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24-12016

Public Utilities Commission of Nevada
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March 27, 2025

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

Re: Docket No. 24-12016

Dear Ms. Osborne:

Please accept for filing the Bureau of Consumer Protection Office of the Nevada Attorney General Response to the Companies' Motion for Protective Order and Filing of Errata filed this date on behalf of the Bureau of Consumer Protection in the above-referenced docket.

Should you have any questions regarding this filing, please contact me at (775) 684-1164.

Sincerely,

ERNEST FIGUEROA
Consumer Advocate

/s/ Michelle Badorine
Michelle Badorine
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MB:jw
cc: Parties of Record

1 **BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

2 Joint Application of Nevada Power Company)
3 d/b/a NV Energy and Sierra Pacific Power)
4 Company d/b/a NV Energy for Approval of the) Docket 24-12016
5 First Amendment to their 2024-2026 Joint)
6 Natural Disaster Protection Plan.)
7 _____)

8 **BUREAU OF CONSUMER PROTECTION**
9 **OFFICE OF THE NEVADA ATTORNEY GENERAL**
10 **RESPONSE TO THE COMPANIES' MOTION FOR PROTECTIVE ORDER**
11 **AND FILING OF ERRATA**

12 COMES NOW, THE BUREAU OF CONSUMER PROTECTION ("BCP"), OFFICE
13 OF THE NEVADA ATTORNEY GENERAL, and hereby submits this Response to the
14 Nevada Power Company d/b/a NV Energy's ("NCP") and Sierra Pacific Power Company
15 d/b/a NV Energy's ("SPPC," and collectively, the "Companies") Motion For Protective Order
16 and Filing of Errata ("Motion"). The BCP submits this Response pursuant to NRS 228.360
17 and NAC 703.555. This Response is made upon the pleadings filed herein and any oral
18 argument at hearing.

19 **MEMORANDUM OF POINTS AND AUTHORITIES**

20 **I. PROCEDURAL BACKGROUND**

21 On December 18, 2024, the Companies filed their Application for Nevada Power
22 Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for Approval
23 of their First Amendment to the Joint Natural Disaster Protection Plan ("Application"). As
24 accurately stated in the Companies' Motion, the Application failed to include critical
25 information concerning the "the headcount associated with the proposed new NDPP
26 programs."¹ Although the Application referenced a particular table in Ms. Howard's
27 Prepared Direct Testimony, it did not include this table in the Application. Therefore, the
28 Companies included in their errata a new "Table 11" and renumbered the remaining tables

¹ Motion, p. 2.

1 in Ms. Howard’s Prepared Direct Testimony.² The Companies filed the request to file this
2 erratum, among other requests, via Motion on March 20, 2025. The BCP submits this
3 instant Response to the Companies’ Motion.

4 II. ARGUMENT

5 While BCP understands that errata, at times, are necessary and helpful, the BCP’s
6 concern in this docket is the timeliness of this erratum – and the amount of time and
7 resources unnecessarily spent on fleshing out information that should have been included
8 in the initial Application. The Companies filed their Application on December 18, 2024. On
9 March 20, 2025, or 3 months and 2 days after they filed their Application, they moved to
10 submit this erratum. The erratum includes a table outlining the “headcount associated with
11 the proposed new NDPP programs.” The BCP, alone, issued 6 sets of data requests which
12 included approximately 35 data requests fleshing out the 46 NDPP positions. Fifteen of
13 these positions were missing from any tables in the Application until this erratum was
14 filed.³ The BCP’s time and resources could have been used elsewhere concerning those 15
15 positions if the Companies’ Application had not been deficient concerning the NDPP
16 headcount at the start. The Companies had ample time, prior to March 20, 2025, to update
17 its Application with this information.

18 Further, this is not the first time an erratum has been filed by the Companies due to
19 a deficient Application, where – in some instances – the deficiency was so great the docket
20 timeline was reset upon request and showing of deficiency to the Commission.⁴ The
21 Companies’ failure to timely file an erratum to its application containing a critical table is
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25 ² *Id.*

26 ³ Thirty-one of the positions were listed in original Table 4, “Adjusted Labor Resource Plan for Approved NDPP Programs.”

27 ⁴ See Docket No. 22-09006, Stipulation, filed January 9, 2023 (explaining how the Commission determined
28 that a submitted erratum constituted a substantial amendment to the Joint Application warranting re-
noticing of the Joint Application and resetting the statutory deadline); *see also* Docket No. 24-05041,
Procedural Order #2, filed July 11, 2024 (resetting the deemed approved date for Phase I of the Joint
Application to November 17, 2024, due to the ESP Amendment).

1 highly concerning.⁵ The erratum is being proposed to be filed by motion thirteen (13)
2 business days before testimony is due – thirteen (13)!

3 Lastly, the BCP takes no position regarding the Companies’ requests concerning the
4 protective order and accompanying erratum involving the De-Energization Policy.

5 **III. CONCLUSION**

6 The BCP is highly concerned about the tardiness of the Companies’ erratum in this
7 docket, and, in particular, the information concerning the “headcount associated with the
8 proposed new NDPP programs.”

9 Respectfully submitted March 27, 2025.

10 ERNEST FIGUEROA
11 Consumer Advocate

12 /s/ Michelle Badorine
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28 ⁵ In the event this erratum raises additional due process concerns in rebuttal testimony or in the hearing,
the BCP may seek PUCN guidance to alleviate those concerns.

CERTIFICATE OF SERVICE

Docket No. 24-12016

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:

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Dated: March 27, 2025.

/s/ Jana Whitson
An Employee of the
Bureau of Consumer Protection