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26-05007

Public Utilities Commission of Nevada
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Submitted: 10/5/2026 4:02:59 PM

Reference: b2863121-5d13-4574-9c25-45982fdd5f60

Payment Reference: 74-9c25-45982fdd5f60

Filed For: NPCSPPC

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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 2027-204 Triennial) Docket No. 26-05007
Integrated Resource Plan and 2027-2029 Energy)
Supply Plan.)

**NEVADA POWER COMPANY D/B/A NV ENERGY AND SIERRA PACIFIC POWER
COMPANY D/B/A NV ENERGY'S REPLY IN SUPPORT OF THE EMERGENCY
MOTION TO COMPEL AND FOR EXPEDITED TREATMENT**

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, the "Companies") hereby file this Reply in Support of the Emergency Motion to Compel and for Expedited Treatment ("Reply") with the Public Utilities Commission of Nevada (the "Commission") under Nevada Administrative Code ("NAC") 703.555 and 703.680. The Companies appreciate the Commission's prompt action in response to the request for expedited treatment of the Motion.

Since the filing of the Motion, the Companies gained access to the following parts of Staff witnesses Olesky's and Venkat's testimony:

1. Page 7 of Karen Olesky Testimony:
2. Pages 24-25 of Swetha Venkat's Testimony as well as the previously redacted portions on page 23, with the exception of the redaction at the top of page 23.

The information disclosed does not contain customer-specific load or billing information. It mostly consists of the intervening parties' recollections of their interactions with the Companies and reiterates the positions and criticisms articulated by these parties in their public filings. This information is certainly not confidential vis-à-vis NV Energy and is arguably not confidential at all. The Regulatory Operations Staff ("Staff") bases its redactions on executing protective agreements with large-load customers. Neither the Commission nor the parties in this Docket received copies of this protective agreements and, therefore, cannot comment on what information can be considered

1 confidential under the agreements. Regardless, Staff cannot contract away the public nature of the
2 2026 IRP proceeding.

3 The testimony that remains withheld from the Companies includes:

- 4 1. The redacted information at the bottom of page 6 of Karen Olesky's Testimony, which the
5 Companies understand pertains to Redwood's interactions with NV Energy;
- 6 2. The redacted information on page 22 and the top of page 23 of Swetha Venkat's
7 Testimony, which the Companies understand summarizes the experiences/positions of
8 several large-load customers.
- 9 3. Attachment KRO-8 to Karen Olesky Testimony;
- 10 4. Attachments SV-28 and SV-29 to Swetha Venkat Testimony.

11 Among information that continues being withheld from the Companies are fully unredacted
12 responses to the following Q&As in Staff's testimony, which pertain directly to NV Energy and its
13 work product:

14 Q&A 13 (K. Olesky): When did NV Energy send a draft form LLESA to the large load
15 customers?

16 Q&A 31 (S. Venkat): Please elaborate on your point regarding the lack of confidence
regarding the development process for the LLESA.

17 "It is well-established that the fruits of pretrial discovery are, in the absence of a court order
18 to the contrary, presumptively public." *San Jose Mercury News, Inc. v. U.S. Dist. Ct.*, 187 F.3d 1096,
19 1103 (9th Cir. 1999). Google and Redwood attempt to justify their refusal to provide information on
20 the absence of a protective agreement between them and the Companies. However, both Google and
21 Redwood admit that the information at issue here and upon which Staff refused disclosure to NV
22 Energy is information that is already available to NV Energy. Therefore, there was no basis for Staff
23 to withhold that information from NV Energy. Redwood acknowledges that the load information
24 redacted in its data request response to Staff redacted only Redwood's load information, which is
25 already available to NV Energy:

Moreover, the unredacted information is merely Redwood's load forecast—
information over which NV Energy already has possession and/or control.¹

Thus, any information redacted by Staff in its testimony concerning Redwood should be immediately
provided to NV Energy.

Google similarly admits that the confidential information contained in its response to Staff
data request 258 came from NV Energy. Accordingly, the Companies request that the portions of
Attachment KRO-8 that pertain to Google's response to Staff 258 be ordered produced to NV Energy.

As for Google's responses to Staff data requests 316 and 317 included in Staff's testimony as
Attachments SV-28 and SV-29, Google states that it is unwilling to agree to disclosure of those
responses even with a protective agreement. Thus, Google undermines its own key justification for
the non-disclosure – the absence of a protective agreement. While Google admits that it is the
Companies who requested a protective agreement, the obligation to request a protective agreement
laid with Google to receive confidential treatment of that information under NAC 703.680(12).²
Google should be ordered to provide a protective agreement to the Companies within 24 hours and
disclose its responses to Staff data requests 316 and 317.

Pursuant to NAC 703.097, 703.695, 703.710, 703.720, 703.722 as well as Procedural Order
No. 1, the Companies are entitled to file a rebuttal. The Companies are unable to develop their rebuttal
without access to information that, among other items, contains large load customers' characterization
of their communications with the Companies, development process of the Companies' LLESA
framework and Staff's recommendations based on this withheld information.

With the Companies' rebuttal due on October 6, 2026, at noon, the Companies request that
they have the ability to rebut the parts of testimony that contain redacted materials with their October
16, 2026, testimony and at the hearing, depending on when the remaining redacted information is
provided.

¹ Redwood Response at 3.

² If a party that is responding to a data request believes that the response contains information which is commercially
sensitive or which constitutes a trade secret, the party may, before providing the response, request that a
confidentiality agreement be signed by specifying the grounds for the claim of confidential treatment of the
information.

1 Respectfully submitted,

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3 Dated this 2nd day of October, 2026.

4 Respectfully submitted,

5 NEVADA POWER COMPANY
6 SIERRA PACIFIC POWER COMPANY

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CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing filing of **NEVADA POWER COMPANY D/B/A NV ENERGY AND SIERRA PACIFIC POWER COMPANY D/B/A/ NV ENERGY** in Docket No. 26-05007 upon the persons listed below by electronic mail:

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