26-05007

Public Utilities Commission of Nevada
Electronic Filing
Submitted: 11/3/2026 5:21:16 PM

Reference: d902102d-5c6b-4b8c-bef0-cbe5b1dd2642

Payment Reference: 8c-bef0-cbe5b1dd2642

Filed For: Reno Power NR I LLC

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Reno Power NR I LLC

FILED WITH THE PUBLIC UTILITIES COMMISSION OF NEVADA - 11/4/2026

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November 3, 2026

VIA ELECTRONIC MAIL

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

Re: 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 2027-2046 Action Plan and 2027-2029 Energy Supply Plan.
Docket No. 26-05007

Dear Ms. Osborne:

Please find enclosed the Reply In Support Of Its Request For Expedited Treatment Of Its Motion For Commission Declaration, on behalf of Reno Power NR I, LLC ("Tract"), for electronic filing in the above-referenced docket. This filing is being served on the parties on the official service list in this docket via electronic mail, as reflected on the enclosed certificate of service.

Please contact the undersigned with any questions regarding this filing. Thank you for your attention to this matter.

Sincerely,



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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 2027-2046 Triennial Integrated Resource Plan and 2027-2029 Energy Supply Plan.	Docket No. 26-05007

TRACT'S REPLY IN SUPPORT OF ITS REQUEST FOR EXPEDITED TREATMENT OF ITS MOTION FOR COMMISSION DECLARATION

Pursuant to Nevada Administrative Code ("NAC") 703.555, Intervenor Reno Power NR I, LLC (hereinafter "Tract") files this Reply in Support of its Request for Expedited Treatment of its Motion for Commission Declaration (the "Motion"). Tract's request for expedited treatment of its Motion should be granted for several reasons.

First, NV Energy's assertion that the Enforceability Question "has already been litigated in Phase II of this proceeding" directly conflicts with Shawn Elicegui's Phase III rebuttal testimony, which NV Energy filed before its Response opposing Tract's request for expedited treatment. *Compare* NVE Resp. at 1:17-21 *with* Nov. 2, 2026 Elicegui (NVE) Testimony at 16:1-10 ("[W]hether Tract's agreements impose an obligation to plan for and serve the EFBPL requires review of its specific terms, including confidential provisions, together with the applicable tariffs."). NV Energy's own confusion about what is pending before the Commission bolsters Tract's request for an interim order by December 2, 2026. Such an order is necessary to clarify the scope of the Commission's remit in a final order on NV Energy's Application. Tract's request for expedited treatment facilitates that timeline by accelerating the briefing schedule to allow the Commission sufficient time to issue a decision.

Second, setting aside NV Energy's contradiction, NV Energy's argument taken at face value—that Tract's substantive contractual rights were litigated in Phase II, and are thus subject to adjudication on final order of the Commission—only proves the point raised in Tract's Motion. NV Energy's Mr. Elicegui concedes that answering the Enforceability Question requires review of Tract's specific confidential terms. Phase II did not involve a focused review of Tract's specific

Rule 9 agreements, nor did Tract submit testimony or cross-examine NV Energy's witnesses on the terms of Tract's specific Rule 9 agreements. If NV Energy now argues that the Phase II record is the vehicle for deciding whether Tract's Rule 9 contracts are enforceable, that happened without notice, without a request for relief by NV Energy, and without any reasonable review of contract-specific evidence. *See* Sept. 22, 2026 Danise (Staff) Testimony at 5:20-22 ("Mr. Elicegui does not specifically address NV Energy's Commission-approved Rule 9 tariff or how the provision of electric service is unrelated to the Rule 9 tariff."); Oct. 6, 2026 Elicegui (NVE) Testimony at 13:6-17 (NV Energy's recommendations to the Commission, none of which asks the Commission to decide whether Rule 9 agreements are contracts for service). Tract has requested an order clarifying that the Commission will not decide the Enforceability Question in the IRP. But if the Commission is going to decide the Enforceability Question as part of the IRP, Phase IV proceedings are necessary to build the record specifically for that determination.

Third, NV Energy's claim of prejudice from having to review the exhibits to Tract's Motion and respond on shortened time lacks merit. NV Energy is a party to the court proceedings, received notice of the Court's October 20, 2026 Order at the same time Tract did, and its party representatives *actually attended* the October 14, 2026 argument transcribed in Tract's Motion Exhibit 1. *See* Tract's Mot. Ex. 1 at 3:12-13 ("MR. HARLOW: Good morning. I'm Colin Harlow for Plaintiff [NV Energy]."). It was NV Energy that requested the Court stay arbitration—a stay that lasts "until the PUC has rendered its decisions in Docket No. 26-05007 and Docket No. 26–050278 [sic]."[1] *See* Mot. Ex. 2 at 13 & n.4. The remaining exhibits—Tract's MPC and SHVD agreements and a short email chain—are those with which NV Energy is familiar and their attachment to Tract's Motion does not create any undue prejudice arising from Tract's request for expedited treatment. Having urged the Court to tap the Commission for clarity on the issues

[1] The Court's Order refers to Docket No. 26-050278. There is no such PUCN docket. To the extent the Court intended to refer to Docket No. 26-05027, that docket involves an application from SV RNO Property Owner 1, LLC and PR RNO Property Owner 1, LLC (collectively, "Fleet") to which Tract is not a party. The issues under consideration in Docket No. 26-05027 are irrelevant here.

presented in Tract's arbitration demand, NV Energy cannot now claim prejudice from Tract putting that question before the Commission as swiftly as possible.

Fourth, Tract's procedural motion for a clarification of scope on an expedited basis is necessary to allow the Commission time to answer the questions that dictate whether Tract will fund nearly $1 billion of infrastructure upgrades—infrastructure whose only purpose is to receive the Service for which Tract contracted in its Rule 9 agreements. The timeline contemplated by the Commission for the Phase II legal briefing would leave the Commission without time to consider the scope question prior to December 2, 2026, which in turn would imperil significant investment in Nevada's electrical infrastructure.

With the Phase III hearing scheduled to begin on Monday, November 16, 2026, expedited treatment of Tract's Motion is required.[2] Accordingly, Tract requests that the Commission direct that any responses to Tract's Motion be filed no later than November 5, 2026.

Respectfully submitted: November 3, 2026.

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[2] *See* NAC 703.555(6).

CERTIFICATE OF SERVICE

Pursuant to NAC 703.615, I hereby certify that I have this day served the foregoing document upon each of the parties on the attached service list in this proceeding via electronic mail:

Dated November 3, 2026.

Sincerely,

/s/ Kim Chan
Kim Chan
Document Clerk, Davis Wright Tremaine LLP

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