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26-04026

Public Utilities Commission of Nevada

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In accordance with NRS Chapter 719,  
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**BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

Application of SV RNO Property Owner 1 LLC,  
under the provisions of the Utility Environmental  
Protection Act, for a permit to construct the South  
Valley Temporary Power Generation Facility  
consisting of a temporary 144 MW natural gas-  
fueled electric generating facility and associated  
facilities to be located on private land in Storey  
County, Nevada

Docket No. 26-04026

Application of PR RNO Property Owner 1, LLC,  
under the provisions of the Utility Environmental  
Protection Act, for a permit to construct the Peru  
Ridge Self-Generation Project consisting of a  
temporary 218 MW natural gas-fueled electric  
generating facility and associated facilities to be  
located on private land in Storey County, Nevada.

Docket No. 26-04027

**REGULATORY OPERATIONS STAFF'S**  
**ANSWER TO EXCEPTIONS**

The Regulatory Operations Staff ("Staff") of the Public Utilities Commission of Nevada ("Commission"), pursuant to Procedural Order No. 4, hereby files this Answer to the Exceptions filed by Nevadans for Clean Affordable Reliable Energy ("NCARE") on September 10, 2026 concerning the Proposed Order ("Proposed Order").

The Exceptions filed by NCARE contain re-argument of positions already addressed in its testimony and at hearing in this matter. At their core, NCARE's Exceptions misconstrue the requirements and responsibilities set forth in the Utility Environmental Protection Act ("UEPA") (contained within Nevada Revised Statutes ("NRS") 704.820 through 704.900) and the Hearing Officer's Proposed Order. Staff will refrain from addressing each of NCARE's arguments as the Proposed Order is reasonable, supported by substantial evidence in the record, and already addresses

1 the issues raised by NCARE. However, Staff responds to a limited set of arguments made by  
2 NCARE in its Exceptions.

3 NCARE advances an argument that the Commission has the “primary responsibility” to  
4 investigate, analyze, and inquire into environmental aspects of UEPA applications. NCARE goes on  
5 to suggest that the Commission should adopt independent environmental analyses in UEPA orders.<sup>1</sup>

6 Nowhere in the UEPA statutes is there any requirement that the Commission has the “primary  
7 responsibility” to investigate, analyze, and inquire into environmental aspects of UEPA applications.<sup>2</sup>  
8 Similarly, there is no requirement that the Commission conduct its own independent environmental  
9 analysis of utility facilities. However, pursuant to NRS 704.877, the Commission is bound to  
10 cooperate with and not duplicate the environmental review of other permitting entities. As  
11 acknowledged in Paragraph 38 of the Proposed Order, the Commission rightly declines to duplicate  
12 the work of the Nevada Department of Environmental Protection:

13 While NDEP’s environmental review has not yet been conducted, that review is a  
14 condition precedent for any UEPA Permit to Construct that the Commission would issue,  
15 and if NDEP, the State agency possessing the relevant environmental expertise, denies  
16 the air permit applications, no UEPA permit will issue for the Projects. It is beyond the  
17 Commission’s authority to conduct any duplicative environmental review, and the  
18 Commission is bound by NDEP’s determinations.

19 NCARE’s position would result in an inefficient and non-cooperative process wherein the  
20 Commission would theoretically undertake its own environmental analysis at the same time  
21 NDEP is undertaking its analysis resulting in governmental inefficiency and overlapping  
22 responsibility. This is the precise situation NRS 704.877 seeks to avoid. The Commission is  
23 complying with NRS 704.877 by deferring to NDEP.

24 Further, NCARE alleges that the Commission is the “first mover” rendering NRS  
25 704.877’s bar on duplication of environmental review inapplicable in this situation, and

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26 <sup>1</sup> NCARE Exceptions at 11.

27 <sup>2</sup> If the Nevada Legislature had intended that the Commission have “primary responsibility” to investigate environmental  
28 aspects of Utility Facilities, the NRS 704.877 and its requirements of non-duplication and cooperation would be  
unnecessary and the Legislature could have explicitly designated the Commission as the “primary” agency for such  
review as it did in NRS 704.873 in designating the Commission with exclusive jurisdiction regarding determinations of  
need for utility facilities.

1 essentially requiring the Commission to conduct an environmental review.<sup>3</sup> In most situations,  
2 the Commission will necessarily be the “first mover” as NRS 704.8905 requires that the  
3 Commission grant or deny a UEPA application that does not involve federal agency  
4 environmental analysis within 150 days of the application’s filing date with other state and local  
5 permitting processes being completed after 150 days. The Proposed Order acknowledges this  
6 timeline and synchronizes it with NRS 704.877 by setting forth compliances at Ordering  
7 Paragraphs 4 and 7 requiring SV Reno Property Owner 1 LLC and PR RNO Property Owner 1,  
8 LLC to file copies of required state and local permits to be issued by NDEP and Storey County  
9 prior to UEPA permits to construct being issued for the Projects at issue. Again, the  
10 Commission is appropriately deferring to the State Agency with primary responsibility for air  
11 quality environmental review (NDEP) and the County in which the Projects will be sited to issue  
12 the required permits prior to issuance of the Commission’s UEPA permits to construct.

13 In this case as is consistent with the Commission’s processing of UEPA applications in  
14 general, the Proposed Order properly addresses the findings it is required to make under the  
15 UEPA statutes and sets forth compliances for the Applicants to fulfill prior to issuance of the  
16 UEPA Permits to construct, which avoids duplication of review and appropriate deferral to other  
17 permitting entities as contemplated by NRS 704.877.

18 RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of September, 2026.

19 PUBLIC UTILITIES COMMISSION OF NEVADA  
20 REGULATORY OPERATIONS STAFF

21 By: /s/ Don Lomoljo  
22 Donald Lomoljo, Staff Counsel  
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<sup>3</sup> NCARE Exceptions at 19.



**PROOF OF SERVICE**

I hereby certify that I have on this day served the foregoing document upon all parties of record in this proceeding by electronic mail to the recipient's current electronic mail address.

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DATED at Las Vegas, Nevada, on the 16th day of September 2026.

/s/ Michelle Jackson  
An employee of the Public Utilities  
Commission of Nevada