

- 
- 
- 

23-05015

Public Utilities Commission of Nevada  
Electronic Filing

Submitted: 5/18/2023 4:12:02 PM

Reference: 39241d38-de9a-4618-865a-d75175484520

Payment Reference: 18-865a-d75175484520

Filed For: Bureau of Consumer Protection

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

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

-----  
This filing has been electronically filed and deemed to be signed by an authorized  
agent or  
representative of the signer(s) and  
Bureau of Consumer Protection



ERNEST D. FIGUEROA  
*Consumer Advocate*  
*Chief Deputy Attorney General*

STATE OF NEVADA  
BUREAU OF CONSUMER PROTECTION

Northern Office  
100 N. Carson Street  
Carson City, Nevada 89701

MARK J. KRUEGER  
*Consumer Counsel*  
*Chief Deputy Attorney General*

Southern Office  
8945 W. Russell Road, Suite 204  
Las Vegas, Nevada 89148

March 18, 2023

Trisha Osborne  
Assistant Commission Secretary  
Public Utilities Commission of Nevada  
1150 East William Street  
Carson City, NV 89701

Re: Docket No. 23-05015

Dear Ms. Osborne:

Please accept for filing the Bureau of Consumer Protection's Motion Regarding Nevada Power Company's Notice No. 23-02 in the above-referenced docket.

Should you have any questions regarding this filing, please contact me at (702) 486-3793.

Sincerely,

ERNEST FIGUEROA  
Consumer Advocate

/s/ Michael Saunders  
MICHAEL SAUNDERS  
Senior Deputy Attorney General  
Bureau of Consumer Protection  
8945 West Russell Road, Suite 204  
Las Vegas, NV 89148

MS/bj

cc: Parties of Record

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Notice of Nevada Power Company d/b/a NV )  
Energy to adjust Base Tariff Energy Rates and )  
and Deferred Energy Accounting rates effective )  
July 1, 2023, and to deviate from the statutory ) Docket No. 23-05015  
calculation of the DEAA rate provided for in )  
NRS 704.110(10). )

BUREAU OF CONSUMER PROTECTION'S  
MOTION FOR AN ORDER REOPENING DOCKET NO. 23-05015 AND  
DIRECTING NEVADA POWER COMPANY TO  
AMEND ITS NOTICE FILING TO AN ADVICE LETTER FILING

COMES NOW, the Attorney General's Bureau of Consumer Protection ("BCP") and files this Motion pursuant to Nevada Administrative Code ("NAC") 703.550(1). BCP respectfully moves that the Public Utilities Commission of Nevada ("Commission") issue an Order reopening Docket No. 23-05015 for the purpose of directing Nevada Power Company ("NPC") to amend its Notice No. 23-02 (Informational) filing to an Advice Letter filing.<sup>1</sup>

This affirmative action by the Commission is necessary because the utility is requesting to deviate from the statutory formulaic calculation of the deferred energy accounting adjustment ("DEAA") rate in Nevada Revised Statutes ("NRS") 704.110(10).<sup>2</sup>

<sup>1</sup> A Motion is the proper pleading. While the Commission has closed Docket No. 23-05015, it has not been finally decided because the Commission has not yet approved the tariff schedules in the filing.

<sup>2</sup> **NRS 704.110 Procedure for changing schedule: ...deferred energy accounting adjustments; ...**

10. An electric utility shall adjust its rates on a quarterly basis based on changes in the electric utility's recorded costs of purchased fuel or purchased power. In addition to adjusting its rates on a quarterly basis, an electric utility may request approval from the Commission to make quarterly adjustments to its deferred energy accounting adjustment. The Commission shall approve or deny such a request not later than 120 days after the application is filed with the Commission. The Commission may approve the request if the Commission finds that approval of the request is in the public interest. If the Commission approves a request to make quarterly adjustments to the deferred energy accounting adjustment of an electric utility pursuant to this subsection, any quarterly adjustment to the deferred energy accounting adjustment must not exceed 0.25 cents per kilowatt-hour of electricity. If the balance of the electric utility's deferred account varies by less than 5 percent from the electric utility's annual recorded costs for purchased fuel or purchased power

1 While NRS 704.110(15) allows the Commission to approve a request by a public utility to  
2 deviate from the statutory formulaic calculation of the DEAA rate in 704.110(10),<sup>3</sup> such  
3 rate deviation must be done consistent with the legal process in NRS 704.100 to change a  
4 schedule to ensure that the Commission retains its statutory authority for proposed rate  
5 changes and to provide due process for the parties.<sup>4</sup>

6  
7  
8 which are used to calculate quarterly rate adjustments, the deferred energy accounting adjustment must be  
set to zero cents per kilowatt-hour of electricity.

9 **<sup>3</sup> NRS 704.110 Procedure for changing schedule: ...deferred energy accounting adjustments; ...**

10 15. The Commission may, upon request and for good cause shown, permit a public utility which purchases  
natural gas for resale or an electric utility to make a quarterly adjustment to its deferred energy accounting  
adjustment in excess of the maximum allowable adjustment pursuant to subsection 8 or 10.

11 **<sup>4</sup> NRS 704.100 Procedure for changing schedule: Approval of Commission required; filing  
application or letter of advice; quarterly rate adjustments for certain utilities; ...**

12 1. Except as otherwise provided in NRS 704.075, 704.68861 to 704.68887, inclusive, 704.7865 and  
704.7867, or as may otherwise be provided by the Commission pursuant to NRS 704.095, 704.097 or 704.7621:

13 (a) A public utility shall not make changes in any schedule, unless the public utility:

14 (1) Files with the Commission an application to make the proposed changes and the Commission  
approves the proposed changes pursuant to NRS 704.110; or

15 (2) Files the proposed changes with the Commission using a letter of advice in accordance with the  
provisions of paragraph (f) or (g).

16 (b) A public utility shall adjust its rates on a quarterly basis between annual rate adjustment applications  
pursuant to subsection 8 of NRS 704.110 based on changes in the public utility's recorded costs of natural gas  
purchased for resale.

17 (c) An electric utility shall, between annual deferred energy accounting adjustment applications filed  
pursuant to NRS 704.187, adjust its rates on a quarterly basis pursuant to subsection 10 of NRS 704.110.

18 (d) A public utility shall post copies of all proposed schedules and all new or amended schedules in the  
same offices and in substantially the same form, manner and places as required by NRS 704.070 for the  
posting of copies of schedules that are currently in force.

19 (e) A public utility may not set forth as justification for a rate increase any items of expense or rate base  
that previously have been considered and disallowed by the Commission, unless those items are clearly  
identified in the application and new facts or considerations of policy for each item are advanced in the  
application to justify a reversal of the prior decision of the Commission.

20 (f) Except as otherwise provided in paragraph (g), if the proposed change in any schedule does not change  
any rate or will result in an increase in annual gross operating revenue in an amount that does not exceed  
\$15,000:

21 (1) The public utility may file the proposed change with the Commission using a letter of advice in  
lieu of filing an application; and

22 (2) The Commission shall determine whether it should dispense with a hearing regarding the  
proposed change.

23 ➤ A letter of advice filed pursuant to this paragraph must include a certification by the attorney for the public  
utility or an affidavit by an authorized representative of the public utility that to the best of the signatory's  
knowledge, information and belief, formed after a reasonable inquiry, the proposed change in schedule does  
not change any rate or result in an increase in the annual gross operating revenue of the public utility in an  
amount that exceeds \$15,000.

BCP is supportive of summer rate relief for NPC's customers. NPC's filing shows a total per kilowatt-hour ("kWh") charge for single-family residential customers of \$0.16188. The average<sup>5</sup> NPC single-family residential customer uses approximately 2,330 kWh during the month of July based on public filings of NPC and the Financial Reports provided to BCP and the Commission's Regulatory Operations Staff ("Staff").<sup>6</sup> Hence, even with NPC's deviating from the statutory formulaic DEAA rate of \$0.02000 per kWh provided for in NRS 704.110(10) by proposing a deviated DEAA credit rate of \$(0.00574) per kWh pursuant to NRS 704.110(15), the average July bill (usage in July – billed received in August) will be \$409.12.<sup>7</sup> However, without the rate relief in NPC's filing, the average July bill for a NPC single-family residential customer would be \$472.10.<sup>8</sup>

<sup>5</sup> It is important to understand that average is the statistical mean. Some NPC single-family residential customers will consume less and some will consume more than 2,330 kWh during July with an average Las Vegas temperature of 95 degrees Fahrenheit for that month. Factors that determine if a customer consumes more or less kWh than average include: (1) square footage of home; (2) two-story vs. single-story home; (3) orientation of home, north-south uses less kWh than east-west; (4) location of home in Las Vegas Valley, homes in cooler, higher elevation Summerlin will use less kWh than homes in hotter, lower elevation East Las Vegas; (5) age of home, newer homes are built much more energy efficient than older homes; (6) efficiency of air conditioning, newer air conditioners, installed after 2015, are approximately 40% more efficient than those installed prior to 2006; and (7) the thermostat setting, which in Las Vegas should be set at 78 degrees or higher in the summer months.

<sup>6</sup> NPC's 2021 Federal Energy Regulatory Commission ("FERC") Form 1 shows that single-family residential customers used 14,473 kWh during calendar year 2021. NPC's 2021 Energy Information Administration ("EIA") Form 861-M shows that residential customers consumed 16.09 percent of their annual energy in the month of July. The actual 2021 annual kWh consumption of 14,473 times the actual percentage of energy consumed in July of 16.09 percent equals 2,328 kWh, which BCP rounds up to 2,330 kWh.

This calculation can also be verified by NPC's Financial Report for July 2021 which shows 515,648 single-family residential customers consumed 1,214,481 megawatt-hours ("MWH") during the month in the Revenue Analysis by Rate Schedule, which averages to 2.355 MWH ( $1,214,481 \div 515,648$ ) or 2,355 kWh.

Likewise, NPC's Financial Report for July 2022 shows 510,747 single-family residential customers consumed 1,144,056 MWH, which averages to 2.240 MWH ( $1,144,056 \div 510,747$ ) or 2,240 kWh. Given that July 2022 was much cooler – 876 cooling degree days – versus the average of 932 cooling degree days for the previous five Julys, BCP believes the kWh experienced in July 2021 is more likely to represent the kWh consumed in July 2023.

<sup>7</sup>  $\$0.16188$  total rate –  $\$0.00039$  UEC =  $\$0.16149$  per kWh without UEC.  $2,330 \text{ kWh} \times \$0.16149 = \$376.27$ . The addition of the basic service charge increases the bill to  $\$388.77$  ( $\$376.27 + \$12.50$ ). The 5% Franchise tax increases the bill to  $\$408.21$  ( $\$388.77 \times 1.05$ ). The addition of the UEC adds  $\$0.91$  ( $2,330 \text{ kWh} \times \$0.00039$ ) to the bill for a total bill of  $\$409.12$ .

<sup>8</sup>  $\$0.16188$  total rate +  $0.02574$  deviation –  $\$0.00039$  UEC =  $\$0.18723$  per kWh without UEC.  $2,330 \text{ kWh} \times \$0.18723 = \$436.25$ . The addition of the basic service charge increases the bill to  $\$448.75$  ( $\$436.25 + \$12.50$ ).

**A. NRS 704.110(15) does not allow a utility to unilaterally deviate from the formulaic calculation of the DEAA rate in NRS 704.110(10).**

The 5% Franchise tax increases the bill to \$471.19 ( $\$448.75 \times 1.05$ ). The addition of the UEC adds \$0.91 (2,330 kWh  $\times$  \$0.00039) to the bill for a total bill of \$472.10.

Page 4 of 11

total rates paid by customers over time will actually be higher rather than lower with the deviation?

On this latter point, BCP is concerned that NPC is proposing credit DEAA rates when the DEAA balances have grown to nearly \$1 billion dollars as shown below. Refunding money to customers via a credit DEAA rate can be extremely risky when your DEAA accounts are under-collected by nearly \$1 billion dollars. Furthermore, the statutory DEAA rates of \$0.02000 and \$0.01750 per kWh shown on Line 16 of Table 1 for NPC's residential and non-residential customers are already well below the calculated DEAA rates of \$0.04575 and 0.04624 shown on Line 6 of Table 1.

**Table 1**

Nevada Power Company d/b/a NV Energy Quarterly Deferred Energy Accounting Adjustment (DEAA) - Calculation At March 31, 2023 Effective July 1, 2023						DEAA Page 1 of 5	
(a)	(b)	(c)	(d)	(e)	(f)		
Ln	Description	Exhibit Ref	Residential	Exhibit Ref	Non-Residential	Total	Ln
1							1
2	Deferred Energy Balance at March 31, 2023	Pg 2, Col (n), Ln 41	\$ 473,540,788	Pg 3, Col (n), Ln 41	\$ 498,821,190	\$ 972,361,978	2
3							3
4	kWh Sales (Billed and Unbilled)	Pg 4, Col (n), Ln 1	10,350,636,377	Pg 4, Col (n), Ln 2	10,788,595,217	21,139,231,594	4
5							5
6	Calculated DEAA		\$ 0.04575		\$ 0.04624		6
7							7
8	Existing DEAA		\$ 0.01750		\$ 0.01500		8
9							9
10	Bandwidth		5%		5%		10
11							11
12	Cost applicable to Bandwidth <sup>(1)</sup>	BTER, Col (b), Ln 69	\$ 1,058,949,000	BTER, Col (c), Ln 69	\$ 1,105,958,000	\$ 2,164,907,000	12
13							13
14	Rate Cap		\$ 0.00250		\$ 0.00250		14
15							15
16	DEAA per kWh <sup>(2)</sup>	Pg 5 Formula	<u>0.02000</u>	Pg 5 Formula	<u>0.01750</u>		16
17							17
18	Increase (Decrease)		<u>\$ 0.00250</u>		<u>\$ 0.00250</u>		18
19							19
20	Proposed Rate <sup>(3)</sup>		<u>(0.00574)</u>		<u>(0.01264)</u>		20
21							21
22	Increase (Decrease)		<u>\$ (0.02324)</u>		<u>\$ (0.02764)</u>		22
23							23
24	<sup>(1)</sup> Cost includes Fuel & Purchased Power, revenue adjustments, deferral adjustments, and						24
25	out of period adjustments as applied to the BTER calculation. See exhibit BTER.						25
26	<sup>(2)</sup> Rate calculation pursuant to NRS 704.110 (10)						26
27	<sup>(3)</sup> A waiver is requested pursuant to NRS 704.110 (15) to adjust the proposed rate in excess of the maximum allowed.						27

//

1 **B. NRS 704.100 requires NPC to change a rate schedule via an application or**  
2 **advice letter with the exception of the statutory formulaic DEAA rate in**  
3 **NRS 704.110(10).**

4 NPC's Notice filing is inconsistent with the procedures for changing a schedule in  
5 NRS 704.100. NRS 704.100(1)(c) recognizes the statutory formulaic DEAA rate calculation  
6 in NRS 704.110(10). However, NPC's calculation of the DEAA rate in its Notice filing is  
7 not pursuant to NRS 704.110(10), but instead pursuant to NRS 704.110(15). There is  
8 nothing in NRS 704.100 that exempts a public utility from filing an application or an  
9 advice letter to change the DEAA rate in a manner that is inconsistent with the statutory  
10 formulaic calculation in NRS 704.110(10).

11 Hence, NPC's filing must comply with NRS 704.100(1)(a). Given that the overall  
12 effect of NPC's proposed rates is a revenue decrease, BCP believes that NPC can refile its  
13 Notice filing as an Advice Letter filing. Therefore, BCP requests that the Commission issue  
14 an Order in this proceeding directing NPC to refile its Notice filing as an Advice Letter  
15 filing or as directed by the Commission to rectify procedural and statutory issues as time  
16 is of the essence.

17 **C. The Notice filing creates a dangerous precedent for future filings that have**  
18 **DEAA rate increases that deviate from the statutory formulaic calculation.**

19 While BCP supports providing rate relief for NPC's customers during the high kWh  
20 usage summer months when bills are at their highest, BCP does not support implementing  
21 a deviated DEAA rate that is inconsistent with statutory authority. If the present  
22 Commission does not act on NPC's Notice filing by reopening Docket No. 23-05015 and  
23 issuing an order requiring NPC to refile with an Advice Letter, then the utility can use  
24 this "precedent" in a future filing when it wants to unilaterally increase the DEAA rate  
25 above its statutory formulaic calculation. The proper statutory procedures for changing  
26 rates must be adhered to regardless if the change in rates is a decrease or an increase.



1 **D. BCP, Staff, and other interveners have not been given their due process**  
2 **rights to raise issues germane to NPC's filing.**

3 NPC's Notice filing does not provide due process for Staff, BCP, and any other  
4 intervenor who may want to challenge NPC's calculations. In fact, NPC provides  
5 absolutely no support for its deviated DEAA calculations so BCP can investigate whether  
6 it agrees with the calculation of the deviated DEAA rates. Also, BCP was not given an  
7 opportunity to argue that NPC should not be allowed carrying charges on any incremental  
8 DEAA balances that result from the deviated DEAA rate because NPC made the filing as  
9 an informational Notice filing rather than a contested rate filing. It is BCP's duty to  
10 represent the ratepayers of Nevada, but BCP cannot represent ratepayers if the  
11 Commission allows NPC to file a deviated DEAA rate as an informational Notice filing  
12 rather than a contested Advice Letter rate filing.<sup>9</sup>

13 Finally, BCP does not believe that NRS 704.110(15) is the statutory authority that  
14 should have been used to provide rate relief to NPC's customers. BCP is concerned that  
15 the credit DEAA rates proposed by NPC in Table 1 will require NPC to maintain credit  
16 DEAA rates through March 2024 for residential customers and through December 2024  
17 for non-residential customers<sup>10</sup> – absent a subsequent deviated increase in the statutory

18 \_\_\_\_\_  
19 <sup>9</sup> BCP recognizes that the proposed rates must be implemented by July 1, 2023 pursuant to NRS 704.110(11).  
20 Hence, it is imperative that the Commission act on BCP's Motion as soon as possible if NPC does not  
21 voluntarily correct its statutorily deficient filing. Regardless an expedited schedule will need to be adopted to  
22 implement the rates in a timely manner while at the same time providing for the thorough investigation of  
23 NPC's proposed rates required by NRS 704.110(1). This filing could have been handled much more  
24 administratively efficient if NPC had consulted with Staff and BCP prior to submitting their filing to the  
25 Commission.

26 <sup>10</sup> Given the statutory cap of \$0.00250 per kWh in NRS 704.110(10), the proposed July DEAA credit rate of  
27 \$(0.00574) per kWh for residential customers can only increase to a credit rate of \$(0.00324) per kWh on  
28 October 1, 2023, then to a credit rate of \$(0.00074) per kWh on January 1, 2024, and finally to a debit rate of  
\$0.00176 per kWh on April 1, 2024.

Likewise, the proposed July DEAA credit rate of \$(0.01264) for non-residential customers can only increase  
to a credit rate of \$(0.01014) per kWh on October 1, 2023, then to a credit rate of \$(0.00764) per kWh on  
January 1, 2024, and then to a credit rate of \$(0.00514) per kWh on April 1, 2024, then to a credit rate of  
\$(0.00264) per kWh on July 1, 2024, then to a credit rate of \$(0.00014) per kWh on October 1, 2024, and then  
finally to a debit rate of \$0.00236 per kWh on January 1, 2025.

1 formulaic calculation of the DEAA rate in NRS 704.110(10) – at a time when NPC’s  
2 combined DEAA balances are under-collected by nearly \$1 billion dollars. Given the  
3 uncertainty about future natural gas prices, it is extremely risky for NPC to be proposing  
4 credit DEAA rates that must remain credit DEAA rates pursuant to the statutory cap in  
5 NRS 704.110(1) for nine-months for the residential DEAA and 18-months for the non-  
6 residential DEAA. This risk should be borne by the shareholders of NPC’s direct and  
7 indirect holding companies, NV Energy, Inc. and Berkshire Hathaway Energy, rather than  
8 the captive ratepayers.

9 A potentially less risky proposal that could have resulted in comparable summer  
10 rate relief for NPC’s customers would have been to not deviate from the statutory formulaic  
11 calculation of the DEAA rate in NRS 704.110(10), but to enact a temporary three-month  
12 fuel and purchased power rider credit rate of \$(0.03000) per kWh for both residential and  
13 non-residential customers pursuant to the Commission’s authority in NRS 704.120(1).<sup>11</sup>  
14 BCP believes it is unreasonable for NPC’s single-family residential customers to have  
15 average bills for July service of \$472.10 that the customers will experience absent any rate  
16 relief. One potential possibility for the Commission’s consideration could be the  
17 Commission using the statutory authority in NRS 704.120(1) to substitute a reasonable  
18 rate – a three-month fuel and purchased power rider credit of \$(0.03000) per kWh<sup>12</sup> – that  
19 would provide summer rate relief from the unreasonable levels that NPC’s fuel and  
20 purchased power rates have increased since January 2021.

---

21 <sup>11</sup> **NRS 704.120 Commission may substitute just and reasonable rates, regulations, practices or**  
22 **services after investigation and hearing; exceptions.**

23 1. If, upon any hearing and after due investigation, the rates, tolls, charges, schedules or joint rates  
24 shall be found to be unjust, unreasonable or unjustly discriminatory, or to be preferential, or otherwise in  
violation of any of the provisions of this chapter, the Commission shall have the power to fix and order  
substituted therefor such rate or rates, tolls, charges or schedules as shall be just and reasonable.

25 <sup>12</sup> From August 2000 to April 2001, the Commission approved fuel and purchased power riders for NPC to  
26 recover increased wholesale energy costs during the Western Energy Crisis of 2000/2001. While the authority  
27 used for those riders was the specific authority in NRS 704.110(7) which is no longer an option for an electric  
28 utility, BCP believes that the general authority in NRS 704.120(1) could have also been used. See Docket Nos.  
00-8012, 00-8021, 00-9026, 00-10026, 00-11034, 00-12020, 01-1014, and 01-2029.

1 This demonstrative alternative proposal is much less risky because it is only a  
2 temporary credit for three months as opposed to NPC's proposal that will lock-in credit  
3 DEAA rates for nine months for residential customers and 18 months for non-residential  
4 customers at a time when the DEAA balance is under-collected by nearly \$1 billion dollars.  
5 If NPC had consulted with Staff and BCP prior to making their filing, alternative  
6 proposals such as the above could have been discussed among the parties.

7 Nonetheless, BCP supports summer rate relief for NPC's customers to mitigate the  
8 unreasonable summer bills that NPC's customers will receive absent any rate relief. As  
9 Table 2 below shows, NPC's proposal, while extremely risky, will provide approximate  
10 \$591.6 [\$487,982,352 – \$(103,611,208)] million dollars of rate relief to NPC's customers  
11 compared to implementing statutory rates without any rate relief mechanism.

12 //

13 //

14 //

15 //

16 //

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27

28

**Table 2<sup>13</sup>**  
**Increases in NPC's Purchased Fuel and Purchased Power Rates**  
**since January 2021**

<i>With NPC's Proposed Rate Relief</i>							<i>Without NPC's Proposed Rate Relief</i>						
NEVADA POWER COMPANY d/b/a NV Energy Residential Customers Increases in Purchased Fuel & Purchased Power Rates since January 2021							NEVADA POWER COMPANY d/b/a NV Energy Residential Customers Increases in Purchased Fuel & Purchased Power Rates since January 2021						
Month	kWh sales	BTER Change	DEAA Change	Total Change	Annualized Change	DEAA Balance	Month	kWh sales	BTER Change	DEAA Change	Total Change	Annualized Change	DEAA Balance
Jan-21	10,176,770,856	0.00403	0.00219	0.00622	63,299,515	21,699,016	Jan-21	10,176,770,856	0.00403	0.00219	0.00622	63,299,515	21,699,016
Apr-21	10,476,631,172	-0.00031	0.00250	0.00219	22,943,822	29,030,035	Apr-21	10,476,631,172	-0.00031	0.00250	0.00219	22,943,822	29,030,035
Jul-21	10,520,059,077	-0.00149	-0.00250	-0.00399	(41,975,036)	10,975,286	Jul-21	10,520,059,077	-0.00149	-0.00250	-0.00399	(41,975,036)	10,975,286
Oct-21	10,690,826,249	0.00321	0.00250	0.00571	61,044,618	28,040,138	Oct-21	10,690,826,249	0.00321	0.00250	0.00571	61,044,618	28,040,138
Jan-22	10,656,852,611	0.00655	0.00250	0.00905	96,444,516	120,519,486	Jan-22	10,656,852,611	0.00655	0.00250	0.00905	96,444,516	120,519,486
Apr-22	10,415,346,377	0.00360	0.00250	0.00610	63,533,613	145,073,593	Apr-22	10,415,346,377	0.00360	0.00250	0.00610	63,533,613	145,073,593
Jul-22	10,413,665,214	0.00452	0.00250	0.00702	73,103,930	156,699,004	Jul-22	10,413,665,214	0.00452	0.00250	0.00702	73,103,930	156,699,004
Oct-22	10,218,199,319	0.00610	0.00250	0.00860	87,876,514	191,993,020	Oct-22	10,218,199,319	0.00610	0.00250	0.00860	87,876,514	191,993,020
Jan-23	10,103,400,699	0.01909	0.00250	0.02159	218,132,421	360,855,921	Jan-23	10,103,400,699	0.01909	0.00250	0.02159	218,132,421	360,855,921
Apr-23	10,299,679,887	-0.00030	0.00250	0.00220	22,659,296	337,926,009	Apr-23	10,299,679,887	-0.00030	0.00250	0.00220	22,659,296	337,926,009
Jul-23	10,350,636,377	0.01816	-0.02324	-0.00508	(52,581,233)	473,540,788	Jul-23	10,350,636,377	0.01816	0.00250	0.02066	213,844,148	473,540,788
<b>Total Increase</b>		<b>0.06316</b>	<b>-0.00355</b>	<b>0.05961</b>	<b>\$ 614,481,976</b>		<b>Total Increase</b>		<b>0.06316</b>	<b>0.02219</b>	<b>0.08535</b>	<b>\$ 880,907,357</b>	

NEVADA POWER COMPANY d/b/a NV Energy Non-Residential Customers Increases in Purchased Fuel & Purchased Power Rates since January 2021						
Month	kWh sales	BTER Change	DEAA Change	Total Change	Annualized Change	DEAA Balance
Jan-21	9,627,154,805	0.00311	0.00287	0.00598	57,570,386	424,075
Apr-21	9,666,096,058	-0.00025	0.00000	-0.00025	(2,416,524)	10,065,389
Jul-21	9,514,137,657	-0.00212	0.00000	-0.00212	(20,169,972)	(12,474,115)
Oct-21	9,917,925,280	0.00269	0.00000	0.00269	26,679,219	5,059,255
Jan-22	10,152,791,623	0.00537	0.00250	0.00787	79,902,470	79,597,090
Apr-22	10,305,824,423	0.00475	0.00250	0.00725	74,717,227	127,976,614
Jul-22	10,466,928,965	0.00595	0.00250	0.00845	88,445,550	153,589,072
Oct-22	10,567,784,848	0.00575	0.00250	0.00825	87,184,225	193,713,251
Jan-23	10,672,280,618	0.01466	0.00250	0.01716	183,136,335	342,553,788
Apr-23	10,725,555,842	0.00000	0.00250	0.00250	26,813,890	316,529,243
Jul-23	10,788,595,217	0.02291	-0.02764	-0.00473	(51,030,055)	498,821,190
<b>Total Increase</b>		<b>0.06282</b>	<b>-0.00977</b>	<b>0.05305</b>	<b>\$ 550,832,750</b>	

NEVADA POWER COMPANY d/b/a NV Energy Non-Residential Customers Increases in Purchased Fuel & Purchased Power Rates since January 2021						
Month	kWh sales	BTER Change	DEAA Change	Total Change	Annualized Change	DEAA Balance
Jan-21	9,627,154,805	0.00311	0.00287	0.00598	57,570,386	424,075
Apr-21	9,666,096,058	-0.00025	0.00000	-0.00025	(2,416,524)	10,065,389
Jul-21	9,514,137,657	-0.00212	0.00000	-0.00212	(20,169,972)	(12,474,115)
Oct-21	9,917,925,280	0.00269	0.00000	0.00269	26,679,219	5,059,255
Jan-22	10,152,791,623	0.00537	0.00250	0.00787	79,902,470	79,597,090
Apr-22	10,305,824,423	0.00475	0.00250	0.00725	74,717,227	127,976,614
Jul-22	10,466,928,965	0.00595	0.00250	0.00845	88,445,550	153,589,072
Oct-22	10,567,784,848	0.00575	0.00250	0.00825	87,184,225	193,713,251
Jan-23	10,672,280,618	0.01466	0.00250	0.01716	183,136,335	342,553,788
Apr-23	10,725,555,842	0.00000	0.00250	0.00250	26,813,890	316,529,243
Jul-23	10,788,595,217	0.02291	0.00250	0.02541	274,138,204	498,821,190
<b>Total Increase</b>		<b>0.06282</b>	<b>0.02037</b>	<b>0.08319</b>	<b>\$ 876,001,010</b>	

NEVADA POWER COMPANY d/b/a NV Energy All Bundled Customers Increases in Purchased Fuel & Purchased Power Rates since January 2021						
Month	kWh sales	BTER Change	DEAA Change	Total Change	Annualized Change	DEAA Balance
Jan-21	19,803,925,661				120,869,900	22,123,091
Apr-21	20,142,727,230				20,527,298	39,095,424
Jul-21	20,034,196,734				(62,145,008)	(1,498,829)
Oct-21	20,608,751,529				87,723,837	33,099,393
Jan-22	20,809,644,234				176,346,986	200,116,576
Apr-22	20,721,170,800				138,250,840	273,050,207
Jul-22	20,880,594,179				161,549,480	310,288,076
Oct-22	20,785,984,167				175,060,739	385,706,271
Jan-23	20,775,681,317				401,268,756	703,409,709
Apr-23	21,025,235,729				49,473,185	654,455,252
Jul-23	21,139,231,594				(103,611,288)	972,361,978
<b>Total Increase</b>					<b>\$ 1,165,314,727</b>	

NEVADA POWER COMPANY d/b/a NV Energy All Bundled Customers Increases in Purchased Fuel & Purchased Power Rates since January 2021						
Month	kWh sales	BTER Change	DEAA Change	Total Change	Annualized Change	DEAA Balance
Jan-21	19,803,925,661				120,869,900	22,123,091
Apr-21	20,142,727,230				20,527,298	39,095,424
Jul-21	20,034,196,734				(62,145,008)	(1,498,829)
Oct-21	20,608,751,529				87,723,837	33,099,393
Jan-22	20,809,644,234				176,346,986	200,116,576
Apr-22	20,721,170,800				138,250,840	273,050,207
Jul-22	20,880,594,179				161,549,480	310,288,076
Oct-22	20,785,984,167				175,060,739	385,706,271
Jan-23	20,775,681,317				401,268,756	703,409,709
Apr-23	21,025,235,729				49,473,185	654,455,252
Jul-23	21,139,231,594				487,982,352	972,361,978
<b>Total Increase</b>					<b>\$ 1,756,908,367</b>	

<sup>13</sup> Sources: Docket Nos. 20-11014, 21-02013, 21-05014, 21-08005, 21-11014, 22-02019, 22-05016, 22-08011, 22-11019, 23-02017, and 23-05015.

## CONCLUSION

Based on the foregoing, BCP moves the Commission to issue an Order reopening Docket No. 23-05015 for the purpose of directing Nevada Power Company ("NPC") to amend its Notice No. 23-02 (Informational) filing to an Advice Letter filing or as directed by the Commission to rectify procedural and statutory issues as time is of the essence. Given the fact that rates must be implemented by July 1, 2023 pursuant to NRS 704.110(11), BCP requests that the Commission issue an Order shortening the response time in NAC 703.555 from 5 to 3 business days. BCP will waive its right to file a reply to the responses to expedite action in this matter.

Respectfully submitted May 18, 2023.

ERNEST D. FIGUEROA  
Consumer Advocate

/s/ Michael Saunders  
MICHAEL SAUNDERS  
Senior Deputy Attorney General  
8945 W. Russell Road, Suite 204  
Las Vegas, NV 89148-1226  
msaunders@ag.nv.gov

**CERTIFICATE OF SERVICE**

Docket No. 23-05015

I certify that I am an employee of the Bureau of Consumer Protection and that on this day I have served the foregoing document upon all parties of record in this proceeding by emailing or mailing a true copy thereof, properly addressed with postage prepaid or forwarded as indicated below to:

STAFF COUNSEL PUBLIC UTILITIES COMMISSION OF NEVADA 1150 EAST WILLIAM STREET CARSON CITY, NV 89701 pucn.sc@puc.nv.gov	DONALD LOMOLJO PUBLIC UTILITIES COMMISSION 1150 EAST WILLIAM STREET CARSON CITY, NV 89701 dlomoljo@puc.nv.gov
MICHAEL GREENE NV ENERGY 6100 NEIL ROAD RENO, NV 89511 michael.greene@nvenergy.com	AARON SCHAAR NV ENERGY 6100 NEIL ROAD RENO, NV 89511 aaron.schaar@nvenergy.com
REGULATORY 6100 NEIL ROAD RENO, NV 89511 regulatory@nvenergy.com	CARLOS RAMIREZ NV ENERGY 6100 NEIL ROAD RENO, NV 89511 carlos.ramirez@nvenergy.com

Dated: March 18, 2023.

/s/ Beverly Joiner  
An Employee of the  
Bureau of Consumer Protection