

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Joint Application of Nevada Power Company d/b/a)	
NV Energy and Sierra Pacific Power Company d/b/a)	
NV Energy for approval of the first amendment to)	Docket No. 24-12016
their 2024-2026 Joint Natural Disaster Protection)	
Plan.)	
_____)	

ORDER ON PETITIONS FOR LEAVE TO INTERVENE

The Presiding Officer in this docket makes the following findings and conclusions:

1. On December 18, 2024, Nevada Power Company d/b/a NV Energy (“Nevada Power”) and Sierra Pacific Power Company d/b/a NV Energy (“Sierra” and, together with Nevada Power, “NV Energy”) filed with the Public Utilities Commission of Nevada (“Commission”) a joint application, designated as Docket No. 24-12016, for approval of the first amendment to their 2024-2026 Joint Natural Disaster Protection Plan (“NDPP”) (“Joint Application”).
2. NV Energy filed the Joint Application pursuant to the Nevada Revised Statutes (“NRS”) and Nevada Administrative Code (“NAC”) Chapter 704, including but not limited to NRS 704.7983, and the regulations approved by the Commission in Docket No. 19-06009, Legislative Counsel Bureau File Nos. R085-19 and R181-24.
3. On December 27, 2024, the Commission issued a Notice of Joint Application and Prehearing Conference.
4. The Regulatory Operations Staff of the Commission (“Staff”) participates as a matter of right pursuant to NRS 703.301.
5. On December 30, 2024, the Nevada Bureau of Consumer Protection (“BCP”) filed a Notice of Intent to Intervene.

6. On January 22, 2025, Smart Energy Alliance (“SEA”), Wynn Las Vegas, LLC (“Wynn”), Caesars Enterprise Services, LLC (“Caesars”), MGM Resorts International (“MGM”), Nevada Resort Association (“NRA”), and, jointly, Boyd Gaming Corporation (“Boyd”), Station Casinos LLC (“Station”), & Venetian Las Vegas Gaming, LLC (“Venetian,” and, together with Boyd and Station, “Southern Nevada Gaming Group” or “SNGG”) each filed a Petition for Leave to Intervene (“PLTI”) (individually, “SEA’s PLTI,” “Wynn’s PLTI,” “Caesars’s PLTI,” “MGM’s PLTI,” “NRA’s PLTI,” and “SNGG’s Joint PLTI”).

7. On January 23, 2025, the Presiding Officer held a prehearing conference. NV Energy, Staff, BCP, SEA, Wynn, Caesars, MGM, NRA, and SNGG appeared. A procedural schedule, discovery procedures, and the PLTIs were discussed.

Applicable Law

8. Pursuant to NAC 703.580(1), a person who claims to have a substantial interest in a proceeding and who wishes to intervene must file a PLTI with the Commission.

9. NAC 703.580(2) provides, in relevant part, that a person has a direct and substantial interest in a proceeding if the person claims an interest relating to the property or transaction which is the subject of the proceeding and the person is so situated that the disposition of the proceeding will, as a practical matter, impair or impede the ability of the person to protect that interest, unless the person is adequately represented by existing parties.

10. Pursuant to NAC 703.580(3), a person does not have a direct and substantial interest in a proceeding if the person claims an interest that is: (a) based on a speculative business or marketing plan; (b) based solely on a person’s involvement in a proceeding in another unrelated docket; (c) based on an interest that is irrelevant to the proceeding; or (d) based solely on a desire to monitor the proceeding or to obtain information from the proceeding.

11. Pursuant to NAC 703.585, a PLTI must: (a) comply with the regulation's clerical requirements; (b) provide a clear and concise statement of the direct and substantial interest of the petitioner; (c) state the manner in which the petitioner will be affected by the proceedings; (d) provide a statement as to whether the petitioner intends to present evidence in the proceedings; and (e) if affirmative relief is sought, supply a description of the desired relief and the basis for that relief.

12. Pursuant to NAC 703.590(1), a potential intervenor must file a PLTI with the Commission within any applicable period set in the public notice published in accordance with NAC 703.160.

13. Pursuant to NAC 703.590(2), if a potential intervenor files after the applicable period, then the petition must state a substantial reason for the delay; the Commission will not grant a PLTI that is filed after the applicable period if the delay in filing was because of neglect or unreasonable inaction by the petitioner or his or her attorney.

14. Pursuant to NAC 703.595(1), the Commission may grant a person other than an association leave to intervene if: (a) the PLTI shows that the petitioner has a direct and substantial interest in the subject of the proceeding, or any part of it; and (b) the intervention would not unduly broaden the issues.

15. Under NAC 703.578, an association is an organization, other than a for-profit corporation, partnership, or limited-liability company, created to represent the interests of its members.

16. Pursuant to NAC 703.595(2), an association may be granted intervention if: (a) two or more of its members demonstrate a direct and substantial interest in the subject of the proceeding; (b) it demonstrates through a document that the purpose of the association is directly

related to the subject of the proceeding and that the association is authorized to represent its members in the proceeding; and (c) the intervention would not unduly broaden the issues.

SEA's Position

17. SEA states that it is a Nevada nonprofit trade association that includes large energy users and retail customers of NV Energy. (SEA's PLTI at 2.)

18. SEA states further that NV Energy's requested increase to rates would directly affect its members. (*Id.*)

19. SEA states further that it has been involved in almost all NDPP dockets since passage of the enabling legislation, and that SEA is likely to continue to address the issues that it had addressed in the prior NDPP dockets. (*Id.*)

20. SEA states that one of its members, Switch Ltd. ("Switch"), is a customer of NV Energy, and thus any decision regarding the Joint Application will affect the services that it receives and the rates that it pays. (*Id.* at 3.)

21. SEA also states that another of its members, the Alliance of Western Energy Consumers ("AWEC"), itself is an association that represents many energy users, some of which are customers of NV Energy, and thus any decision regarding the Joint Application will directly affect those members. (*Id.*)

22. SEA states that under its Articles of Incorporation, its members formed it expressly to represent their interests in proceedings like the Joint Application. (*Id.*)

23. SEA states that Switch and AWEC have authorized SEA to represent them in this docket. (*Id.*)

24. SEA states that no other party in this docket is as familiar with its electrical requirements or as able to protect SEA's interests. (*Id.*)

25. SEA states that its participation in this docket will not unduly prolong or delay the proceeding, nor will it unduly broaden the issues before the Commission. (*Id.*)

26. SEA states that it expects to present evidence in this docket. (*Id.*)

Wynn's Position

27. Wynn states that it is a Distribution Only Service ("DOS") customer of Nevada Power. (Wynn's PLTI at 2.)

28. Wynn further states that any decision regarding the Joint Application will affect the DOS rates that it pays. (*Id.*)

29. Wynn states further that it has been involved in almost all NDPP dockets since passage of the enabling legislation, and that Wynn is likely to continue to address the issues that it had addressed in the prior NDPP dockets. (*Id.*)

30. Wynn states that no other party in this docket is as familiar with its electrical requirements or as able to protect Wynn's interests. (*Id.*)

31. Wynn states that its participation in this docket will not unduly prolong or delay the proceeding, nor will it unduly broaden the issues before the Commission. (*Id.*)

32. Wynn states that it expects to present evidence in this docket. (*Id.*)

Caesars's Position

33. Caesars states that it is one of the largest electrical users in Nevada. (Caesars's PLTI at 2.)

34. Caesars further states that NV Energy's proposed plan in this docket will directly affect Caesars's interests, including electric rates and transmission-related requests. (*Id.*)

35. Caesars states that no other party can represent its interests adequately because of the unique mix of tariffs under which Caesars takes service. (*Id.*)

MGM's Position

36. MGM states that it is one of the largest electrical users in Nevada. (MGM's PLTI at 2.) MGM further states that many, but not all, of its loads are unbundled electric service pursuant to NRS Chapter 704B, and thus receives electric service from Nevada Power through many different tariffs.

37. MGM further states that NV Energy's proposed plan in this docket will directly affect MGM's interests, including electric rates and transmission-related requests. (*Id.*)

38. MGM states that no other party can represent its interests adequately because of the unique mix of tariffs under which Caesars takes service. (*Id.*)

NRA's Position

39. NRA states that it is a non-profit corporation created to represent its membership, which comprises resort hotels with unrestricted gaming licenses. (NRA's PLTI at 2.)

40. NRA states that its Executive Committee has approved NRA to file NRA's PLTI and to participate in this docket. (*Id.*)

41. NRA further states its participation in this docket would not unduly broaden the issues, because it seeks participation in this docket to speak for its members with respect to the relief that NV Energy has requested. (*Id.*)

42. NRA states that all its members receive electric service from NV Energy pursuant to many different tariffs, and thus decisions made in this docket will directly affect them. (*Id.*)

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SNGG's Position

43. SNGG states that each of its petitioners¹ is a bundled customer of Nevada Power. (SNGG's Joint PLTI at 2.)

44. SNGG further states that any decision in this docket might affect how it receives electricity and that rates that it pays for electricity, thus directly affecting its interests. (*Id.*)

45. SNGG further states that no other party is as knowledgeable as it is about its business operations in Nevada, or as capable of representing its interests. (*Id.*)

46. SNGG states that its participation in this docket will not unduly delay or broaden the proceedings because its interests are confined to the scope of the Joint Application. (*Id.*)

47. SNGG states that it intends to offer relevant material evidence. (*Id.* at 2-3.)

Commission Discussion and Findings

48. Wynn, Caesars, MGM, and SNGG are persons within the meaning of NAC 703.075 and NAC 703.580; therefore, NAC 703.595(1) provides the applicable standard for intervention.

49. The Presiding Officer finds that Wynn, Caesars, MGM, and SNGG have direct and substantial interests in this docket because the Commission's decision might affect the rates that they pay and the types of services available to them. The Presiding Officer further finds that Wynn, Caesars, MGM, and SNGG have demonstrated that their interests cannot be adequately represented by another other entity in this docket. The Presiding Officer also finds that Wynn's, Caesars's, MGM's, and SNGG's interventions will not unduly broaden the issues.

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¹ Boyd, Station, and Venetian have filed a joint PLTI under the moniker SNGG. Even if this order or any subsequent order refers to SNGG in the singular, SNGG does not claim to be an association as defined in NAC 703.578.

50. None of the parties objected to Wynn's PLTI, Caesars's PLTI, MGM's PLTI, or SNGG's Joint LTIs. Therefore, the Presiding Officer grants Wynn's PLTI, Caesars's PLTI, MGM's PLTI, and SNGG's Joint LTIs, and authorizes Wynn, Caesars, MGM, and SNGG to participate in this docket.

51. SEA and NRA are associations, within the meaning of NAC 703.578; therefore, NAC 703.595(2) provides the applicable standard for intervention for SEA and NRA.

52. The Presiding Officer finds that SEA and NRA each have a direct and substantial interest in this docket because each entity is comprised of large NV Energy customers who might have their rates and services affected by the proposals in NPC's filings.

53. None of the parties objected to SEA's PLTI and NRA's PLTI. Therefore, the Presiding Officer grants SEA's PLTI and NRA's PLTI and authorizes SEA and NRA to participate in this docket.

Therefore, it is ordered:

1. The Petition for Leave to Intervene filed by Smart Energy Alliance is granted.
2. The Petition for Leave to Intervene filed by Wynn Las Vegas, LLC is granted.
3. The Petition for Leave to Intervene filed by Caesars Enterprise Services, LLC is granted.
4. The Petition for Leave to Intervene filed by MGM Resorts International is granted.
5. The Petition for Leave to Intervene filed by Nevada Resort Association is granted.


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6. The Joint Petition for Leave to Intervene filed by Boyd Gaming Corporation, Station Casinos LLC, and Venetian Las Vegas Gaming, LLC is granted.

By the Commission,



TAMMY CORDOVA
Commissioner and Presiding Officer

Attest: 

TRISHA OSBORNE
Assistant Commission Secretary

Dated: Carson City, Nevada

2/21/25
(SEAL)

