

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	)	Docket No. 26-05007
NV Energy for approval of their 2027-2046 Triennial	)	
Integrated Resource Plan and 2027-2029 Energy	)	
Supply Plan.	)	
_____	)	

**ORDER ON EMERGENCY MOTION TO COMPEL DISCOVERY AND FOR
EXPEDITED TREATMENT**

The presiding officer in this docket makes the following findings and conclusions:

1. On May 7, 2026, the Nevada Power Company d/b/a NV Energy (“NPC”) and Sierra Pacific Power Company d/b/a NV Energy (“SPPC” collectively, “NV Energy”) filed with the Public Utilities Commission of Nevada (“Commission”) a joint application, designated as 26-05007, for approval of their 2027-2046 Triennial Integrated Resource Plan (“IRP”) and 2027-2029 Energy Supply Plan. NV Energy filed the joint application pursuant to the Nevada Revised Statutes (“NRS”) and the Nevada Administrative Code (“NAC”) Chapters 703 and 704, including, but not limited to, NRS 704.741 *et seq.* and NAC 704.9005 *et seq.* Pursuant to NAC 703.190 and NAC 703.527 *et seq.*, NV Energy requested that certain information in the joint application receive confidential information.
2. On May 14, 2026, the Bureau of Consumer Protection filed a notice of intent to intervene pursuant to NRS Chapter 228.
3. The Regulatory Operations Staff of the Commission (“Staff”) participates as a matter of right pursuant to NRS 703.301.
4. On May 22, 2026, the Commission issued a notice of joint application and notice of prehearing conference.

5. On June 4, 2026, NV Energy filed an amendment to its filing. The presiding officer construed NV Energy's filing as an amendment that required re-noticing.

6. On June 18, 2026, the presiding officer issued Procedural Order No. 1, establishing a procedural schedule.

7. On June 22, 2026, NV Energy re-filed their June 4, 2026, amendment to its filing as provided in paragraph 5.

8. On June 26, 2026, the presiding officer issued an order granting the PLTIs of Google, LLC ("Google"), Western Resource Advocates, Interwest Energy Alliance, Reno Power NR 1 LLC ("Tract"), PR RNO Property Owner 1, LLC and SV RNO Property Owner, LLC ("collectively, "Fleet"), Microsoft Corporation, Vote Solar, Sierra Club, Wynn Las Vegas, Walmart, Inc., Prologis, L.P. ("Prologis"), Novva Holdings, LLC ("Novva"), Nevada Workers for Clean and Affordable Energy, Switch, Ltd., Colovore LLC, MGM Resorts International, Nevada Resort Association, Caesars Enterprise Services, Amazon Data Services, Nevada Gold Mines, Redwood Materials, Inc. ("Redwood"), Powerhouse Reno Britian LLC, Western Power Association, Tahoe Spark, Advanced Energy United, Southwest Energy Efficiency Project, Solar Energy Industries Association, Solar United Neighbors, Boyd Gaming Group, Station Casinos Inc., and Venetian Las Vegas Gaming, LLC (together known as "Southern Nevada Gaming Group"), Nevada Clean Energy Fund, and MECP 1 RENO 1 LLC ("Edgecore").

9. On July 16, 2026, the Commission issued an Amended Notice of Electric Utilities Joint IRP.

10. On August 17, 2026, the parties filed a stipulation to resolve all issues of Phase I of the IRP.

11. On August 20, 2026, presiding officer issued Procedural Order No. 3, updating the procedural schedule.

12. On September 10, 2026, the Commission issued an order accepting the Phase I stipulation.

13. On September 24, 2026, presiding officer issued Procedural Order No. 4, updating the procedural schedule.

14. On September 25, 2026, the presiding officer issued a notice of hearing.

15. On October 2, 2026, NV Energy filed an Emergency Motion to Compel and for Expedited Treatment (“the Motion”).

16. On October 5, 2026, the presiding officer issued Procedural Order No. 5, establishing expedited motion discovery timelines for the Motion.

17. On October 5, 2026, Staff, Redwood, and Google filed a response to the Motion. On the same date, NV Energy filed a reply to Staff’s, Redwood’s, and Google’s responses to the Motion.

NV Energy’s Expedited Motion to Compel

18. NV Energy requests that the Commission expedite and compel Staff to provide the redacted testimony from Staff’s witnesses, Karen Olesky and Swetha Venkat, filed on September 22, 2026, and the errata filed by Ms. Venkat on September 24, 2026. (NV Energy’s Motion at 1.) NV Energy requests to seek access to the underlying information that is withheld from NV Energy, including responses to Staff’s discovery requests not provided to NV Energy. (*Id.* at 2.)

19. NV Energy specifically requests that Staff provide the following:

a. Testimony of Karen Olesky

- i. Information on pages 6-7
- ii. Attachment KRO-8
- b. Testimony of Swetha Venkat
 - i. Information on pages 22-25
 - ii. Attachments SV-28 and SV-29

(*Id.* at 1.)

20. NV Energy also requests Staff to provide fully unredacted responses to Ms. Venkat's and Ms. Olesky's Q&As related to NV Energy and its work product:

- a. Q&A 13 from Karen Olesky's Testimony: When did NV Energy send a draft form of LLESA to the large load customers?
- b. Q&A 31 from Swetha Venkat's Testimony: Please elaborate on your point regarding the lack of confidence regarding the development process for the LLESA.

(*Id.*)

21. NV Energy contends that Staff has not provided justification for withholding the requested information. NV Energy asserts that it attempted to resolve the issue with Staff and the Intervenors before its October 6, 2026, rebuttal due date, but was unsuccessful. (*Id.* at 2.) NV Energy asserts that it cannot prepare its rebuttal without access to this information, which includes large load customers' descriptions of communications with NV Energy, the development of the LLESA framework, and Staff's recommendations based on the withheld information. (*Id.*)

Staff's Position

22. Staff states that it takes no position on confidentiality of the information at issue

in the Motion. (Staff's Response at 3.) Staff states that it is bound by the individual protective agreements with the large load customers, who have the right to control the consent for disclosure of the information or provide their individual reasoning for continued confidentiality. (*Id.* at 2.) Staff states that the information is critical for understanding the development and offering of the form LLESA and will help assist the Commission in making an informed decision. (*Id.* at 3.) Staff states that in regard to Ms. Olesky's testimony, Edgecore and Redwood provided confidential information summarized in page 6, lines 22-24 and page 7, lines 1-7; Fleet, Novva, Prologis, Redwood, and Tract provided confidential information within Attachment KRO-8. (*Id.*) Staff states that in regard to Ms. Venkat's testimony, Amazon, Fleet, Prologis, and Novva provided confidential information contained within Attachments SV-15 through 18; Amazon, Fleet, Prologis, and Novva provided combined information to page 22, line 22 to page 23, line 1; and Google claimed as confidential Attachments SV-28 and SV-29 to the Errata. (*Id.*)

Redwood's Position

Redwood opposes the Motion and requests the Commission deny it, arguing that NV Energy is not entitled to confidential information under NAC 703.527 through 703.5282 and fails to cite any statute, regulation, or case law requiring such disclosures to applicants. (Redwood's Response at 1-2.) Redwood states that it would have provided the materials if NV Energy had executed a protective agreement before filing its Motion, thus preserving confidentiality. (*Id.* at 3.) Redwood further asserts that NV Energy did not follow the standard procedure and that the unredacted information involves Redwood's load forecast and information already in NV Energy's possession and/or control over. (*Id.*) Redwood notes that NV Energy has responded to Redwood and indicated that it is amenable to executing a protective agreement. (*Id.* at fn. 3.)

Google's Response

23. Google opposes the Motion and requests that the Commission deny it. (Google's Response at 5.) Google argues that NV Energy is not entitled to confidential information under NAC 703.527 through 703.5282 and cites no requirement for such disclosure as an applicant under any statute, regulation, or case law. (*Id.* at 2-3.) Google states that it is not obligated to provide confidential information because NV Energy did not offer to sign or execute a protective agreement. (*Id.* at 3.) Google states that if NV Energy had done so before filing the Motion, it could have shared the attachment to Staff DR 258, but withheld it because it contains commercially sensitive customer specific information. (*Id.* 3-4.) Google asserts that providing this information without a protective agreement would waive its confidentiality rights. (*Id.* at 4.) Google further notes that Staff confidential DRs 316 and 317 seek commercially sensitive information includes customer specific information, work product privileged information, and attorney-client privileged information, involving Google's strategy and preferences related to the LLESA, and not communications with NV Energy. (*Id.*) Google emphasizes that disclosure would harm its position in future dealings with NV Energy and intervenors in this docket who are direct competitors. (*Id.* at 4-5.) Google notes that NV Energy has responded to Google and indicated that it is amenable to executing a protective agreement. (*Id.* at 3, fn. 3.)

NV Energy's Reply

24. NV Energy states that it has accessed some of Staff witnesses Ms. Olesky and Ms. Venkat's testimony, including page 7 of Karen Olesky's testimony and pages 24-25 of Swetha Venkat's testimony and the previously redacted portions of page 23, with the exception of the redaction at the top of page 23. (NV Energy's Reply at 1.) NV Energy states that this information is not confidential and argues that Staff cannot justify redactions based on protective

agreements with large load customers, which have not been shared with the Commission or the parties. (*Id.* at 1-2.)

25. NV Energy states that Staff had no basis to withhold information already available to NV Energy, as admitted by Google and Redwood; therefore, Staff must immediately provide NV Energy with any information it redacted in its testimony concerning Redwood. (*Id.* at 2.)

26. NV Energy states that Google's confidential information in Staff's DR 258 came from NV Energy and thus can request that portion of Attachment KRO-8 pertaining to Google's response to Staff 258 to be ordered produced to NV Energy. (*Id.*) NV Energy states that Google's response to Staff's DR 316 and 317 undermines its own key justification for the non-disclosure, which is the lack of a protective agreement. (*Id.* at 3.) NV Energy states that Google should be ordered to provide a protective agreement to NV Energy within 24 hours and disclose its responses to Staff's data request 316 and 317 (*Id.*) NV Energy requests the ability to rebut parts of the testimony that contain redacted materials with their October 16, 2026, testimony and at the hearing, depending on when the remaining redacted information is provided. (*Id.*)

Presiding Officer Discussion and Findings

27. The presiding officer finds that the interveners that produced information regarding the above-listed Staff data requests and questions must produce that information, fully unredacted, to NV Energy, within 24 hours of the issuance of this order (to the extent that this information has not already been provided to NV Energy before the issuance of this order). The presiding officer also finds that, pursuant to NAC 703.680(12), any intervenor that claims any portion of the information identified above as commercially sensitive or a trade secret, shall

work in good faith with NV Energy to execute a protective agreement within 24 hours of the issuance of this order. The presiding officer makes these findings for the reasons outlined below.

28. First, the presiding officer finds that Staff is not the appropriate party to either provide the bases for confidentiality or unilaterally provide the underlying information to NV Energy. Staff is bound by the individual protective agreements it entered into with certain large load customers. Specifically, regarding Ms. Olesky's testimony, Edgecore and Redwood provided confidential information summarized at page 6, lines 22-24 and page 7, lines 1-7. (Staff's Response at 3.) Fleet, Google, Edgecore, Novva, Prologis, Redwood, and Tract provided the confidential information contained within Attachment KRO-8. Regarding Ms. Venkat's testimony; Amazon, Fleet, Prologis, and Novva provided confidential information contained within Attachments SV-15 through SV-18. (*Id.* at 3.) Ms. Venkat's testimony at page 22, line 22 to page 23, line 1 contains combined information provided by Amazon, Fleet, Prologis, and Novva. Google claims that Attachments SV-28 and SV-29 to Ms. Venkat's errata are confidential. (*Id.*)

29. The presiding officer finds that the interveners listed above (i.e., Edgecore, Redwood, Fleet, Tract, Google, Novva, Prologis, and Amazon) shall comply with this order and produce the fully unredacted information that Staff lists in its response to NV Energy's Motion, also summarized above. The presiding officer finds that the information sought is not overly broad, nor overly burdensome to produce. The presiding officer finds that the information sought is relevant, but, at least in Google's case, is claimed as commercially sensitive. Therefore, pursuant to NAC 703.680(12), any party that claims information as either a trade secret or as commercially sensitive shall work in good faith to execute a protective agreement with NV Energy to be executed no later than 24 hours from the issuance of this order, with

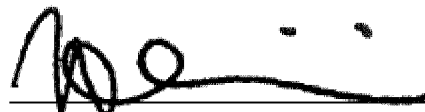
information to be produced fully unredacted to NV Energy by no later 24 hours of the issuance of this order.

30. In recognizing the late hour at which NV Energy will receive information, the presiding officer also modifies Procedural Order No. 4, at paragraph 26(b)(v), so that any NV Energy rebuttal testimony specifically related to the information produced pursuant to this order shall be due by 12:00 p.m., October 16, 2026.

Therefore, it is ordered:

1. The Emergency Motion to Compel and for Expedited Treatment filed by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy is GRANTED, pursuant to the timelines above.

By the Commission,



HAYLEY WILLIAMSON
Chair and Presiding Officer

Attest: 
TRISHA OSBORNE
Assistant Commission Secretary

Dated: Carson City, Nevada

10/5/26
(SEAL)

