BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Rulemaking to amend, adopt, and/or repeal regulations in accordance with Assembly Bill 458 (2025).	))))	Docket No. 25-07004

NOTICE OF INTENT TO ACT UPON A REGULATION, NOTICE OF WORKSHOP, AND NOTICE OF HEARING FOR THE ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS OF THE PUBLIC UTILITIES COMMISSION OF NEVADA

On July 1, 2025, the Public Utilities Commission of Nevada ("Commission") opened a rulemaking to amend, adopt, and/or repeal regulations in accordance with Section 17 of Assembly Bill 458 (2025) ("AB 458"). This rulemaking has been designated by the Commission as Docket No. 25-07004.

This rulemaking is being conducted pursuant to the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC") Chapters 233B, 703, 704, including but not limited to NRS 703.025, NRS 704.210, and AB 458.

NOTICE IS HEREBY GIVEN that the Commission has scheduled a public WORKSHOP on this matter to be held as follows:

TUESDAY, OCTOBER 13, 2026
10:30 A.M.
Hearing Room A
Public Utilities Commission of Nevada
1150 East William Street
Carson City, Nevada 89701

VIA VIDEOCONFERENCE TO:

Hearing Room A
Public Utilities Commission of Nevada
9075 West Diablo Drive, Suite 250
Las Vegas, Nevada 89148

And VIA MICROSOFT TEAMS

Members of the public and other interested persons may appear and otherwise participate in the workshop either in person at one of the above noted locations or remotely via Microsoft Teams. Participants should provide the email address, title/role in associated business or organization, and business address for each person who intends to participate via Microsoft Teams to Commission Administrative Attorney James Newcomb at jnewcomb@puc.nv.gov no later than FRIDAY, OCTOBER 9, 2026, at 2:00 p.m.

Persons who wish to monitor the proceeding and do not intend to participate may access the workshop at the time noticed herein either in person or via the Commission's live stream link on its website at https://puc.nv.gov.

The purpose of the workshop is to solicit comments from all interested persons and for them to present their views regarding the proposed regulation. A period will be provided for comments by members of the public and all other participants and for discussion of those comments. Comments may be limited to two (2) minutes per person at the discretion of the presiding officer.

NOTICE IS HEREBY GIVEN that the Commission has scheduled a public HEARING to be held as follows:

TUESDAY, OCTOBER 20, 2026,
11:30 a.m.
Hearing Room A
Public Utilities Commission of Nevada
1150 East William Street
Carson City, Nevada 89701

VIA VIDEOCONFERENCE TO:

Hearing Room A
Public Utilities Commission of Nevada
9075 West Diablo Drive, Suite 250
Las Vegas, Nevada 89148

And VIA MICROSOFT TEAMS

Members of the public and other interested persons may appear and participate in the hearing either in person at one of the above-noted locations or remotely via Microsoft Teams. Participants should provide the email address, title/role in associated business or organization, and business address for each person who intends to participate via Microsoft Teams to Commission Administrative Attorney James Newcomb at jnewcomb@puc.nv.gov no later than FRIDAY, OCTOBER 16, 2026, at 2:00 p.m.

Persons who wish to monitor the proceeding and do not intend to participate may access the hearing at the time noticed herein either in person or via the Commission's live stream link on its website at https://puc.nv.gov.

The purpose of the hearing is to hear from persons who will be directly affected by the regulation and to provide further opportunity for written and oral submissions, which will be fully considered by the Commission. A period will be provided for comments by the general public and discussion of those comments. Public comments may be limited to two (2) minutes per person at the discretion of the presiding officer. If no person who is directly affected by the proposed regulation appears at the hearing to request time to make an oral presentation, the Commission may proceed to act upon any written submissions.

The Commission is not responsible for providing clerical or administrative assistance or materials to participants during Commission workshops or hearings. If such assistance is necessary, persons must make other arrangements for this type of assistance.

The following information is provided pursuant to the requirements of NRS 233B.0603:

The proposed regulation is needed to give expanded access to low-income customers of NV Energy to solar power generation and net-metering. The proposed regulation primarily revises the criteria for eligibility so that only low-income residential customers are eligible to participate in an expanded solar access program, and requires customers who are supported with certain funding from the Nevada Clean Energy Fund to comply with certain requirements.

The proposed regulation is expected to have no adverse immediate or long-term economic effects on the businesses that it is to regulate.

The proposed regulation is expected to have no adverse immediate or long-term economic effects on the public.

The Commission used the simplified Delphi method in determining the impact on small businesses, whereby experts reviewed the text of the proposed regulation and determined the likely impact of the proposed regulation on small businesses. These experts shared their responses with each other and formed a consensus view. The Commission found that the proposed regulation does not impose a direct or significant economic burden upon small businesses, nor does it directly restrict the formation, operation, or expansion of a small business.

The Commission will not incur additional costs to enforce the proposed regulation.

The proposed regulation does not establish a new fee or increase an existing fee.

The proposed regulation does not overlap or duplicate any regulation of federal, state, or local governmental agencies.

The proposed regulation is not required pursuant to federal law.

The proposed regulation does not include provisions that are more stringent than a federal regulation that regulates the same activity.

Persons wishing to comment upon the proposed action the Commission may appear at the scheduled workshop and hearing or may submit their comments, data, views, or arguments in written form electronically through the Electronic Filing System on the Commission's website or at either of the Commission's offices on or before MONDAY, OCTOBER 12, 2026, at 12:00 P.M. Written comments should include proposed revisions, if any, to the proposed regulation.

A copy of this notice and the proposed regulation will be on file at the State Library, 100 North Stewart Street, Carson City, Nevada 89701, for inspection by members of the public during business hours. Additional copies of the notice and the proposed regulation are on file and available for public viewing on the Commission's website at https://puc.nv.gov for inspection and copying by members of the public. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations (File No. R129-26), which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the internet at http://www.leg.state.nv.us. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. This does not apply to a public body subject to the Open Meeting Law.

Upon adoption of any regulation, the Commission, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or incorporate therein its reason for overruling the consideration urged against its adoption.

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Pursuant to NRS 233B.060(1), the presiding officer in this matter anticipates placing the proposed regulation on an agenda for a Commission meeting to be held no earlier than November 10, 2026, for the Commission's consideration as to whether to adopt the proposed regulation as permanent.

By the Commission,

Trisha Osborne

TRISHA OSBORNE,
Assistant Commission Secretary

Dated: Carson City, Nevada

9/15/26

(SEAL)

PUBLIC UTILITIES COMMISSION OF NEVADA
PUC

PROPOSED REGULATION

PROPOSED REGULATION OF THE

PUBLIC UTILITIES COMMISSION OF NEVADA

LCB File No. R129-26

July 27, 2026

EXPLANATION – Matter in ***italics*** is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§ 1-10, NRS 703.025, 704.210 and 704.7865.

A REGULATION relating to electric utilities; revising the maximum amount of energy that may be provided annually through an expanded solar access program; authorizing an electric utility to submit an informational filing instead of an expanded solar access program plan under certain circumstances; revising provisions governing the selection of host sites for community-based solar resources; revising the information required to be included in an expanded solar access program plan; removing language relating to certain customers who are no longer eligible to participate in an expanded solar access program; revising provisions governing the rates charged under an expanded solar access program; repealing certain definitions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires an electric utility to offer an expanded solar access program to low-income eligible customers within its service area. Existing law additionally requires the Public Utilities Commission of Nevada to adopt regulations establishing standards for the expanded solar access program. (NRS 704.7865) **Section 1** of this regulation defines "community-based solar resource." **Section 2** of this regulation applies the definition created by **section 1** to the existing regulations governing the expanded solar access program.

Existing regulations establish the amount of energy that may be provided annually through the expanded solar access program in certain counties and for certain customers. (Section 10 of LCB File No. R136-20) **Section 3** of this regulation removes the limits on the amount of energy provided annually to certain customers and instead limits the energy provided through an expanded solar access program to the statutory limits for densely populated and less densely populated counties.

Existing regulations require an electric utility to submit an expanded solar access program plan to the Commission every 3 years and submit an informational report every year after the expanded solar access program plan is approved. (Section 11 of LCB File No. R136-20) Existing regulations establish the information an electric utility is required to include in its expanded solar access program plan. (Section 12 of LCB File No. R136-20) **Section 4** of this regulation removes the requirement that an electric utility submit an expanded solar access program plan every 3 years and instead requires an electric utility to, every 3 years, submit either an expanded solar access program plan or an informational filing setting forth the reasons no expanded solar access program plan was submitted. **Section 4** requires an electric utility, before filing an expanded solar access program plan, to issue a request for proposals for host sites for any new community-based solar resources that will be included in the plan and sets forth the criteria to prepare a shortlist of the bids that are received. **Section 5** of this regulation revises the information required to be included in the expanded solar access program plan by removing the requirement to include certain information and adding a requirement to include an open and transparent process for issuing a request for proposals to identify host sites for community-based solar resources.

Section 17 of Assembly Bill No. 458 of the 2025 Session of the Nevada Legislature revised the eligibility criteria for the expanded solar access program so that only low-income residential customers are eligible to participate in a program. (NRS 704.7865) Accordingly, **section 6** of this regulation removes language relating to applications for participation in an expanded solar access program by disadvantaged businesses, nonprofit organizations and eligible premises customers. **Section 10** of this regulation repeals the definition of disadvantaged business and eligible premises customer.

Existing regulations establish the requirements for selecting the host sites of community-based solar resources. (Section 14 of LCB File No. R136-20) **Section 7** of this regulation revises these requirements to provide greatest priority to sites in low-income communities which also provide high locational value. **Section 7** authorizes the Commission to approve certain additional community-based solar resources if the additional resources relieve a constraint on a specific portion of the distribution grid, result in a net benefit to a locational electrical system of the distribution grid and are cost-effective to customers of the electric utility.

Existing regulations establish the method for calculating the rate charged to participants in the expanded solar access program. (Section 15 of LCB File No. R136-20) **Section 8** of this regulation requires the electric utility to propose a new allocation between the weighted average of the expanded solar access program rates and the base tariff energy rates if the electric utility proposes the addition of certain expanded solar access program resources which include battery storage. **Section 8** also requires that a low-income eligible customer who is supported by certain funding achieve the energy savings required for such funding. **Section 9** makes a conforming change to update an internal reference which was altered by the changes made in **section 8**.

Section 1. Chapter 704 of NAC is hereby amended by adding thereto a new section to read as follows:

"Community-based solar resource" has the meaning ascribed to it in NRS 704.7865.

Sec. 2. Section 2 of LCB File No. R136-20 is hereby amended to read as follows:

Sec. 2. As used in sections 2 to 16, inclusive, of ***LCB File No. R136-20 and section 1 of*** this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 9, inclusive, ***of LCB File No. R136-20 and section 1 of this regulation*** have the meanings ascribed to them in those sections.

Sec. 3. Section 10 of LCB File No. R136-20 is hereby amended to read as follows:

Sec. 10. 1. An electric utility that primarily serves densely populated counties shall ensure that the amount of energy provided annually through its expanded solar access program does not exceed ~~[:~~

~~(a) 60,000 megawatt-hours to low-income eligible customers;~~

~~(b) 60,000 megawatt-hours to disadvantaged businesses and nonprofit organizations; and~~

~~(c) 120,000 megawatt-hours to eligible premises customers.]~~ ***240,000 megawatt-hours.***

2. An electric utility that primarily serves less densely populated counties shall ensure that the amount of energy provided annually through its expanded solar access program does not exceed ~~[:~~

~~(a) 40,000 megawatt-hours to low-income eligible customers;~~

~~(b) 40,000 megawatt-hours to disadvantaged businesses and nonprofit organizations; and~~

~~(c) 80,000 megawatt-hours to eligible premises customers.]~~ ***160,000 megawatt-hours.***

3. An electric utility shall set forth in its expanded solar access program plan a reserve amount ~~[for the categories of customers listed in subsections 1 and 2, as applicable,]~~ to ensure that the size of the expanded solar access program does not exceed the limits set forth in subsection 1 of NRS 704.7865.

4. As used in this section:

(a) "Electric utility that primarily serves densely populated counties" has the meaning ascribed to it in NRS 704.110.

(b) "Electric utility that primarily serves less densely populated counties" has the meaning ascribed to it in NRS 704.110.

Sec. 4. Section 11 of LCB File No. R136-20 is hereby amended to read as follows:

Sec. 11. 1. On or before December 1, 2020, ~~[and every 3 years thereafter,]~~ an electric utility shall submit an expanded solar access program plan to the Commission for approval. ***Every 3 years thereafter, the electric utility shall submit to the Commission, with the distributed resources plan of the electric utility or as a separate filing:***

(a) An expanded solar access program plan; or

(b) An informational filing setting forth the reasons no expanded solar access program plan was submitted.

2. An electric utility may file an amendment to an expanded solar access program plan that has been approved by the Commission provided that another expanded solar access program plan submitted by the utility is not pending before the Commission.

3. Two or more utilities that are affiliated through common ownership may jointly file an expanded solar access program plan or amendment pursuant to this section.

4. Utility scale solar resources which are included in an expanded solar access program plan must be approved by the Commission in an order issued pursuant to NRS 704.751.

5. ***Before filing an expanded solar access program plan with the Commission, an electric utility shall issue a request for proposals for host sites for any new community-based solar resources that will be included in the plan. The request for proposals must***

be issued and the responses reviewed in accordance with any applicable process approved as part of the most recently approved expanded solar access program plan of the electric utility or, if no such process has been approved, in a manner that is open and transparent.

6. From the responses to a request for proposals for host sites for new community-based solar resources, an electric utility shall prepare a shortlist of bids usingthe following criteria, without limitation:

(a) Whether there is sufficient capacity on the distribution grid of the electric utility to accommodate a community-based solar resource on the host site without adversely impacting safety, power quality, reliability or other operational criteria;

(b) Whether building a community-based solar resource on the host site would introduce additional constraints on the distribution grid of the electric utility;

(c) Whether the developer of the community-based solar resource has affirmed that all necessary permits can be obtained to build the community-based solar resource on the host site;

(d) Whether the host site has a higher solar output as compared to the other host sites for which bids were received; and

(e) Whether the host site is a premises that contains a business which serves a significant population of low-income individuals, including, without limitation, a homeless shelter, food bank or low-income health clinic.

7. In its distributed resources plan, an electric utility shall assess the bids included in the shortlist prepared pursuant to subsection 6 to select the host sites that meet the requirements of subsection 1 of section 14 of LCB File No. R136-20.

8. On or before March 1 of each calendar year following the calendar year in which the Commission approved the initial expanded solar access program plan of an electric utility, the electric utility shall file an informational report with the Commission which details:

(a) For the immediately preceding calendar year:

(1) The number of applications for the program received by the electric utility;

(2) The number of individuals who voluntarily left the program; and

(3) The number of participants remaining in the program at the end of the calendar year.

(b) The status of any community-based solar resources , including, without limitation, the construction, maintenance and operation of such solar resources.

(c) The production of energy by community-based solar resources and utility scale solar resources which are included in the program.

(d) The amount of energy subscribed and whether the reserve capacity is adequate.

(e) Information regarding the expanded solar access program rate, including, without limitation, revenues received and costs incurred by the utility.

(f) Any workforce statistics related to the program that are available to the electric utility.

(g) The number and types of calls to the customer service department of the utility relating to the program.

(h) The number of individuals who did not return recertification documentation.

Sec. 5. Section 12 of LCB File No. R136-20 is hereby amended to read as follows:

Sec. 12. The expanded solar access program plan of an electric utility must include the following information:

1. A list of actions for which the electric utility is seeking approval by the Commission, including, without limitation, the electric utility's selection of community-based solar resources and utility scale solar resources to be included in the expanded solar access program. The Commission will not approve the list of actions unless the proposed actions ensure that the expanded solar access program utilizes a reasonable mixture of community-based solar resources and utility scale solar resources.

2. ***An open and transparent process for issuing a request for proposals to identify host sites for community-based solar resources and for reviewing the responses.***

3. A list of the utility scale solar resources to be used in determining the expanded solar access program rate.

~~[3. The criteria, which must be developed using stakeholder input, to be used by the electric utility to create an initial list of non-contiguous geographic locations for community-based solar resources and the process, which must include receiving input from stakeholders, for selecting final site locations for community-based solar resources. An electric utility may, in subsequent expanded solar access program plans or amendments, after consultation with stakeholders, propose modifications to the criteria and process for selecting the community-based solar resource locations and, when necessary, indicate any proposed new community-based solar resource locations.]~~

4. A schedule for the selection, construction and operation of the community-based solar resources ~~[dedicated to the expanded solar access program]~~ that ~~[complies]~~ ***:***

(a) Complies with ***the process described pursuant to subsection 2 and*** the requirements of paragraph (h) of subsection 2 of NRS 704.7865 ***;*** and ~~[considers]~~

(b) Considers the amount of energy that is subscribed, the amount of energy that is expected to be subscribed and the reserve energy.

5. ~~[A description of the electric utility's process for community participation in the naming of community-based solar resources.~~

~~6.]~~ Information on how the electric utility plans to compensate community-based solar site hosts ***,*** including, without limitation, the terms of any form lease agreements, purchase agreements or easements.

~~[7.]~~ ***6.*** Information regarding a solar workforce innovations and opportunities program, developed by the Department of Employment, Training and Rehabilitation in conjunction with potential employers, interested nonprofit organizations and the International Brotherhood of Electrical Workers, or its successor organization, to provide workforce education, training and job placement. The solar workforce innovations and opportunities program must accomplish the following:

(a) Leverage existing plans and programs within the Department of Employment, Training and Rehabilitation to reduce administrative costs.

(b) Ensure that at least one job fair open to the public is conducted in each community or neighboring low-income community, as needed for recruitment, where a community-based solar resource is planned to be built. The job fair must be coordinated with the Department of Employment, Training and Rehabilitation, private solar or electrical installation companies, local schools and colleges, the International Brotherhood of Electrical Workers, or its successor organization, including, without limitation, representatives from the Joint Apprenticeship Training Center, and other interested stakeholders, as practicable, to provide educational resources and training and to solicit potential qualified applicants.

(c) Establish a selection process to refer qualified applicants to the International Brotherhood of Electrical Workers, or its successor organization, for adequate training. Qualified applicants must be selected to participate in appropriate contracted positions to aid in the construction, maintenance and operation of community-based solar projects.

(d) Determine job titles, detail quality compensation and establish benefits for the contracted positions.

~~[8.]~~ ***7.*** A description of the application and selection process for eligible customers, including, without limitation, annual rules for recertification, disenrollment and relocation of customers enrolled in the expanded solar access program.

~~[9.]~~ ***8.*** A plan for marketing the expanded solar access program that includes marketing that is linguistically appropriate.

~~[10.]~~ ***9.*** The proposed annual budget for each of the expanded solar access program plan components, including, without limitation, marketing, community outreach and program administration.

~~[11. Criteria for identifying traditionally underrepresented groups for the purposes of determining qualifying owners of a disadvantaged business. Qualifications for a disadvantaged business may be developed in coordination with a governmental agency or nonprofit organization with relevant expertise.~~

~~12.]~~ ***10.*** Criteria for identifying and establishing the boundaries of a community with higher levels of low-income eligible customers. An electric utility shall utilize available tools and work with appropriate government agencies, including, without limitation, the Division of ~~[Welfare and Supportive]~~ ***Social*** Services of the Department of ~~[Health and]~~ Human Services, to the extent practicable, to develop the criteria necessary to determine the boundaries of a community with higher levels of low-income eligible customers.

~~[13.]~~ ***11.*** A description of expanded solar access program rate components and methodology for developing participant charges.

Sec. 6. Section 13 of LCB File No. R136-20 is hereby amended to read as follows:

Sec. 13. 1. A low-income eligible customer ~~[, disadvantaged business, nonprofit organization or eligible premises customer]~~ located within the service territory of an electric utility may apply to participate in the expanded solar access program of the electric utility.

2. An electric utility may cooperate with the Housing Division of the Department of Business and Industry, the Division of ~~[Welfare and Supportive]~~ ***Social*** Services of the Department of ~~[Health and]~~ Human Services or any other state, county or local governmental entity, or any nonprofit organization, to develop eligibility criteria and verification processes for a low-income eligible customer.

3. ~~[A disadvantaged business must include in its application to participate in an expanded solar access program:~~

~~(a) A copy of its State or local business license;~~

~~(b) Documentation demonstrating that more than 50 percent of the owners of the business are women, veterans, members of a racial or ethnic minority group or otherwise part of a traditionally underrepresented group according to the criteria included in the expanded solar access program plan approved by the Commission; and~~

~~(c) A signed affidavit of eligibility with supporting evidence that confirms that each owner of the business does not have a net worth of more than $250,000, not including equity held in the business or in a primary residence.~~

~~4. A nonprofit organization must include in its application to participate in an expanded solar access program an affirmation or determination letter from the Internal Revenue Service indicating that the organization is exempt from taxation pursuant to section 501(c) of the Internal Revenue Code, 26 U.S.C. § 501(c).~~

~~5. An eligible premises customer must include in his or her application to participate in an expanded solar access program a written statement certifying that the customer cannot install solar resources on his or her premises due to physical or ownership constraints on the premises. For the purpose of determining whether an eligible premises customer is eligible to participate in an expanded solar access program, a financial constraint preventing the customer from installing solar resources on his or her premises does not constitute a physical constraint on such an installation. An eligible premises customer may include in his or her application building or property schematics or pictures demonstrating that the eligible premises customer cannot install solar resources on his or her premises due to physical or ownership constraints on the installation of solar resources on his or her premises.~~

~~6.]~~ The expanded solar access program plan year runs from January 1 to December 31 of each calendar year.

~~[7.]~~ ***4.*** Applicants for participation in an expanded solar access program must be selected on the basis of a lottery system which each electric utility shall set forth in its expanded solar access program plan. Each electric utility shall also include in its expanded solar access program plan a description of any interim enrollment process that the electric utility intends to use.

~~[8.]~~ ***5.*** Participants in an expanded solar access program must be enrolled in the program for 1 year but may withdraw from participation at any time. At the end of the expanded solar access program term, a participant may renew participation in the program without participating in the selection lottery if the participant notifies the electric utility of the participant's intention to remain in the program and resubmits any ***required*** documents ***.*** ~~[that meet the requirements contained in subsection 3, 4 or 5, as applicable.~~

~~9.]~~

6. A customer's participation in the program may be terminated by the electric utility as provided in an expanded solar access program plan that has been approved by the Commission.

Sec. 7. Section 14 of LCB File No. R136-20 is hereby amended to read as follows:

Sec. 14. 1. In selecting the host sites for community-based solar resources connected to the distribution system, an electric utility must ***:*** ~~[consider and provide greater weight to the following locations:]~~

(a) ~~[A location in a disadvantaged or low-income community.~~

~~(b) A location]~~ ***Prioritize locations*** in an area determined by an electric utility or the Commission to have high locational value which includes, without limitation ~~[, an]~~ ***:***

(1) An area ~~[that has optimum solar output, an area for which it is possible to obtain the necessary permits, an area that provides community services or benefits or an area that provides a grid benefit.]~~ ***in which an existing or forecasted constraint on a specific local element of the electric utility's electric distribution system or a specific locational electric***

system benefit to reliability or resiliency has been identified that the addition of a community-based solar resource can aid in alleviating, precluding or realizing either solely or in conjunction with other wired system upgrades or non-wires distributed resource technology solutions;

(2) An area in which an existing or forecasted reliability or resiliency constraint or benefit in a geographic area of the electric utility's electric distribution system has been identified that the addition of a community-based solar resource can aid in alleviating, precluding or realizing either solely or in conjunction with other wired system upgrades or non-wires distributed resource technology solutions;

(3) An area in which a community-based solar resource would not introduce additional constraints on the distribution grid of the electric utility;

(4) An area that has a higher solar output compared to the other host site alternatives;

(5) An area for which it is possible to obtain the necessary permits to construct the community-based solar resource; or

(6) An area that provides community services and benefits such as services to low-income individuals, including, without limitation, homeless shelters, food banks and low-income health clinics.

(b) Among the sites that have high locational value pursuant to paragraph (a), give greatest priority to locations in a low-income community.

2. An electric utility shall provide a reasonable justification for its selection of a host site as the site for a community-based solar resource. ~~[If it is impracticable for an electric utility to site a community-based solar resource in a community with higher levels of low-~~

~~income eligible customers, the electric utility shall provide adequate rationale for why the selected site is appropriate.]~~

3. An electric utility shall construct additional community-based solar resources in direct proportion to increased participation in the expanded solar access program.

4. Once an electric utility has satisfied the minimum requirements for the number of community-based solar resources in paragraph (h) of subsection 2 of NRS 704.7865, the Commission may approve additional community-based solar resources as required to meet the requirements of subsection 3. Such additional community-based solar resources must:

(a) Solely, or in conjunction with other non-wires alternatives, relieve an existing or forecasted constraint on a specific portion of the distribution grid of the electric utility;

(b) Solely, or in conjunction with other non-wires alternatives, result in a net benefit to a locational electrical system of the distribution grid of the electric utility; and

(c) Be cost-effective to the customers of the electric utility.

Sec. 8. Section 15 of LCB File No. R136-20 is hereby amended to read as follows:

Sec. 15. 1. The expanded solar access program rate for all customers participating in the program must be calculated as 30 percent of the weighted average of the rates for new utility-scale solar resources accepted by the Commission in an order pursuant to NRS 704.751 and selected for use in determining the expanded solar access program rate pursuant to subparagraph (1) of paragraph (f) of subsection 2 of NRS 704.7865, as approved by the Commission, and community-based solar resources approved as part of the expanded solar access program plan, plus 70 percent of the base tariff energy rate and deferred energy accounting adjustment, adjusted to remove the expanded solar access program resources. The expanded solar access program rate will replace a participating customer's base tariff energy rate and deferred energy accounting adjustment.

2. ***If the electric utility proposes the addition of new utility-scale solar resources or community-based solar resources that include battery storage as expanded solar access program resources, the electric utility shall propose a new allocation between the weighted average of the expanded solar access program rates and the base tariff energy rates to include, without limitation, the ratio of hours of output from the expanded solar access program resources to all hours in the year.***

3. The Commission will adjust the expanded solar access program rate ~~[charged to low-income customers]~~ as necessary to guarantee that ~~[such]~~ customers receive a lower energy rate as required by NRS 704.7865.

~~[3.]~~ *4.* Customers participating in the expanded solar access program shall pay any other applicable charges, including, without limitation, the universal energy charge, franchise fees, the renewable energy program rate and the base tariff general rates, except that the Commission ~~[may]~~ ***:***

(a) May reduce one or more of these charges for ***participating*** low-income customers to ensure that such customers receive a lower rate as required by NRS 704.7865 ~~[.~~

~~4.]~~ ***; and***

(b) For a participating low-income eligible customer who is supported with specific funding from the Nevada Clean Energy Fund established pursuant to NRS 701B.985 relating to a Solar for All program, shall require the participating low-income eligible customer to achieve the energy savings required for such funding, with the aggregated

energy savings tracked and reported in the informational report required by subsection 9 of section 11 of LCB File No. R136-20.

5. Any expanded solar access program rate discount, including, without limitation, any low-income customer discount, must be tracked by the electric utility separately in a regulatory asset and recovered from all utility customers, including distribution-only service customers, on a quarterly basis in conjunction with an electric utility's quarterly filing made pursuant to NRS 704.110.

~~[5.]~~ ***6.*** Expanded solar access program rate revenues paid by participating customers must be applied to the deferred energy accounting balance in the same manner as the base tariff energy rate and the deferred energy accounting adjustment rates.

Sec. 9. Section 16 of LCB File No. R136-20 is hereby amended to read as follows:

Sec. 16. 1. All of the costs of implementing an expanded solar access program, with the exception of any rate discount tracked pursuant to subsection ~~[4]~~ ***5*** of section 15 of ~~[this regulation,]~~ ***LCB File No. R136-20,*** must be accounted for in the books and records of an electric utility in regulatory asset accounts which are separate from costs and amounts attributable to any other activity. All such accounts must be maintained in a manner that will allow costs and amounts attributable to specific programs to be readily identified. The calculation for the regulatory asset account for the capital costs of a community-based solar resource begins on the last day of the month following the date on which the resource is made available as a community-based solar resource.

2. An electric utility shall recover all prudent and reasonable expenditures of implementing the expanded solar access program, provided that such expenditures arise

out of actions that have been approved by the Commission as part of the electric utility's expanded solar access program plan.

3. An electric utility must submit the regulatory asset accounts associated with the expanded solar access program to the Commission with the electric utility's annual deferred energy accounting adjustment application submitted pursuant to NRS 704.187, with proposals to recover the accumulated balance of the expanded solar access program costs and for the recovery of and return on the costs for the construction or acquisition of any community-based solar resource dedicated to the expanded solar access program by the electric utility.

4. All expenditures related to the expanded solar access program are public policy costs that must be charged to all customer classes of an electric utility, including, without limitation, distribution-only service customers.

5. The portfolio energy credits generated:

(a) From the expanded solar access program must be used for renewable portfolio standard compliance by the electric utility implementing the expanded solar access program; and

(b) From community-based solar resources must be allocated between the electric utility implementing the expanded solar access program and its distribution-only service customers on a load ratio basis.

Sec. 10. Sections 3 and 4 of LCB File No. R136-20 are hereby repealed.

TEXT OF REPEALED SECTIONS

Section 3 of LCB File No. R136-20

Sec. 3. "Disadvantaged business" has the meaning ascribed to it in NRS 704.7865.

Section 4 of LCB File No. R136-20

Sec. 4. "Eligible premises customer" means a customer who is a fully bundled residential customer of an electric utility who cannot install solar resources on the customer's premises due to physical or ownership constraints on the premises.