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26-05007

Public Utilities Commission of Nevada
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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

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**REGULATORY OPERATIONS STAFF'S RESPONSE TO
EMERGENCY MOTION TO COMPEL AND FOR EXPEDITED TREATMENT**

The Regulatory Operations Staff ("Staff") of the Public Utilities Commission of Nevada ("Commission"), pursuant to Nevada Administrative Code ("NAC") 703.555, hereby submits its response to the Nevada Power Company d/b/a NV Energy ("Nevada Power") and Sierra Pacific Power Company d/b/a NV Energy's ("Sierra", and together with Nevada Power, "NV Energy") Emergency Motion to Compel and for Expedited Treatment ("Motion").

In the Motion, NV Energy requests that the Commission compel Staff and certain intervenors to produce portions of Staff witness Karen Olesky's and Swetha Venkat's Phase II Prepared Direct Testimony. Specifically, NV Energy seeks information redacted on pages 6-7 and Attachment KRO-8 of Karen Olesky's Prepared Direct Testimony and on pages 22-25 and Attachments SV-28 and SV-29¹ of Swetha Venkat's Prepared Direct Testimony.² NV Energy argues that it must have access to the redacted information in order to file rebuttal testimony due on October 6, 2026. NV Energy alleges that the information being withheld concerns the development of the LLESA, large load customers' characterizations of their communications with NV Energy, and Staff's recommendations.³ NV Energy states that no adequate justification has been provided for

¹ Errata filed on September 24, 2026 containing SV -28 and SV-29.

² Motion at 1.

³ *Id.* at 1.

1 withholding the cited portions of Staff's testimony.⁴ NV Energy requests that given its impending
2 rebuttal testimony due date, responses to the Motion be due on Monday, October 5, 2026, at noon.⁵

3 NV Energy was informed that Staff is subject to protective agreements that prevent Staff from
4 producing the materials.⁶ That said, Staff does not dispute NV Energy's general characterizations of
5 the content of the testimony and attachments being withheld from NV Energy. Staff strongly
6 believes that a key role it plays in Commission proceedings is to provide the Commission with
7 information necessary for it to render informed decisions. That role is especially critical in this
8 Docket given the unprecedented levels of large load service requests and the resource and cost
9 allocation issues associated with those requests. In the course of its investigation in this Docket, Staff
10 explored the circumstances underlying the timing and nature of the large load service requests as well
11 as NV Energy's responses to the requests, which ultimately led to the development and offering of
12 the LLESA form to certain large load customers. Much of the information related to those issues
13 was obtained via discovery propounded on large load customers seeking service from NV Energy. In
14 order to facilitate that exchange of information, at the request of the responding large load customers,
15 Staff entered into Protective Agreements with those customers in order to receive information those
16 customers deemed confidential, some of which is summarized and attached to Ms. Olesky's and Ms.
17 Venkat's testimony. The information informed Staff's understanding of the issues described above
18 and Staff believes that the Commission should have the same information. That said, while portions
19 of Staff's testimony are at issue, Staff is not the party that can either provide the bases for
20 confidentiality or unilaterally provide the underlying information to NV Energy.

21 Staff is bound by the individual protective agreements it entered into with certain large load
22 customers. It is those customers who claim the material is confidential and must either consent to
23 release of the information or provide their individual bases for continued confidential designation.
24 Staff cannot unilaterally re-designate or release the underlying information. Specifically, regarding

25 ⁴ *Id.*

26 ⁵ *Id.*

27 ⁶ The cover letter accompanying the filing of Staff's Phase II testimony specifies that portions of Karen Olesky's and
28 Swetha Venkat's testimonies were treated as confidential pursuant to protective agreements with certain intervenors.
Subsequently, on September 28, 2026, Staff's counsel informed NV Energy's counsel via email that the information was
being withheld pursuant to protective agreements with the intervenors and recommending that NV Energy work with the
intervenors to obtain the information claimed confidential.

1 Ms. Olesky's testimony, MECP 1 Reno 1, LLC ("Edgecore") and Redwood Materials, Inc.
2 ("Redwood") provided confidential information summarized at page 6, lines 22-24 and page 7, lines
3 1-7. PR RNO Property Owner 1 LLC and SV RNO Property Owner 1, LLC (collectively, "Fleet");
4 Google, LLC ("Google"); Edgecore; Novva Las Vegas, LLC; Novva Reno, LLC; and Proton NLV,
5 LLC (collectively, Novva"); Prologis, L.P. and North Las Vegas Power LLC (collectively,
6 "Prologis"); Redwood; and Reno Power NR 1, LLC ("Tract") provided the confidential information
7 contained within Attachment KRO-8.⁷ Regarding Ms. Venkat's testimony, Amazon Data Services,
8 Inc. ("Amazon"); Fleet; Prologis; and Novva provided confidential information contained within
9 Attachments SV-15 through SV-18. Ms. Venkat's testimony at page 22, line 22 to page 23, line 1
10 contains combined information provided by Amazon, Fleet, Prologis, and Novva. For Ms. Venkat's
11 Errata, Attachments SV-28 and SV-29 were claimed confidential by Google.

12 Staff does not take a position as to the confidentiality of the information at issue in NV
13 Energy's Motion. The intervenors claiming the material as confidential must either re-designate the
14 material as non-confidential and grant Staff authority to share the material with NV Energy or explain
15 the bases for the continued claim of confidentiality. That said, Staff does believe that the information
16 is critical to Staff's understanding of the development and offering of the form LLESA at issue in this
17 matter and will aid the Commission in rendering an informed decision.

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19 RESPECTFULLY SUBMITTED this 5th day of October 2026.

20 PUBLIC UTILITIES COMMISSION OF NEVADA
21 REGULATORY OPERATIONS STAFF

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23 By: /s/ Don Lomoljo
Donald Lomoljo, Staff Counsel
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⁷ Errata filed on October 2, 2026, containing a complete set of Data Request Responses.

PROOF OF SERVICE

I hereby certify that I have on this day served the foregoing document upon all parties of record in this proceeding by electronic mail to the recipient's current electronic mail address.

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1 DATED at Las Vegas, Nevada, on the 5th day of October, 2026.
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3 /s/ Michelle Jackson
4 An employee of the Public Utilities
5 Commission of Nevada
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