

BCP and PUCN Combined Comments For Workshop Resulting From Docket 25-08029
Stipulation

An order was issued on 12/27/25 for Docket 24-05041 regarding the 2025-2044 Triennial Integrated Resource Plan. Directive nine (9) required Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d /b/a NV Energy to host at least four in-depth public workshops devoted to Rule 9 and the energization process. Another further requirement for the Companies was to provide a status update within six months of the issuance of this order addressing the potential for an Ohio-like Rule 9, and Rule 1 as necessary, amendment(s) in Nevada. NV Energy requested parties to submit comments on or before June 16, 2025, addressing topics listed in ordering paragraph 9. On June 10, 2025, the BCP submitted combined comments for both the BCP & PUCN Staff for the status update that NV Energy filed with the Commission.

Pursuant to the November 5, 2025, Stipulation accepted in Docket No. 25-08029, (Joint Application for approval of its 2025 Distributed Resource Plan (“DRP”), NV Energy shall conduct a minimum of two (2) public stakeholder workshops to discuss revisions to its Rule 9. The purpose of the workshops is as follow: (a) the issue of data center extra-large load interconnection costs in Rule 9, with a view towards specifically avoiding socialization of any of those costs to other customers and ensuring data center load covers its full cost of interconnection; (b) timelines for processing Rule 9 applications; and (c) additional processes, tools, staffing requirements, or other refinements to internal processes, customer engagement, and/or the tariff necessary to achieve the customer's requested in-service date. NV Energy has requested parties to provide written comments regarding any proposed changes to Rule 9 by Monday, January 26, 2026.

An issue of extreme concern to both the BCP and PUCN staff is the Reduction of Service or Termination Charges (“RSTC”). The details of the RSTC are found in section A.25 of Rule 9. As stated in A.25(a), “Every Rule 9 Agreement for Abnormal Risk Projects, Large Projects and Substation and HVD Projects under Section B.2 shall include a RSTC provision. The applicant is referred to Rule 1 for the RSTC trigger. Per Rule 1, the applicant’s demand and/or kilowatt-hours must be below **twenty-five percent (25%)** of that specified in the Line Extension Agreement.

The Companies did not adequately address this issue from the June 10, 2025 submitted comments. Therefore, both BCP and PUCN staff again vocalize the Rule 1 **twenty-five percent (25%)** threshold for workshop comments due January 26, 2026. This change to

Rule 1 regarding the 25% threshold was brought up again in the workshop held on January 14, 2026.

The Companies dismissed the change in the 25% threshold to higher percentage based on two points. The first point was that a higher threshold would impact smaller projects of less than 1 MW. First, the Companies ignore the fact that it would be proportionate based on the load. Second, the Companies may request a deviation based on loads of less than 1 MW. However, the most efficient way would be to create a separate category in Rule 1 for large projects, abnormal projects, and large abnormal projects to identify the risk of at least 50% threshold or higher.

The second point the Companies brought up regarding not changing this threshold percent was that the individual HVD contracts have threshold higher than 25%. The contracts do reference a higher threshold. However, these higher thresholds in the HVD contracts only trigger a conference between the HVD applicant and the Companies. The purpose of the conference is for both the applicant, and the Companies to try to come to an agreement. In the past, these conferences have led to no RSTC being triggered and instead the timelines are pushed out and/or the loads are changed to the detriment of other ratepayers. Should the applicant and the Companies not come to an agreement then Rule 1 threshold of 25% is the only reference point that can be used to impose upon the applicant for not meeting their contractual obligation.

For the comments due on Monday, January 26, 2026 related to Docket 25-08029, both the BCP and PUCN staff redirect the Companies to the submitted combined comments provided on June 10, 2025, relevant to this stakeholder workshop since the pertinent concerns raised are not adequately addressed by the Companies and are still lingering.