

**PUBLIC UTILITIES COMMISSION OF NEVADA
MEMORANDUM**

DATE: October 5, 2026

TO: The Commission
Via: Anne-Marie Preisach, DRO

FROM: Emily Walsh, Regulatory Economist, Resource and Market Analysis Division

SUBJECT: Agenda No. 19-26; Item No. 5A; Docket No. 26-08007;
Application of Morgan Stanley Capital Group Inc. for a license to operate as a provider of new electric resources.

I. Summary

On August 19, 2026, Morgan Stanley Capital Group Inc. (“MSCG”) filed an application for a license to operate as a provider of new electric resources under Nevada Revised Statutes (“NRS”) 704B (“Application”). The Regulatory Operations Staff (“Staff”) of the Public Utilities Commission of Nevada (“Commission”) has reviewed the filing and recommends that the Application be set for further proceedings.

II. Analysis and Investigation

NRS 704B.310 authorizes certain customers of an electric utility to apply to the Commission for approval to purchase energy, capacity, or ancillary services from a provider of new electric resources. NRS 704B.300 prohibits a provider of such new electric resources from engaging in the sale of energy, capacity, or ancillary services to any person or governmental entity in the State unless the provider holds a license to do so issued by the Commission.

On September 19, 2024, the Commission received a letter from the Secretary of State in Docket No. 19-06029 approving a permanent regulation, assigned LCB File No. R194-22 (Docket Not. 19-06029), which pertains to Chapter 704B of the Nevada Administrative Code (“NAC”). LCB File No. R194-22 established the information which must be included in an application and further provides that the Commission will approve or deny an application within 60 days after it is filed with the Commission.

Staff is currently conducting discovery and is unable to complete its investigation prior to the 60-day deadline for Commission action. Staff is requesting additional time to complete its analysis and would request that the Commission grant a deviation from LCB File No. R194-22 Section 2(3), which sets forth the 60-day period for the Commission to approve or deny an application, and set the matter be set for further proceedings to allow for such investigation.

NAC 704B.175 allows the Commission to deviate from the provisions of Chapter 704B of the NAC if there is good cause for such deviation and the Commission finds that the deviation is

in the public interest and is not contrary to statute. In this instance, there is good cause for a deviation from LCB File No. R194-22 Section 2(3): Staff is awaiting further information from the Applicant, which may include additional information being filed in this Docket. Further, the deviation is in the public interest as processing of the Application in the current Docket versus denying the Application or otherwise having the Applicant re-file under a new docket to provide necessary information would result in administrative inefficiency. Finally, the deviation is not contrary to statute as the 60-day timeline is found only in regulation.

III. Conclusions and Recommendations

Staff recommends that the Commission grant a deviation from LCB File No. R194-22 Section 2(3) as detailed herein and that the Application of Morgan Stanley Capital Group Inc. for a license to operate as provider of new electric services in the state of Nevada under NRS 704B, be set for further proceedings to allow Staff time to complete its investigation.