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26-06016

Public Utilities Commission of Nevada
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Filed For: Switch Ltd

In accordance with NRS Chapter 719,
this filing has been electronically signed and filed
by: /s Amanda Sanchez

By electronically filing the document(s),
the filer attests to the authenticity of the electronic signature(s) contained therein.

This filing has been electronically filed and deemed to be signed by an authorized
agent or
representative of the signer(s) and
Switch Ltd



Lucas M. Foletta
Partner
Phone 775.327.3032
LMFoletta@hollandhart.com

October 1, 2026

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

Re: 26-06016 – Application of Nexus Fulcrum LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct ASR-IX consisting of a nominal 510 MW natural gas-fueled electric generation plant and associated facilities to be located on private land within the Tahoe Reno Industrial Center Complex in Storey County, Nevada.

Dear Ms. Osborne:

Please see enclosed for filing the Late Filed Petition for Leave to Intervene filed on behalf of Switch, Ltd. in the above referenced docket.

Please feel free to reach out to me should you have any questions or concerns.

Very truly yours,

/s/Lucas M. Foletta

Lucas M. Foletta
Partner
of Holland & Hart LLP

LMF:ald

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BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Application of Nexus Fulcrum LLC Under the
Utility Environmental Protection Act to
Construct ASR-IX, a Nominal 510 MW Natural
Gas-Fueled Electric Generation Plant and
Ancillary Facilities to be Located on Private
Land Within the Tahoe Reno Industrial Center
Complex in Storey County, Nevada

Docket No. 26-06016

LATE FILED PETITION FOR LEAVE TO INTERVENE

Pursuant to Nevada Administrative Code (“NAC”) 703.580, 703.585, 703.590 and
703.595, Switch, Ltd. (“Switch”) hereby petitions the Public Utilities Commission of Nevada
 (“Commission”) for leave to intervene (“PLTI”) in the above captioned proceeding. In support of
this PLTI, Switch states as follows:

1. All notices, pleadings, documents and correspondence pertaining to this proceeding
should be directed to the following individuals whose names and addresses are listed below.

Lucas Foletta
Laura Granier
Amanda Sanchez
Holland & Hart LLP
5470 Kietzke Lane, Suite 100
Reno, NV 89511
(775) 327-3032
lmfoletta@hollandhart.com
lkgranier@hollandhart.com
alsanchez@hollandhart.com

2. Switch is located at 7135 S. Decatur Blvd., Las Vegas, NV 89118.

3. Pursuant to NAC Section 703.580, any person who claims to have a direct and
substantial interest in a proceeding and desires to participate in it as an intervener must file a
petition for leave to intervene. A person has a direct and substantial interest in a proceeding if:

a) A statute explicitly confers on the person a right to intervene; or

- b) 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.

NAC 703.580(2).

4. In its Application, Nexus Fulcrum LLC requests Commission approval of a Permit to Construct ASR-IX, a nominal 510 megawatt (“MW”) natural gas-fueled electric generation plant and associated ancillary facilities (the “Project”).¹ The Project will be located within the Tahoe Reno Industrial Center.

5. Switch is the intended off-taker of the Project’s output and is the ultimate owner of the Project. As the Commission is aware, approval of this Application and issuance of an associated Permit to Construct (“PTC”) is a necessary condition to initiating construction of the Project. Switch’s ownership of and interest in the Project constitutes a direct and substantial interest in this proceeding.

6. While this PLTI is filed after the applicable period set forth in the notice published under NAC 703.160, Switch has a substantial reason for the delay such that it is proper for the Commission to grant this late-filed PLTI.² Until recently, Switch’s interest—as owner and off-taker—in the Project had not been put directly at issue in this proceeding. On September 25, 2026, however, NCARE filed testimony aiming several claims directly at Switch.³ For example, at QA 40, NCARE witness Zoe Harrold claims that the “Application provided no information as to who the off-taker would be.”⁴ At Q57, she similarly alleges that there is “no information in this proceeding as to how Switch’s use of this emitting resource will fit into its portfolio of resources.”⁵ While Switch contends that NCARE’s attempt to put Switch’s relationship to the Project at issue

¹ Application of Nexus Fulcrum LLC Under UEPA to Construct ASR-IX, P.U.C.N. Docket No. 26-06016 (June 17, 2026) at 3.

² NAC 703.590(2).

³ See, e.g., Direct Testimony of Zoë Harrold on behalf of Nevadans for Clean Affordable Reliable Energy, P.U.C.B. Docket No. 26-06016 (Sept. 25, 2026) at Q&A 40, 54, 57.

⁴ Harrold Testimony at Q&A 40.

⁵ Harrold Testimony at Q&A 57.

1 is misplaced and outside the scope of UEPA, NCARE has nevertheless raised issues that directly
2 implicate Switch's interests. No existing party can adequately represent or protect those interests;
3 only Switch can speak to and defend its own rights, interests, and relationship to the Project.

4 7. Specifically, no other party to these proceedings is as knowledgeable as Switch
5 about its operations in Nevada, including its power supply strategy and its continuing commitment
6 to responsible energy use and development. As a result, no other party is capable of representing
7 and protecting Switch's interests. While Nexus Fulcrum, LLC is the applicant—and the
8 development vehicle—Switch is uniquely positioned to protect its interest in the Project. Switch,
9 therefore, respectfully requests the right to participate in this Docket, including but not limited to
10 participating in all hearings and oral argument and cross-examining all witnesses. Switch's
11 participation will assist the Commission in having all the facts available that may be necessary in
12 evaluating the Application.

13 8. No party will be prejudiced by the Commission granting Switch's request. Switch's
14 participation will not cause any delay in the procedural schedule or unduly broaden the issues
15 because Switch's interests are confined to the scope of the Application. Further, as a practical
16 matter, while Switch intends to take the opportunity to participate in the hearing scheduled for
17 October 14, 2026, it is not seeking extensions of any deadlines nor does it see a reason that its
18 participation should result in any such changes. Switch does not presently contemplate issuing
19 discovery or engaging in affirmative motion practice prior to hearing.

20 9. With regard to this Petition, Switch has also attached a Motion to Shorten Response
21 Time and Request to Resolve this Petition in a Timely Manner.

22 WHEREFORE, Switch requests that the Commission enter an Order:

- 23 1. Granting the late-filed PLTI filed herein and permitting Switch the right to
24 participate in this docket;
- 25 2. Granting the attached Motion to Shorten Response Time and Request for Expedited
26 Ruling on Switch's Late Filed Petition for Leave to Intervene; and

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2 3. For such other and further relief as the Commission may deem just and proper.
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4 DATED this 1 October 2026.

5 Respectfully submitted,

6 HOLLAND & HART LLP

7 /s/ Lucas Foletta

8 Lucas Foletta
9 Laura Granier
5470 Kietzke Lane, Suite 200
Reno, NV 89511-2094

10 *Attorneys for Switch Ltd.*
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CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the State of Nevada that, on the date given below, she caused to be served a copy of the foregoing document upon the following person(s) via electronic mail.

Staff Counsel Support PUCN 1150 E. William Street Carson City, NV 89701-3109 Pucn.sc@puc.nv.gov	Michael Saunders Bureau of Consumer Protection 8945 West Russell Road Ste 204 Las Vegas, NV 89148 msaunders@ag.nv.gov
Donald Lomoljo PUCN 1150 E. William Street Carson City, NV 89701-3109 dlomoljo@puc.nv.gov	Bureau of Consumer Protection 100 N. Carson Street Carson City, NV 89701 bcpserve@ag.nv.gov
Linda Bullen Bullen Law LLC 8635 W. Sahara Ave #454 Las Vegas, NV 89117 linda@bullenlaw.com	George Cavros Jeff Griffin Nick Oliver Zoe Harrold Western Resources Advocates 275 Hill Street, Ste 210 Reno, NV 89501 George.cavros@westernresources.org Jeff.griffin@westernresources.org Nicolas.oliver@westernresources.org Zoe.harrold@westernresources.org

DATED this 1 October 2026, in Reno, Nevada.

/s/Amanda Sanchez

Amanda Sanchez