f) A description of the procedures the electric utility intends to use to restore its distribution and transmission systems in the event of the de-energization of those systems or a portion of those systems.*

*(g) A communication plan related to public safety outage management, which includes, without limitation, communication plans specific to customers, stakeholders and communication infrastructure providers. Before filing a natural disaster protection plan, each electric utility shall meet with communication infrastructure providers in an effort to develop a mutually agreeable plan for public safety outage management notification protocols and format.*

*(h) A description of the standard for vegetation management to be used by the electric utility and, if that standard exceeds any other standard for vegetation management required by any applicable statute or regulation, a description of how and why the standard exceeds those requirements.*

*(i) A description of the standard for patrols and detailed inspections of electric utility infrastructure and, if that standard exceeds any other standard for such patrols and inspections required by any applicable statute or regulation, a description of*

