

**PUBLIC UTILITIES COMMISSION OF NEVADA
MEMORANDUM**

DATE: September 15, 2026

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

FROM: Ryan Sinclair, P.E., Regulatory Engineer, Engineering Division

SUBJECT: Agenda No 18-26; Item No.5C; Docket No. 26-06001;
Application of Lux Solar Center, LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct the Lux Solar Project consisting of a 125 MW photovoltaic solar electric generating facility, an up to 125 MW battery energy storage system, a 120 kV generation-tie line, and associated facilities to be located on 1,348 acres of private land in Lyon County, Nevada.

I. Summary of Application

Pursuant to the provisions of the Utility Environmental Protection Act (“UEPA”) and Nevada Revised Statutes (“NRS”) 704.820 through NRS 704.900, on June 2, 2026, Lux Solar Center, LLC (“Lux Solar”) filed with the Public Utilities Commission of Nevada (“Commission”) an Application for a Permit to Construct the Lux Solar Project consisting of a 125 Megawatt (“MW”) photovoltaic solar electric generating facility, an up to 125 MW battery energy storage system, a 120 kilovolt (“kV”) generation-tie line, and associated facilities to be located on 1,348 acres of private land in Lyon County, Nevada (the “Project”).¹

Lux Solar requests that the Commission grant the request for a UEPA permit authorizing it to commence construction of the Project as outlined above. The Project will consist of a 125 MW solar array and ancillary facilities. In addition to the photovoltaic solar array, the Project will include ancillary facilities including, but not limited to, an up to 125 MW alternating current battery energy storage system, a collector substation, a 120 kV gen-tie line to the collector substation approximately 300 feet in length, an operations and maintenance (“O&M”) building, inverters and transformer stations, electrical collection lines, security fencing, and access roads. The Project will interconnect to the existing Walker River 120 kV substation via a new 2.3-mile, 120 kV transmission line to be constructed, owned, and operated by Sierra Pacific Power Company d/b/a NV Energy. A legal description of the proposed location for the Project is provided in Exhibit A attached hereto. As required by NRS 704.870(1) and Nevada

¹ The Project itself does meet the “Utility facility” definition pursuant to NRS 704.860 because the Electric Generating Plant has a nameplate capacity above 70 MW.

Administrative Code (“NAC”) 703.423, the Application contains an Environmental Statement (“ES”) that was prepared by Stantec Consulting Services, Inc and is dated May 2026.²

The Regulatory Operations Staff of the Commission (“Staff”) has completed its investigation and recommends that the Commission grant the Application and issue an order authorizing the construction of the Project as outlined herein.

II. Analysis and Investigation

Facilities, Water Use and Employment

The Project is a photovoltaic solar energy generating facility and energy storage system on roughly 1,348 acres of private land approximately 10 miles north of Yerington and 18 miles south of Silver Springs in Lyon County, Nevada.

Lux Solar estimated that approximately 210-acre feet of water will be used during the 14–18-month construction period and less than one acre foot per year during operations. Water will be obtained from a proposed water well to be installed within the Project site boundaries, and any necessary permits will be obtained.

Lux Solar expects the Project will generate during construction of the Project employment for approximately 250 persons and employment for an estimated three persons during operations.

The Application contains supporting documentation for the Project, including:

Exhibit A	Site Location Map
Exhibit B	Regional Map
Exhibit C	Legal Description of Proposed Facility
Exhibit D	Facility Plan
Exhibit E	Scaled Diagrams
Exhibit F	Environmental Statement
Exhibit G	Public Notice
Exhibit H	Proof of Publication
Exhibit I	Proof of Service to County Clerks, Nevada State Clearinghouse and Other Agencies
Exhibit J	Draft Notice

Staff’s investigation and analysis of the Application reflects the UEPA statutes and, in particular, the pertinent provisions of NRS 704.890(1) and (2),³ which require the Commission to make

² The Project is located entirely on non-federal land, and therefore, no environmental analysis is required by a federal agency. Accordingly, this Application is filed pursuant to the requirements of NRS 704.870(1) and NAC 703.423.

³ NRS 704.890 (1) and (2) provide:

“(1) . . . [T]he Commission may not grant a permit for the construction, operation and maintenance of a utility facility, either as proposed or as modified by the Commission, to a person unless it finds and determines:

(a) The nature of the probable effect on the environment;

(b) If the utility facility emits greenhouse gases and does not use renewable energy as its primary source of

certain findings and determinations regarding the environmental effect, need, other required permits, and whether the Project is in the public interest. Each of those statutorily required findings are addressed below.

NRS 704.890(1)(a) (Environmental Effects): The Application contains an ES that was prepared by Stantec Consulting Services, Inc., dated May 2026. The ES analyzes the direct, indirect and cumulative environmental impacts from the construction and operation of the Project. The Project will be designed, constructed and operated to meet all applicable regulatory requirements and to avoid, minimize and mitigate the adverse effect on the environment. Its construction and subsequent operation will use the best available technology and will use minimal water. The Project will not have any significant unmitigated impacts on the environment, as detailed in the ES.

NRS 704.890(1)(b) (Greenhouse Gas Emissions/Effect on Reliability of Service): The Commission is not required to find and determine the extent to which the Project is needed to ensure reliable service to customers in Nevada because the Project does not emit greenhouse gases. However, the Project will have little impact on the environment of the State. Construction impacts will be temporary and minimal given the limited geographic scope of the Project. All applicable state and local environmental permits will be obtained and adhered to, resulting in the minimum possible impact to the environment. Notably, the Project will result in a reduction of greenhouse gas emissions by displacement of electricity produced by fossil fuels. Additionally, this Project is one of the renewable energy projects contracted for by NV Energy and is outlined in the current Integrated Resource Plan (“IRP”) pending before the Commission in Docket No. 26-05007. As such, the output of the Project is intended to provide load service to Nevada customers via a power purchase agreement (“PPA”) with NV Energy.

NRS 704.890(1)(c) (Balancing Need and Environmental Effect): The need for the Project balances any adverse effects on the environment. Lux Solar states that the Project will result in the addition of a reliable source of energy and will result in improved air quality by displacement of electricity produced from fossil fuels, resulting in an improvement to human health.

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- energy to generate electricity, the extent to which the facility is needed to ensure reliable utility service to customers in this State;
- (c) That the need for the facility balances any adverse effect on the environment;
 - (d) That the facility represents the minimum adverse effect on the environment, considering the state of available technology and the nature and economics of the various alternatives;
 - (e) That the location of the facility as proposed conforms to applicable state and local laws and regulations issued thereunder and the applicant has obtained, or is in the process of obtaining, all other permits, licenses, registrations and approvals required by federal, state, and local statutes, regulations and ordinances;
 - (f) That the surplus asset retirement plan filed pursuant to NRS 704.870:
 - (1) Complies with federal, state and local laws;
 - (2) Provides for the remediation and reuse of the facility within a reasonable period; and
 - (3) Is able to be reasonably completed under the funding plan contained in the application; and
 - (g) That the facility will serve the public interest.
- (2) If the Commission determines that the location of all or a part of the proposed facility should be modified, it may condition its permit upon such a modification. If the applicant has not obtained all the other permits, licenses, registrations and approvals required by federal, state and local statutes, regulations and ordinances as of the date on which the Commission decides to issue a permit, the Commission shall condition its permit upon the applicant obtaining those permits and approvals.”

NRS 704.890(1)(d) (Minimum Adverse Effect-Mitigation): The ES determined that potential impacts will be reduced with the use of best management practices and mitigation measures. Examples of the mitigation measures include:

- **4.1.3 Air Quality Mitigation Measures:** The Project will obtain a Surface Area Disturbance (“SAD”) permit from Nevada Division of Environmental Protection (“NDEP”) Bureau of Air Pollution Control for construction activities, water and fugitive dust suppressants will be utilized on disturbed surfaces and unpaved roads, as appropriate, to control dust.
- **4.2.3 Aquatic and Wetland Resources Mitigation Measures:** The Project will develop and implement a Stormwater Pollution Prevention Plan in compliance with the Nevada Construction General Permit and will include erosion and sediment control Best Management Practices such as silt fencing, stabilized entrances, soil stockpile protection, and revegetation of disturbed areas.

NRS 704.890(1)(e) (Other Permits): In addition to the Commission’s UEPA Permit to Construct, additional local permits, state permits, and approvals are required for the Project. Prior to the issuance of the UEPA Permits to Construct, Staff recommends that Lux Solar be ordered to file with the Commission the following, as compliance items, if not already included in the filing:

- a. Nevada Division of Environmental Protection – Surface Area Disturbance Permit
- b. Nevada Division of Environmental Protection – National Pollutant Discharge Elimination System Permit
- c. Nevada Department of Wildlife– AB 307 Energy Planning and Conservation Fund
- d. Nevada Division of Environmental Protection – Temporary Working in Waters Permit
- e. Nevada Division of Water Resources – Well Drilling Approval
- f. Nevada Division of Water Resources – Water Rights Permit Changes
- g. Lyon County – Floodplain Development Permit
- h. Lyon County – Conditional Letter of Map Revision
- i. Lyon County – Conditional Use Permit
- j. Lyon County – Building Permit

NRS 704.890(1)(f) (Surplus Asset Retirement Plan): A surplus asset retirement plan is not required for the Project since it does not meet the definition of a “surplus” for purposes of surplus assets as defined in NRS 704.7337.

NRS 704.890(1)(g) (Public Interest): Lux Solar has demonstrated in its Application that the Project will serve the public interest. Specifically, the Project will result in a reduction of greenhouse gas emissions by displacement of electricity produced by fossil fuels. Additionally, Construction of the Project will deliver economic benefits for Nevada, including increased property tax revenues, sales/use tax revenues, lease payments and job creation. The Project is also planned to supply energy and capacity to NV Energy via the PPA outlined in NV Energy’s current IRP.

III. Notice and Subsequent Action

Lux Solar published a Notice of Application for a Permit to Construct in the Lyon County News Leader on May 20, 2026.

On June 5, 2026, the Commission issued a Notice of Application for Utility Environmental Protection Act Permit to Construct Utility Facilities, establishing a deadline of July 1, 2026, for notices of intervention, petitions for leave to intervene, and notices of intent to be a party pursuant to NRS 704.885(1), or to make a limited appearance in the proceeding pursuant to NRS 704.885(2). The Notice was published in the Lyon County News Leader on June 17, 2026. No requests for interventions or comments were filed with the Commission.

The Nevada State Clearinghouse did not request comments from state agencies regarding the Application for a Utility Environmental Protection Act Permit to Construct Utility Facility.

Conclusion and Recommendations

Lux Solar Center, LLC's Environmental Statement for the Project identifies the nature of the probable effect on the environment and the required mitigation measures. Lux Solar Center, LLC is in the process of obtaining all permits, licenses and approvals required by state and local statutes, regulations, and ordinances.

Staff recommends that the Commission issue an order granting the request of Lux Solar Center, LLC for the issuance of a UEPA Permit for construction of the Project as defined hereinabove, contingent upon Lux Solar Center, LLC obtaining and filing with the Commission as compliance items, if not already included in the filing, the following permits, licenses, and approvals:

- a. Nevada Division of Environmental Protection – Surface Area Disturbance Permit
- b. Nevada Division of Environmental Protection – National Pollutant Discharge Elimination System Permit
- c. Nevada Department of Wildlife– AB 307 Energy Planning and Conservation Fund
- d. Nevada Division of Environmental Protection – Temporary Working in Waters Permit
- e. Nevada Division of Water Resources – Well Drilling Approval
- f. Nevada Division of Water Resources – Water Rights Permit Changes
- g. Lyon County – Floodplain Development Permit
- h. Lyon County – Conditional Letter of Map Revision
- i. Lyon County – Conditional Use Permit
- j. Lyon County – Building Permit

Once Lux Solar Center, LLC has obtained and filed with the Commission a copy of the outstanding permits needed for the Project, Staff recommends that the UEPA Permit setting forth a description of the Project be issued to Lux Solar Center, LLC.

Staff recommends that the order contain a provision that if Lux Solar Center, LLC does not file with the Commission all the compliances set forth hereinabove within five years of the effective date of the order, the order will be deemed to be vacated without further action by or order of the Commission.

Staff also requests that the Commission include an ordering paragraph in its order which states: “No construction may commence on any utility facilities that are the subject of this Application for a UEPA Permit to Construct until after the Commission has issued the Permit to Construct for the applicable phase of the Project.”

Staff further recommends that the Commission’s order include findings and conclusions that:

- 1) Accept and incorporate the findings and conclusions in Lux Solar Center, LLC Environmental Statement for the Project;
- 2) In its Environmental Statement for the Project, Lux Solar Center, LLC determined the nature of the probable effect of the Project on the environment;
- 3) The need for the Project balances any adverse effect on the environment;
- 4) The Project represents the minimum adverse effect on the environment, considering the state of available technology and the nature and economics of the various alternatives;
- 5) Lux Solar Center, LLC has obtained or is in the process of obtaining all other permits, licenses and approvals required by federal, state and local statutes, regulations and ordinances; and
- 6) The Project will serve the public interest.

A PORTION OF THOSE CERTAIN LANDS DESCRIBED IN DOCUMENT NO. 475132, RECORDED APRIL 20, 2011, DOCUMENT NO. 480770, RECORDED AUGUST 24, 2011, DOCUMENT NO. 501025, RECORDED DECEMBER 31, 2012, AND DOCUMENT NO. 499711, RECORDED NOVEMBER 30, 2012, OFFICIAL RECORDS OF LYON COUNTY, NEVADA, LOCATED WITHIN SECTION 20, SECTION 27, SECTION 28, AND SECTION 29, TOWNSHIP 15 NORTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHEAST 1/4 AND SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 20, THE NORTH 1/2 OF THE SOUTHWEST 1/4, THE SOUTH 1/2 OF THE NORTHWEST 1/4, AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27, THE SOUTH 1/2, THE NORTHWEST 1/4, AND THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 28, THE NORTHWEST 1/4, THE NORTH 1/2 OF THE SOUTHWEST 1/4, THE NORTHEAST 1/4, AND THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 29, ALL WITHIN TOWNSHIP 15 NORTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN, LYON COUNTY, NEVADA.

EXCEPTING THEREFROM:

ALL THAT PORTION OF SEC 27 LYING WITHIN THE BOUNDARIES OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY AS DESCRIBED PER SOUTHERN PACIFIC TRANSPORTATION COMPANY RIGHT OF WAY AND TRACK MAP, MINA BRANCH, STATION 2053+85.8 TO STATION 2265+05.8, V-7, SHEET 11, C.E. 43856, LYON COUNTY, NEVADA.

ALSO EXCEPTING THAT PORTION OF LANDS LYING WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 29;

THENCE NORTH 47°10'9" EAST, A DISTANCE OF 1894.45 FEET TO THE EAST-WEST 1/16TH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 29 AND **POINT OF BEGINNING**;

THENCE NORTH 41°53'28" EAST, A DISTANCE OF 1,652.61 FEET;

THENCE NORTH 89°50'38" WEST, A DISTANCE OF 1,664.94 FEET;

THENCE NORTH 00°47'20" EAST, A DISTANCE OF 4,052.44 FEET TO THE EAST-WEST 1/16TH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 20 AND THE **POINT OF TERMINUS**, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 20 BEARS SOUTH 30°36'40" WEST, A DISTANCE OF 1,511.04 FEET.

CONTAINING 58,046,008 SQUARE FEET OR 1,332.553 ACRES, MORE OR LESS.

AS SHOWN ON EXHIBIT 'B'; ATTACHED HERETO AND MADE PART HEREOF.

SUBJECT TO ANY AND ALL EXISTING MATTERS OF RECORD.

AREA, BEARINGS AND DISTANCES ARE BASED ON NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NAD83(2011), US SURVEY

FOOT HAVING A COMBINED SCALE FACTOR OF 0.99972939. DIVIDE BY THE COMBINED FACTOR TO OBTAIN GROUND DISTANCES.