

**BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

Investigation regarding funding available under the )  
Infrastructure Investment and Jobs Act and the )  
Inflation Reduction Act of 2022. ) Docket No. 22-04022  
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At a general session of the Public Utilities Commission of Nevada, held at its offices on December 27, 2022.

PRESENT: Chair Hayley Williamson  
Commissioner C.J. Manthe  
Commissioner Tammy Cordova  
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 April 19, 2022, the Public Utilities Commission of Nevada (“Commission”) opened an investigation regarding funding available under the Infrastructure Investment and Jobs Act of 2022, H.R. 3684, 117th Cong. (2021) (“IIJA”).

From May 27, 2022, through August 30, 2022, the Commission issued a series of procedural orders directing certain utilities and the Regulatory Operations Staff of the Commission (“Staff”) to file comments and requesting comments from any other interested persons. On September 1, 2022, the Commission issued an order accepting a status report on the information obtained in the instant docket thus far.

**II. SUMMARY**

The Commission accepts the Status Report Update, attached hereto as Attachment 1.

**III. PROCEDURAL HISTORY**

- On April 19, 2022, the Commission opened the investigation.
- This matter is being conducted pursuant to the Nevada Revised Statutes (“NRS”) and the Nevada Administrative Code (“NAC”) Chapters 703 and 704.
- On May 27, 2022, the Commission issued a procedural order (“Procedural Order No. 1”) requesting comments on potential federal funding available to Nevada’s public utilities under

the IJJA.

- On July 28, 2022, VEIR and Advanced Energy Economy filed comments.
- On July 29, 2022, LineVision Inc. filed comments.
- On August 1, 2022, Southwest Gas Corporation (“SWG”); Nevada Power Company d/b/a NV Energy (“NPC”) and Sierra Pacific Power Company d/b/a NV Energy (“SPPC”) (collectively, “NV Energy”); Staff; and the Sierra Club, Southwest Energy Efficiency Project, Western Resource Advocates, and RMI filed comments.
- On August 2, 2022, the WATT Coalition filed comments
- On August 15, 2022, the Commission issued Procedural Order No. 2 seeking information from certain utilities regarding funding related to the IJJA.
- On August 30, 2022, the Commission issued Procedural Order No. 3 requesting the following information:
  - a. On or before TUESDAY, NOVEMBER 1, 2022, SWG and NV Energy shall, and other interested parties may, file with the Commission comments responsive to the following topics:
    - i. The identification of all federal programs under the IRA<sup>1</sup> that are available to Nevada public utilities to assist them in meeting their obligations under the NRS and NAC;
    - ii. The identification of actions that are reasonable and appropriate for Nevada's public utilities to take to access available federal funds;
    - iii. The identification of the entities, public or private, with which Nevada public utilities should coordinate in order to access available federal funds;
    - iv. The identification of the processes that have been either established or contemplated by other agencies of Nevada to access available federal funds; and
    - v. The identification of actions that may be appropriate for this Commission to consider taking to facilitate appropriate receipt and deployment of available federal funding within Nevada.
  - b. On or before, TUESDAY, NOVEMBER 1, 2022, SWG and NV Energy shall file with the Commission information regarding who at their respective companies is responsible for applying for federal funding available under the IRA.
  - c. On or before TUESDAY, NOVEMBER 1, 2022, SWG and NV Energy shall file

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<sup>1</sup> The Inflation Reduction Act.

with the Commission copies of all federal funding applications that they have submitted pursuant to the IRA. For applications not yet submitted, copies of the applications filed shall be filed with the Commission within 30 days of submission.

- d. On or before TUESDAY, NOVEMBER 1, 2022, SWG and NV Energy shall file with the Commission information identifying the following:
    - i. All existing programs, planned projects, and/or other expenditures that are eligible for IRA funding and that the utilities anticipate moving forward with even in the absence of IRA or other federal funding.
    - ii. All programs, projects, and/or other expenditures that the utilities intend to pursue only if IRA or other federal funding is obtained, including information on timelines for implementation.
    - iii. The financial benefit to ratepayers that will result from the utilities' receipt of IRA funding.
  - e. Staff shall, and any other interested parties may, identify programs in the IRA that may apply to water utilities regulated by the Commission. For any programs identified, Staff shall provide a roadmap for how the water utilities may access and/or how the Commission may facilitate access to available funding. Staff shall file its findings on or before TUESDAY, NOVEMBER 1, 2022, at 2:00 p.m.
- On September 1, 2022, the Commission issued an order accepting a status report containing summaries of comments filed in the docket since August 25, 2022. That same day, SWG filed information regarding who is responsible for applying for federal funding and advised that it had not submitted any federal funding applications, as requested in Procedural Order No. 2, and NV Energy filed information regarding who is responsible for applying for federal funding and advised copies of applications will be filed within 30 days of submission as requested in Procedural Order No. 2.
  - On September 30, 2022, NV Energy and SWG each filed information regarding the IJA as requested in Procedural Order No. 2.
  - On November 1, 2022, SWG, NV Energy, Staff, and Advanced Energy Economy filed comments.
  - On November 3, 2022, Sierra Club, Southwest Energy Efficiency Project, Western Resource Advocates, Evergreen Action, Nevada Conservation League, CHR, Plug In America, and Faith Organizing Alliance filed comments.
  - On November 28, 2022, NRG Energy filed comments.

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**IV. STATUS REPORT UPDATE**

1. The attached Status Report Update provides a summary of comments filed responsive to Procedural Order No. 2 and Procedural Order No. 3 since August 25, 2022.

2. The Commission finds that it is in the public interest to accept the Status Report Update.

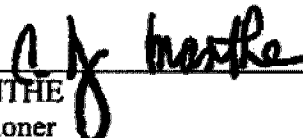
THEREFORE, it is ORDERED:

1. The Status Report Update on the Infrastructure Investment and Jobs Act, attached hereto as Attachment 1, is accepted.

By the Commission,



HAYLEY WILLIAMSON  
Chair and Presiding Officer



C.J. MANTHE  
Commissioner



TAMMY CORDOVA  
Commissioner

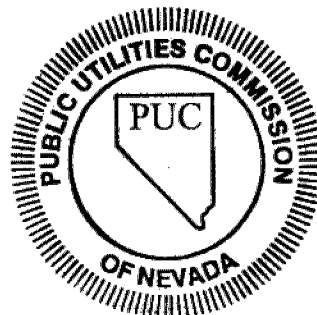
Attest:



TRISHA OSBORNE  
Assistant Commission Secretary

Dated: Carson City, Nevada

12/28/22  
(SEAL)



# **ATTACHMENT 1**

**BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

Investigation regarding funding available under the )  
Infrastructure Investment and Jobs Act and the Inflation )  
Reduction Act of 2022. ) Docket No. 22-04022

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**REPORT UPDATE ON THE  
INFRASTRUCTURE INVESTMENT AND JOBS ACT**

**I. INTRODUCTION**

On April 19, 2022, the Public Utilities Commission of Nevada (“Commission”) opened an investigation regarding funding available under the Infrastructure Investment and Jobs Act of 2022, H.R. 3684, 117th Cong. (2021) (“IIJA”).

From May 27, 2022, to August 30, 2022, the Commission issued a series of procedural orders directing certain utilities and the Regulatory Operations Staff of the Commission (“Staff”) to file comments and requesting comments from any other interested persons. Nevada Power Company d/b/a NV Energy (“NPC”) and Sierra Pacific Power Company d/b/a NV Energy (“SPPC”) (collectively, “NV Energy”); Southwest Gas Corporation (“SWG”); Staff; VEIR; Advanced Energy Economy (“AEE”); LineVision Inc. (“LineVision”); the WATT Coalition; and the Sierra Club, Southwest Energy Efficiency Project (“SWEEP”), Western Resource Advocates (“WRA”), and RMI filed comments. On September 1, 2022, the Commission issued an order accepting a report summarizing those comments. The instant report provides a summary of additional comments filed since August 25, 2022.

**II. SUMMARY**

**NV Energy’s Comments**

NV Energy states that, unlike the IIJA, which created various programs for funding, many of the opportunities available under the Inflation Reduction Act (“IRA”) are changes or extensions to the tax code to promote investment in renewable energy, storage, and electric vehicle (“EV”) infrastructure. (NV Energy’s November 1, 2022, Comments at 1.) NV Energy provides that, upon enactment of the IRA, it assigned its finance, electrification, and renewable energy development teams to evaluate the IRA’s opportunities to determine details and coordinate with departmental subject matter experts to evaluate which opportunities should be pursued. (*Id.* at 1-2.) In making these determinations, NV Energy states that it has closely coordinated with its parent company’s (Berkshire Hathaway Energy) (“BHE”) Washington D.C. federal affairs office, the Edison Electric Institute’s federal department, and the government relations and operations teams for sister companies. (*Id.* at 2.) NV Energy states that this coordination has included participation in webinars, bi-weekly coordination calls, presentations, collaborative conferences, and information sharing on viable opportunities. (*Id.*) NV Energy states that, while there are many IRA opportunities available to individuals and commercial users for energy efficiency and electrification measures, the key opportunities under the IRA potentially available to Nevada public utilities are the following tax credits:

- 1) IRC Section 45 - Production Tax Credit for Electricity Produced from Certain Renewable Resources: wind, geothermal, solar;
- 2) IRC Section 48 - Energy Investment Tax Credit: wind, geothermal, solar, energy storage;
- 3) IRC Section 45Y - Clean Electricity Production Tax Credit; and
- 4) IRC Section 48D - Clean Electricity Investment Tax Credit.

(*Id.*)

NV Energy states that the IRA additionally includes opportunities that may permit it to implement certain programs in a more cost-effective manner to customers. (*Id.*) As examples, NV Energy notes that, for eligible projects in its approved (Docket No. 21-09004) and proposed (Docket No. 22-09006) transportation electrification programs, it may be able to utilize investment tax credits like the IRA's Alternative Fuel Vehicle Refueling Property Credit, such that the customer funding amount for the project will be reduced. (*Id.*)

NV Energy states that, in order to take advantage of the significant tax incentives and credits available under the IRA, the following actions are reasonable and appropriate to take to access federal funds: 1) identify and prioritize renewable energy and energy storage projects that NV Energy could invest in and develop to benefit from these incentives and credits; 2) seek regulatory facilitation for renewable energy and storage projects that will best benefit customers; and communicate and coordinate with applicable state and federal agencies and other key stakeholders, to fully take advantage of any incentives and credits. (*Id.* at 3.)

NV Energy identified the Governor's Office of Energy ("GOE"), Governor's Infrastructure Advisor, the U.S. Department of Energy, U.S. Department of Transportation, Nevada Department of Transportation, the Federal Energy Regulatory Commission, and the Commission as entities that it should coordinate with to access available federal funds. (*Id.*) NV Energy states that, where federal funding is not directly available, it has identified working groups where coordination can be facilitated across different customer programs, such as the DSM Collaborative, which will focus on the availability of federal funding for demand-side management programs (*see* Docket Nos. 22-07003 and 22-07004) and the Economic Recovery Transportation Electrification Plan and pending Transportation Electrification Plan (*see* Docket Nos. 21-09004 and 22-09006, respectively), which have identified where NV Energy electric vehicle programs are designed to maximize federal funding. (*Id.* at 3-4.) NV Energy states that these plans have created a Transit Electrification Working Group comprised of Nevada's transportation agencies and metropolitan planning organizations where one of the focuses is to discuss and prioritize how to best utilize available federal funding for transportation electrification in Nevada. (*Id.* at 4.) NV Energy states that it will also address federal funding in the 2024 Electrification Plan and within the stakeholder engagement required to occur for the 12 months prior to the filing that will begin in June of 2023. (*Id.*) NV Energy states that it has actively participated in meetings and stakeholder engagement with the GOE, the Governor's Infrastructure Advisor, and the Nevada Department of Transportation on IRA opportunities for both NV Energy and separate opportunities for customers. (*Id.*) NV Energy provides that, until it has fully analyzed and put together a plan on how to best utilize tax incentives and credits to benefit customers, no additional action is necessary from the Commission. (*Id.*)

NV Energy provides that Michael Cole is responsible for analyzing the tax incentives and credits under the IRA. (*Id.* at 5.) NV Energy states that, because most of the benefit of the IRA centers on tax incentives and credits and not grant programs like the IJA, there may not be many applications submitted by NV Energy pursuant to the IRA; however, it will provide any copies of such applications to the Commission within 30 days of submission. (*Id.*)

NV Energy states that planned projects benefitting from the IRA include those NV Energy seeks approval of and specified as company-owned in the forthcoming Fourth Amendment to the 2021 Joint Integrated Resource Plan. (*Id.*) NV Energy states that those projects will benefit from both the increased investment tax credit (“ITC”) for solar, the newly available production tax credit (“PTC”) for solar, and the newly available ITC for grid-tied energy storage. (*Id.*) NV Energy further states that all projects shown in its renewable placeholder buildout are expected to benefit from one or more of the recently enhanced tax benefits. (*Id.*) NV Energy provides that the recently approved Reid Gardner Battery Energy Storage System (“BESS”) and White Pine Pumped Storage Hydro (“PSH”) are expected to benefit from the ITC now with the IRA. (*Id.* at 5-6.) NV Energy states that the community-based solar resources, Moana and Freedom Park, that support the Expanded Solar Access Program (“ESAP”) are expected to benefit from the IRA. (*Id.* at 6.) NV Energy further states that the Nevada GreenEnergy Rider program is expected to benefit from the enhanced IRA benefits depending on the underlying resources supporting it (new versus existing project). (*Id.*)

NV Energy states that it continues to plan and pursue programs, projects, and expenditures that will benefit customers. (*Id.*) NV Energy states that, while the receipt of IRA benefits may change the priority or timing for NV Energy to complete a specific project or program beneficial to customers, NV Energy does not anticipate that there are any projects planned that only become viable if IRA benefits materialize. (*Id.*) NV Energy states that, if IRA funding opportunities materialize, it will determine the financial benefit to customers. (*Id.* at 7.)

### **SWG’s Comments**

SWG states that it has not submitted any applications pursuant to the IJA and provides that SWG's point of contact on such matters is Joe Varela, Director of Energy Solutions, Emerging Technology & Innovation. (SWG's September 1, 2022, Letter at 1.) SWG states that it is likely to pursue certain projects with institutions of higher learning or governmental agencies that support its continued efforts to build upon its sustainable environmental practices and provides that there may be additional project opportunities it would move forward with regardless of federal funding. (SWG's September 30, 2022, Letter at 1.) SWG states that it is still evaluating projects that might qualify for IJA funding that it might not pursue without that funding. (*Id.*) SWG states that it has not identified any specific project types it would not pursue absent such funding. (*Id.*) SWG states that many potential qualifying project types require applications from its customers or other third parties and that consequently the viability of a given project, and SWG's role in such a project, may depend on the third party's decision to move forward given available funding, among other factors. (*Id.*) SWG states that, at this time, it cannot specifically quantify the financial benefit to ratepayers from receipt of IJA funding without particularized projects; however, it anticipates the receipt of IJA funding would offset a portion of project costs in the aggregate and likely show a financial benefit to ratepayers. (*Id.*)



SWG provides that, based on its review of the IRA, the following programs are potentially relevant to Nevada public utilities:

Funding	IRA Section	Description
\$51.06B	13101	Production Tax Credit
\$13.96B	13102	Investment Tax Credit
\$3.33B	13104	Credit for Carbon Oxide Sequestration
\$5.57B	13201	Biodiesel, RD, and AFTC
\$54M	13202	Second Generation Biofuel Credit
\$49M	13203	Sustainable Aviation Fuel
\$7.84B	13204	Clean Hydrogen Production Tax Credit
\$7.54B	13401	Clean Vehicle Credit
\$1.34B	13402	Used Clean Vehicle Credit
\$3.58B	13403	Qualified Commercial Vehicle Credit
\$1.73B	13404	Alternative Fuel Refueling Property
\$6.25B	13501	Extension of the Advanced Energy Project Credit
\$11.20B	13701	Clean Electricity Production Tax Credit
\$50.85B	13702	Clean Electricity Investment Credit
\$2.94B	13704	Clean Fuel Production Tax Credit
\$18.76B	21001	Commodity Credit Corp. Payments
\$1.14B	22202	Rural Energy for America Program
\$500M	22003	Biofuel Infrastructure and Agriculture Product Market Expansion
\$4.3B	50121	Home Energy Performance-Based Whole House Rebate
\$4.5B	50122	High-Efficiency Electric Home Rebate
\$3B	50142	Advanced Technology Vehicle Manufacturing Loans
\$2B	50143	Domestic Energy Manufacturing Conversion Grants
\$5.1B	50144	Energy Infrastructure and Reinvestment Financing
\$760M	50152	Grants to Facilitate the Siting of Interstate Electricity Transmission Lines
\$5.82B	50161	Advanced Industrial Facilities Deployment
\$1B	60101	Clean Heavy Duty Vehicle Grants
\$3B	60102	Grants to Reduce Pollution at Ports
N/A	60103	Greenhouse Gas Reduction Fund
\$60M	60104	EPA DERA
\$1.55B	60113	Methane Emission Reduction Program – Grants and Fees
\$5B	60114	Climate Prediction Grants
\$3.05B	60501	Neighborhood Access and Equity Grant Program
\$3B	70002	United State Postal Service – SEVs and Infrastructure

(SWG's November 1, 2022, Comments at 2.)

SWG states that Nevada public utilities can identify programs that potentially apply to the utility or its customers to access federal funds. (*Id.* at 3.) SWG states that Nevada utilities can determine how the IRA may directly apply to utilities' current and planned operations and whether indirect opportunities exist through collaborative projects with one or more external entities. (*Id.*) SWG states that utilities can communicate with customers and stakeholders about available funding under the IRA to raise awareness and encourage actions. (*Id.*) SWG states that utilities can discuss these opportunities with customers, partners, and governmental bodies and offer a supportive function by providing data or other information, if necessary, to facilitate a third party's pursuit of IRA funds. (*Id.*)

SWG states that, in its August 1, 2022, Comments, it identified a list of public and private entities that Nevada public utilities could coordinate with in pursuit of IRA funds. (*Id.*) SWG also identified several projects at various stages of development which may be positioned, directly or indirectly, to access available IRA funds.<sup>1</sup> (*Id.*)

SWG states that it is not familiar with the specific processes established or contemplated by other agencies to access IRA funds. (*Id.* at 4.) However, SWG provides that the Commission can continue to review portions of the IRA that provide available funds to private and public sector entities in Nevada. (*Id.*) SWG states that, given the wide variety of potential collaborations, uses, and funding sources, the Commission could, when appropriate, consider an additional round of comments focusing on generating additional information and options. (*Id.*)

SWG states that it has not submitted any applications for federal funding under the IRA. (*Id.*) SWG states that it is likely to pursue certain projects with institutions of higher learning or governmental agencies that support SWG's efforts to build upon its sustainable environmental practices, including, but not limited to, lower carbon fuel supply-related projects. (*Id.* at 4-5.) SWG states that there may be additional project opportunities that it would move forward with regardless of funding. (*Id.* at 5.)

SWG states that it is still evaluating projects that may qualify for IRA funding that it might not pursue without that funding. (*Id.*) SWG states that it has not currently identified any specific project types that it would not pursue absent federal funding. (*Id.*) SWG states that many potential qualifying project types require applications/initiatives from its customers or other third parties and, consequently, the viability of a given project – and SWG's role in such project – may depend on the third party's decision to move forward given available funding, among other factors. (*Id.*) SWG states that it cannot specifically quantify the financial benefit to ratepayers from the receipt of IRA funds without particularized projects; however, SWG anticipates receipt of IRA funds would potentially offset a portion of project costs in the aggregate and likely show a financial benefit to rate payers compared to if such funding was not received. (*Id.*)

### **Staff's Comments**

Staff states that it identified no programs under the IRA that may apply to Commission-regulated water utilities or available funding for those entities. (Staff's November 1, 2022, Comments at 1.) Staff notes that its August 1, 2022, comments in the instant docket identified IJA programs that may apply to Commission-regulated water utilities and provided a roadmap for how the water utilities may access the available funding. (*Id.*) Staff states that it will continue to work with Commission-regulated water utilities and the State Revolving Loan Fund Administrator from the Nevada Division of Environmental Protection to identified qualified projects for funding under the IJA. (*Id.*)

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<sup>1</sup> SWG provided this list confidentially under seal in its November 1, 2022, Comments as confidential Exhibit A.

**Sierra Club, SWEEP, WRA, Evergreen Action, Nevada Conservation League, CHR, Plug In America, and Faith Organizing Alliance's Comments**

Sierra Club, SWEEP, WRA, Evergreen Action, Nevada Conservation League, CHR, Plug In America, and Faith Organizing Alliance (“Sierra Club et al.”) state that investments made in the IJA and IRA open up Nevada agencies and utilities to historic clean energy funding and provide that a recent analysis conducted by the Rocky Mountain Institute suggests that the new law could enable significant emissions reductions in energy, transportation, and building sectors, which could help ensure that Nevada utilities meet their carbon reduction goals established by Senate Bill 254 (2019). (Sierra Club et al.'s November 3, 2022, Comments at 1.)

Given the investments available through the IRA, Sierra Club et al. request that the Commission and Nevada utilities prioritize tax credits and grant funding in pending dockets, including NV Energy's Third IRP amendment which contains its Transportation Electrification Plan. (*Id.* at 2.) Sierra Club et al. provide that, because that IRP amendment is an open docket, NV Energy should prioritize accessing federal funds to supplement the cost of the utilities' plans and programs to decrease the overall cost to ratepayers. (*Id.*)

Sierra Club et al. state that sections 50151-53 of the IRA provide \$2.86 billion in loans and competitive grants to construct new “national interest transmission projects,” facilitate the siting of interstate transmission lines, and convene stakeholders to address the development of interregional transmission planning. (*Id.*) Sierra Club et al. state that these federal funding opportunities could be leveraged to develop interstate transmission and advance a western regional energy market while promoting decarbonization. (*Id.*) Sierra Club et al. provide that investments can address transmission constraints and increase the integration of renewable resources in a cost-effective manner and funding could also be leveraged to address governance structures related to the expansion of regional markets, ensuring Nevadans have a voice in the clean energy economy. (*Id.*) Additionally, Sierra Club et al. state that the IRA will provide significant tax credits and incentives to support beneficial electrification and energy efficiency improvements. (*Id.*) Sierra Club et al. state that, while utilities may not directly apply for these funds, they should educate customers and trades about the opportunities with the new tax credits. (*Id.*) Sierra Club et al. state that utilities can also adjust existing program incentives to ensure Nevadans are taking advantage of federal dollars first before accessing utility programs. (*Id.*)

Sierra Club et al. state that utilities and government agencies have an essential role in implementing IRA investments and must engage community stakeholders in a robust process. (*Id.*) Sierra Club et al. state that the stakeholder process should occur far enough in advance of application deadlines for community members to give recommendations and allow entities to adjust applications depending on community feedback. (*Id.*) Sierra Club et al. recommend the PUCN require utilities to file proposed IRA or IJA applications to the PUCN in advance of the application for interested stakeholders and tribal communities to provide recommendations and feedback. (*Id.* at 2-3.)

Sierra Club et al. state that many of the federal programs will be partially evaluated on how they bring benefits directly to communities, especially environmental justice and historically underserved communities. (*Id.* at 3.) Sierra Club et al. state that the revised tax

credits for clean energy resources allow for projects to be sited in disadvantaged communities, bringing tax dollars and jobs to the community, and that 40 percent of benefits should go toward disadvantaged communities with the state and utilities making direct project and program investments in these communities. (*Id.*) Sierra Club et al. state that the clean energy investments in the IRA will accelerate the retirement of fossil fuel plants and that utilities must play an active role to ensure an equitable transition in impacted communities. (*Id.*) Sierra Club et al. state that the IRA offers incentives via the Energy Infrastructure Reinvestment Program for clean energy projects located in energy communities as well as financing for converting generation facilities. (*Id.*) Sierra Club et al. state that the Commission must work with utilities to ensure that these resources are delivered to Nevada and that members of these communities, or those who work directly in them, must be at the table to identify the best use of these funds and opportunities. (*Id.*)

Sierra Club et al. state that state Commissions should work with utilities and state governments to address any gaps in financing that would prevent low- and moderate-income individuals from taking full advantage of the IRA's energy efficiency tax credits and explain that the Greenhouse Reduction Fund may offer an opportunity for utilities to partner with green banks, like the Nevada Clean Energy Fund, regarding additional and complementary financial products. (*Id.*) Sierra Club et al. state that the GOE will administer the Homes Performance Rebate and High Efficiency Electric Homes program and that, once the U.S. Department of Energy has created guidance on these programs for states, the Commission and GOE should conduct a robust and transparent process to implement these programs. (*Id.*)

### **AEE's Comments**

AEE states that implementing the IRA will require careful consideration of utility investment plans and rates to account for new resource economics and accelerating clean energy trends. (AEE's November 1, 2022, Comments at 1.) AEE states that different provisions of the IRA will support and drive down costs for transmission, renewable and energy storage development, energy efficiency and distributed energy resource ("DER") deployment, and transportation and building electrification. (*Id.*)

AEE recommends that the Commission:

- 1) Encourage its utilities to re-issue requests for proposals ("RFPs") conducted prior to August 2022 or ask RFP respondents for updated bids;
- 2) Ask utilities to update integrated resource and distributed resource plans to account for new RFP results along with accelerated transportation and building electrification-related load growth;
- 3) Require regulated utilities to submit updated analyses of the cost-effective energy efficiency potential in their service territory to reflect the energy efficiency incentives and funding in the IRA, then submit new demand-side management proposals to achieve this potential;
- 4) Create processes to study and plan for the impacts of declining natural gas distribution system throughput;

- 5) Ensure that rules and regulations that may have been developed primarily for rooftop solar or traditional distributed generation (such as combined heat and power) are updated to accommodate a diversity of DERs, including microgrids, energy storage, storage-renewable hybrid systems, and EVs and EV Charging infrastructure, including vehicle-to-grid capabilities;
- 6) Using either existing authority or new authority granted by the legislature to implement regulatory changes that align utility financial incentives with the prioritization of efficient, cost-effective DER interconnection;
- 7) Address caps and other obstacles (e.g., standby charges) to unlock the market for DERs in the state, allowing residential consumers and businesses to take advantage of the incentives for distributed resources in the IRA;
- 8) Re-evaluate the costs that ratepayers must bear for utility investments where there are now lower costs (e.g., transmission projects under development that may receive federal support from the IRA) and make relevant adjustments within the current or next general rate case;
- 9) Facilitate access to energy usage data that allows third parties to take advantage of eligible funding from both the IRA and the IJJA; and
- 10) Conduct a review of existing permitting and siting practices to identify opportunities to expedite decision-making.

(*Id.* at 1-2.)

In its comments, AEE provided an IRA implementation toolkit that highlights programs related to 1) lowering the cost of clean electricity; 2) electrifying the transportation system; 3) saving energy in buildings; 4) upgrading the electric grid; 5) investing in communities; and manufacturing and producing in the United States. (*Id.* at 2-3.)

AEE states that, although not all funding will move directly through regulated utilities or the Commission, the Commission should consider conducting outreach to inform Nevada ratepayers, especially low, fixed income, and vulnerable individuals, about opportunities available to consumers to adopt clean and efficient energy technologies at lower costs, including 1) Residential Energy Efficiency Tax Credits; 2) Residential Clean Energy Tax Credits; 3) Commercial Energy Efficiency Incentives; 4) the New Energy Efficient Home Incentive for eligible contractors; 5) the High-Efficiency Electric Home Rebate Program; 6) the Home Owner Managing Energy Saving (“HOMES”) Rebate Program; 7) the Resilient and Efficient Affordable Housing Grant and Loan Program; 8) Electric Vehicle Consumer Incentives; 9) Commercial EV Incentives; 10) and EV Charging Incentives. (*Id.* at 3.) AEE states that the promotion of these programs is aligned with several of Nevada's policy goals, including lower energy costs, electrifying transportation, reducing greenhouse gas emissions, and investing in historically underserved communities. (*Id.*)

AEE provided a “toolkit”: Advanced Energy Infrastructure: A Roadmap for State Implementation in Nevada, attached as Attachment D, outlining existing Nevada programs that may be eligible to receive or be complemented by additional federal dollars and new energy programs within IJJA that may be of interest to the state. (*Id.* at 2-3.) AEE states that, though not

all funding will move directly through regulated utilities or the Commission, the Commission should consider using its platform to inform Nevada ratepayers - especially low-income and fixed-income, and otherwise vulnerable populations - about new opportunities available to consumers to adopt clean and efficient energy technologies at a lower cost, including: 1) Residential Clean Energy Tax Credits; 2) Commercial Energy Efficiency Incentives; 3) the New Energy Efficient Home Incentive for eligible contractors; 4) the High-Efficiency Electric Home Rebate Program; 5) the HOMES Rebate Program; 6) the Resilient and Efficient Affordable Housing Grant and Loan Program; 7) EV Consumer Incentives; 8) Commercial EV Incentives; and 9) EV Charging Incentives. (*Id.* at 3.) AEE states that the promotion of these programs is aligned with several of Nevada's state policy goals, including lower energy costs for all, electrifying transportation (light, medium, and heavy-duty vehicles), reducing greenhouse gas emissions, and investing in historically underserved communities to achieve more equitable energy outcomes. (*Id.*)

### **NRG Energy's Comments**

NRG Energy provided comments highlighting the opportunities available under Section 40101(c) of the IIJA. (NRG Energy's November 28, 2022, Comments at 1.) NRG Energy explains that this section provides grants under a program entitled Preventing Outages and Enhancing the Resilience of the Electric Grid and that funding under this program could allow Nevada to expand resiliency solutions in the face of growing wildfire threats and provide clean, backup power resources for vulnerable customers in high wildfire threat areas. (*Id.*) NRG Energy notes that western states have enacted proactive shutoff programs as an approach to reduce the risk of wildfires, including NV Energy, which implemented a Public Safety Outage Management program and provide advanced notice of shutoffs to customers relying on life-support equipment in its Green Cross program; however, NV Energy's program does not provide backup or alternative power supply due to the risk of PSOM shutoffs, leaving those customers with the choice of having to pay out of pocket for backup generation or run the risk of an extended outage. (*Id.*) NRG Energy states that in 2019 California enacted a program to mitigate risk for vulnerable customers called the Generator Grant Program ("GGP") and the Critical Care Backup Battery Program ("CCBB"). (*Id.*) NRG Energy states that these programs provide medical baseline and low-income customers that live in a pre-identified zone with notable fire risk a free portable backup battery to power critical devices in the event of a power outage. (*Id.* at 1-2.) NRG Energy states that GoalZero, its subsidiary company, has provided over 13,000 backup battery units to customers as part of these programs. (*Id.* at 2.)

NRG Energy states that portable battery backups are easily movable, contain a variety of built-in power outlets, operate safely indoors, require no fuel source, require no maintenance, are inexpensive compared to traditional installed home battery solutions (at a cost of \$1,500 to \$3,500), require no installation and minimal training to operate, and can be optionally recharged by portable solar panels. (*Id.*) NRG Energy notes that \$5 billion in funding is available under Section 40101(c) for states and distribution providers to "carry out activities that are supplemental to existing hardening efforts and to reduce the risk of power lines causing a wildfire; or reduce the likelihood and consequences of disruptive events." (*Id.*) NRG Energy provides that a program in Nevada to provide free backup battery generators for vulnerable customers in PSOM areas that is run by the state and administered by utilities should qualify

under this grant opportunity. (*Id.*). NRG Energy states that the Department of Energy is in the process of implementing program for the funding, called the Grid Resilience and Innovation Partnerships (“GRIP”), which intends to release a Funding Opportunity Announcement by the end of 2022 with an application window anticipated to be open through March 31, 2023. (*Id.*)

NRG Energy states that Nevada could develop a program like the GGP/CCBB developed in California and that, working with the distribution utilities, the number of customers enrolled in the Green Cross or similar programs in already established PSOM zones could be identified. (*Id.*) NRG Energy provides that afterward, based on the length of previous or expected PSOM outages, battery storage equipment appropriately sized to meet the needs of these customers could be selected and priced by working with providers. (*Id.*). NRG Energy states that doing so would establish an approximate budget for the program that could be used in an application for GRIP incentives. (*Id.*) NRG Energy states that, by applying for incentives in early 2023, funding could be available to begin meeting customer needs in advance of the summer of 2023, which would enhance the effectiveness of the PSOM program and provide critical backup power to vulnerable customers at little to no cost to the state or the distribution utilities. (*Id.*)