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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 their 2027-2029 Integrated Resource Plan, 2027-2029 Action Plan and 2027-2029 Energy Supply Plan	Docket No. 26-05007

REPLY BRIEF OF GOOGLE LLC

Google LLC ("Google"), hereby files its Reply Brief addressing Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy's (collectively "NV Energy") and the Regulatory Operations Staff ("Staff").

I. LARGE CUSTOMER OFFSITE DSM PILOT

Despite NV Energy's arguments to the contrary, the Large Customer Offsite Demand Side Management ("DSM") Pilot Program is well-vetted, has followed the process outlined by this Commission during the 2024 IRP, and is ready to be approved. NV Energy has asked the Commission to "decline immediate approval" because, in their view, "[i]t is not clear what would be approved now"[1] but it is clear from the testimony in this docket that the Commission could approve the Pilot as-outlined while directing NV Energy to file a compliance filing with a fully developed crediting mechanism and any other remaining details within six months. Doing so would accomplish the critical step of requiring NV Energy to commit to participate in developing remaining program details. The record shows that NV Energy is supportive of the program as-designed overall. NV

[1] November 12, 2016, NV Energy Demand Side Management and Distributed Resource Planning Reply Brief ("NV Energy DSM/DRP Brief"), at 2.

Energy's own witness testified that "the Companies support the pilot program and its goals of providing funding for various DSM measures," and their remaining objection is timing.[2] But the pilot is defined and cannot be defined further without Commission approval: it would run for three years (2027-2029) in Sierra's service territory and fund residential heating ventilation and air conditioning ("HVAC") upgrades and for low-to-moderate-income customers and would fund the installation of residential battery storage.[3] It would be evaluated through NV Energy's existing evaluation, measurement and verification ("EM&V") framework, five success metrics, and regular reporting to the DSM Collaborative, and assessed for permanent status before it ends in 2029.[4] United/SWEEP agree that the record satisfies even the three "threshold requirements" NV Energy itself identified, which the Commission never prescribed.[5]

The items NV Energy claims need further work are implementation questions of the kind a pilot is designed to resolve. Google proposed that the bill credit mechanism and remaining details be developed collaboratively and filed for Commission approval within six months. NV Energy says six months "is not sufficient time" but proposes no alternative nor explains what would require more development time.[6] Declining approval now would only place parties in the same posture during the next IRP and delay the pilot past its proposed 2027 start, forgoing the critical near-term system capacity it would create during a time hen NV Energy faces an open position.

NV Energy also contends that the Collaborative discussions were too high-level to constitute agreement and that Google's witness introduced new design components in direct testimony.[7] That is the process the Commission asked for in the 2024 IRP, when the Commission declined to approve the concept for lack of detail and evidentiary support and encouraged Google, NV Energy, and stakeholders to continue developing it for a future IRP. Supplying additional detail and evidence in

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2 November 12, 2026, Responsive Brief of Advanced Energy United and Southwest Energy Project on Phase 2 Issues ("AEU/Sweep Brief"), at 2.
3 AEU/Sweep Brief at 3.
4 AEU/Sweep Brief at 4.
5 AEU/Sweep Brief at 3.
6 AEU/Sweep Brief at 5.
7 NV Energy DSM/DRP Brief, at 2.

testimony is compliance with that directive, not grounds for rejection. And the pilot would have been sufficiently defined to begin even without that additional evidence.

Staff also recommends against approval until administrative cost allocation and capacity valuation are clarified and there is certainty that nonparticipants will not incur additional costs.[8] Google shares that objective, and the as-proposed design delivers it. The participating customer pays all program costs, and it receives credit only after EM&V confirms the savings its funding produced.[9] The large customer's contribution would include a 10 percent adder for administration and EM&V.[10] Google proposed that the remaining details of the program, including the bill credit mechanism, be developed collaboratively and filed for Commission approval within six months. Staff's questions about cost allocation and capacity valuation can be resolved in that same filing. The Commission can condition approval on that filing demonstrating no cost to nonparticipants, which protects ratepayers without forfeiting the 2027 start. Staff also suggests waiting until its proposed large load investigation concludes.[11] The pilot does not depend on that investigation. It is a voluntary DSM program funded by participant contributions above standard rider payments. It does not set the terms of large load service, which are the subject of that investigation.

NV Energy urges the Commission to favor their Enhanced Tariff-on-Bill ("TOB") Pilot as the "more concrete and viable development pathway."[12] Staff disagrees, and so does Google. Staff explains that the Enhanced TOB Pilot "is essentially a new program," was raised for the first time in rebuttal, and could not be vetted through data requests or testimony.[13] By NV Energy's own description, it remains subject to an open stakeholder process and later Commission approval of unresolved implementation details.[14] NV Energy cannot fault Google's pilot for unfinished details while asking the Commission to prefer a later, less-developed proposal with the same characteristic. As Google explained, the late pivot left stakeholders little ability to meaningfully consider or compare

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8 November 12, 2026, Staff's Responsive Brief ("Staff's Brief"), at 3-4.
9 AEU/Sweep Brief, at 4.
10 Staff's Brief, at 3-4.
11 AEU/Sweep Brief, at 4.
12 NV Energy DSM/DRP Brief, at 3.
13 Staff's Brief, at 3-4.
14 *Id.*

it to the robustly considered Offsite DSM Pilot. The Commission can move this discussion forward through approval of the Large Load Offsite DSM program.

II. LLESA

Google does not dispute NV Energy's response that the Large Load Energy Supply Agreement ("LLESA") has been vetted by stakeholders in this proceeding, but this proceeding is not an appropriate substitute for a transparent, ground-up, stakeholder-involved tariff development process that NV Energy should have used when it effectively adopted a new large load tariff by requiring large load customers to sign its form LLESA. NV Energy responds in its brief that Google's claims that the LLESA was "unilaterally adopted" and that "NV Energy made policy decisions for the state" are unfounded because the form was vetted by dozens of stakeholders in this proceeding and NV Energy incorporated feedback.[15] Google does not dispute that parties have litigated the form here. Google's point is different. NV Energy designed the form without a stakeholder working group, workshop, or other open meeting where similarly situated customers could help create a workable agreement or tariff and then handled each LLESA through customer-by-customer negotiations. Contesting a completed instrument in an IRP is not equivalent to developing a rate structure on an open cost-of-service record. NV Energy's own concession that they will address "what a future tariff should include" only "in any subsequent tariff proceeding" confirms that those generally applicable terms have not yet been developed.[16]

NV Energy also say the form LLESA's approval "does not change the rate of any customer" and that executed agreements will be filed in separate dockets.[17] That is the problem Google identified. Approving the form now would fix the framework while leaving rates and terms to bilateral, customer-specific negotiation, rather than the uniform, generally applicable tariff that ensures like treatment of similarly situated customers. Also, while the LLESA does not change a rate per se, the framework does change the cost of service for large load customers through minimum demand charges, exit fees, and other terms and of service, which are being set by NV Energy.

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15 November 12, 2026, NV Energy Reply Brief ("NV Energy LLESA Brief"), at 4.
16 NV Energy LLESA Brief, at 3.
17 NV Energy LLESA Brief, at 4.

NV Energy further responds that LLESA applicability will be set by the Commission rather than left to NV Energy's discretion.[18] Google welcomes that commitment, but it addresses only one gap. As drafted, the form LLESA is an agreement NV Energy "may" (or may not) require, and it omits terms a tariff would include, such as applicability standards and the ability to seek a waiver. It also assumes fully bundled service and offers no pathway for customer-procured or customer-dedicated resources, even though NV Energy allowed one customer to sign an LLESA/LCMPE hybrid. Moreover, allowing the Commission to determine applicability of the LLESA would not remedy the lack of information available to the Commission, and the lack of meaningful opportunity for stakeholders to propose fair tariff terms, due to the defective process through which NV Energy created the LLESA. A tariff docket is the appropriate place for NV Energy to redefine the terms and conditions of service to the large load customer class, including to define applicability, a waiver process, and self-supply options on uniform terms.

NV Energy states that they are open to filing a large load tariff and agree that a separate rate class can be developed.[19] The Commission should therefore direct development of a generally applicable large load tariff in a separate docket. Any interim or bridging mechanism adopted in the meantime should fairly allocate scarce generation resources to both LLESA-signing and non-signing customers and require NV Energy to pursue the generation and transmission resources needed to serve both groups. Developing the tariff should not delay approval of the resources NV Energy proposes in this docket.

III. CONCLUSION

For these reasons and those stated in Google's Opening Brief and Response Brief, Google respectfully requests that the Commission: approve the Large Customer Offsite DSM Pilot Program for 2027-2029; reject the form LLESA and direct NV Energy to develop a generally applicable large load tariff in a separate, open docket, including applicability criteria, a waiver process, and self-supply options; and ensure that any interim or bridging mechanism fairly allocates scarce resources between LLESA-signing and non-signing customers and requires NV Energy to pursue resources to serve both.

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[18] NV Energy LLESA Brief, at 7.
[19] NV Energy LLESA Brief, at 3.

DATED this 18th day of November, 2026.

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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of November 2026, I caused a true and correct copy of the foregoing document, **REPLY BRIEF OF GOOGLE LLC**, to be served via e-mail to the following:

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