

Agenda Item 3



**STATE OF NEVADA
COMMISSION ON ETHICS**
<http://ethics.nv.gov>

**MINUTES
of the meeting of the
NEVADA COMMISSION ON ETHICS**

The Commission on Ethics held a public meeting on
Wednesday, April 20, 2022, at 9:00 a.m.
at the following location:

**Grant Sawyer State Building
Governor's Conference Room Suite 5100
555 E. Washington Avenue
Las Vegas, NV 89101**

Zoom Meeting Information
<https://us06web.zoom.us/j/89746077463?pwd=VGVwUVkzMGM5Bb3FYdklObDFpaU1yUT09>

Zoom Meeting Telephone Number: 720-707-2699 *

Meeting ID: 897 4607 7463

Passcode: 343521

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. A recording of the meeting is available for public inspection at the Commission's office.

1. Call to Order and Roll Call.

Chair Kim Wallin, CPA, CMA, CFM appeared in-person in the Governor's Conference Room in Las Vegas and called the meeting to order at 9:00 a.m. Also appearing in Las Vegas were Commissioners Barbara Gruenewald, Esq., James Oscarson, Thoran Towler, Esq. and Amanda Yen, Esq. Vice-Chair Brian Duffrin and Commissioner Teresa Lowry, Esq. appeared via videoconference. Commissioner Damian R. Sheets, Esq. was absent from the meeting. Present for Commission staff in Las Vegas were Executive Director Ross E. Armstrong, Esq., Commission Counsel Tracy L. Chase, Esq., Associate Counsel Elizabeth J. Bassett, Esq., and Executive Assistant Kari Pedroza. Senior Legal Researcher Darci Hayden appeared via videoconference.

The pledge of allegiance was conducted.

2. Public Comment.

There was no public comment.

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3. Approval of Minutes of the March 16, 2022 Commission Meeting.

Chair Wallin stated that all Commissioners were present for the March Commission Meeting, except for Commissioners Towler and Yen who were excused and Commissioner Sheets who was absent from the meeting and would abstain from participating on this item.

Commissioner Gruenewald moved to approve the March 16, 2022 Commission Meeting Minutes as presented. Commissioner Oscarson seconded the motion. The Motion was put to a vote and carried as follows:

Chair Wallin:	Aye.
Vice-Chair Duffrin:	Aye.
Commissioner Gruenewald:	Aye.
Commissioner Lowry:	Aye.
Commissioner Oscarson:	Aye.
Commissioner Towler:	Abstain.
Commissioner Yen:	Abstain.

4. Discussion and approval of a Proposed Stipulation concerning Ethics Complaint No. 20-060C regarding Amy Hagan, former Human Resources Director, Southern Nevada Health District, State of Nevada.

Chair Wallin introduced the Item and asked the parties to identify themselves for the record. Associate Counsel Elizabeth J. Bassett, Esq. appeared on behalf of Executive Director Armstrong before the Commission in this matter and Alicia Hagerman, Esq. appeared on behalf of Amy Hagan, who was not in attendance. Hagen was provided proper notice of the Agenda Item and she waived both the personal notice requirements of NRS 281A.033 and the Review Panel proceedings associated with the Complaint. Further, Ms. Hagen understood that the Commission would proceed in her absence. Since Ms. Hagen waived the Review Panel proceedings, all present members of the Commission were permitted to participate in the item pursuant to NRS 281A.220.

Associate Counsel Bassett provided an overview of Ethics Complaint Case No. 20-060C (Hagan) and the Proposed Stipulation. The Proposed Stipulation delineated the non-willful violation of NRS 281A.400(5) by Ms. Hagan based upon consideration of presented mitigating factors set forth in NRS 281A.775. Ms. Hagan received a public admonishment and agreed to complete Ethics Training within sixty (60) days of the execution of the Stipulation.

The Commissioners asked clarifying questions of Associate Counsel Bassett and Ms. Bassett provided those clarifications.

Ms. Hagan's counsel, Alicia Hagan, Esq. thanked the Commission for its consideration of the Stipulation.

Commissioner Yen made a motion to accept the terms of the Stipulation as presented by the parties and directed Commission Counsel to finalize the Stipulation in appropriate form. Commissioner Gruenewald seconded the motion. The Motion was put to a vote and carried unanimously.

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5. Report by Executive Director on agency status and operations and possible direction thereon. Items to be discussed include, without limitation:

- Outreach and Education
- FY22/23 Budget Status
- Commission Meeting Status
- Website Updates
- Commission Branding Preview

Outreach and Education: Executive Director Armstrong reported that the Commission's social media platforms have seen continued growth in followers and participation since the beginning of the calendar year. He provided information on recent trainings conducted and upcoming trainings scheduled including a presentation to executive management at the City of Carson in early May.

Executive Director Armstrong informed the Commission of the authorization from the Governor's Office for the Commission to utilize American Rescue Plan Act funds to establish an online training system and that Commission staff will be collaborating with the Governor's Finance Office and the State Administrative Services Division on this endeavor.

FY22/23 Budget Status: Executive Director Armstrong reported that the Commission continues to expend fiscal year 2022 funds as allocated. He shared that the State Administrative Services Division had corrected the FY22 county and city billing and issued revised invoices. Executive Director Armstrong explained that a budgetary Bill Draft Request would be developed to clarify the statutory language related to county and city assessment calculations for submission during the next Legislative session.

Commission Meeting Status: Executive Director Armstrong provided that the May Commission is scheduled for May 18 and the Commission would consider the proposed 2023 Bill Draft Request to amend NRS Chapter 281A during this meeting. He outlined the adjudicatory hearings currently scheduled throughout 2022 and 2023.

Website Updates: Executive Director Armstrong referred the Commission to the updated Ethics homepage sample included in the meeting materials. Chair Wallin and Vice-Chair Duffrin requested minor revisions to the sample website.

Commission Branding Preview: Executive Director Armstrong shared 3 links for branding websites and suggested that Commissioners review the sites pertaining to brand and logo development.

Commissioner Towler moved to accept the Executive Director's agency status report as presented. Commissioner Yen seconded the motion. The motion was put to a vote and carried unanimously.

6. Presentation by Commission Counsel pertaining to restriction set forth in NRS 281A.710(1)(b) precluding incarcerated persons from filing Ethics Complaints. No action will be taken under this agenda item.

Commission Counsel Chase presented the statutory language for NRS 281A.710(1)(b) and detailed the associated legislative history relating to the prohibition restricting incarcerated persons from filing Ethics Complaints with the Commission. She confirmed that the Legislature and correctional system had provided other procedures and remedies for inmate complaints.

7. Discussion and identification of the Commission's priorities for the upcoming Biennial Budget request enhancements for Fiscal Years 2024 and 2025.

Executive Director Armstong presented the Commission's previously identified budget enhancements and requested direction on enhancement prioritization for the upcoming biennial budget request. Proposed enhancements included one full-time Public Information Officer position, contracted investigation services, salary parity with similar agencies and enhanced internet connectivity.

Chair Wallin outlined the prioritized enhancements as follows:

1. Salary Parity
2. Public Information Officer
3. Contracted Investigation services
4. Internet connectivity

Commissioner Yen moved to approve the Commission's budget enhancement request prioritized as discussed and direct the Executive Director to proceed with the prioritized enhancements for inclusion in the Commission's biennial budget request for Fiscal Years 2024 and 2025. Commissioner Oscarson seconded the motion. The motion was put to a vote and carried unanimously.

8. Commissioner comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.

Chair Wallin thanked Commission staff for their efforts in accomplishing the work of the Commission.

9. Public Comment.

There was no public comment.

10. Adjournment.

Commissioner Yen made a motion to adjourn the public meeting. Vice-Chair seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 9:58 a.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza
Executive Assistant

/s/ Ross Armstrong

Ross Armstrong, Esq.
Executive Director

Minutes approved May 18, 2022

Kim Wallin, CPA, CMA, CFM
Chair

Brian Duffrin
Vice-Chair

Agenda Item 4



**STATE OF NEVADA
COMMISSION ON ETHICS**
<http://ethics.nv.gov>

**MINUTES
of the meeting of the
NEVADA COMMISSION ON ETHICS'
LEGISLATIVE SUBCOMMITTEE**

The Commission on Ethics' Legislative Subcommittee held a public meeting on
Thursday, May 12, 2022, at 9:00 a.m.
Virtually via Zoom as follows:

Zoom Meeting Information

<https://us06web.zoom.us/j/82106368386?pwd=OXVTRGxwV3ExOFkzbExiUTBGMkp2QT09>

Zoom Meeting Telephone Number: 720-707-2699 *

Meeting ID: 821 0636 8386

Passcode: 158108

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics' Legislative Subcommittee. A recording of the meeting is available for public inspection at the Commission's office.

1. Call to Order and Roll Call.

Chair Kim Wallin, CPA, CMA, CFM appeared via videoconference and called the meeting to order at 9:00 a.m. Also appearing via videoconference were Vice-Chair Brian Duffrin and Commissioner James Oscarson. Present for Commission staff via videoconference were Executive Director Ross E. Armstrong, Esq., Commission Counsel Tracy L. Chase, Esq., and Executive Assistant Kari Pedroza.

2. Public Comment.

There was no public comment.

3. Approval of Minutes of the May 4, 2022 Legislative Subcommittee Meeting.

Vice-Chair Duffrin moved to approve the May 4, 2022 Legislative Subcommittee Minutes as presented. Commissioner Oscarson seconded the motion. The Motion was put to a vote and carried unanimously.

4. Discussion and approval of updated Legislative proposal for the 82nd Legislative Session (2023) to amend NRS Chapter 281A, Nevada's Ethics in Government Law for submission to the full Commission for consideration and approval at its May Meeting.

Chair Wallin introduced the Item and asked Executive Director Armstrong for his presentation.

Executive Director Armstrong lead the Subcommittee Members through the updated Legislative proposal language provided in the meeting materials. The Subcommittee Members discussed the proposed language, suggested certain revisions and commented they agreed that the proposed language was clearer and more concise.

Commissioner Oscarson moved to direct staff to provide the updated Legislative proposal to the full Commission for consideration at its next meeting on May 18, 2022. Vice-Chair Duffrin seconded the motion. The Motion was put to a vote and carried unanimously.

The Subcommittee Members each expressed their gratitude and appreciation for Commission staff's work on the Legislative proposal.

5. Commissioner Comments on matters including, without limitation, identification of future agenda items, upcoming meeting dates and meeting procedures. No action will be taken under this agenda item.

Chair Wallin asked who would be sponsoring the Commission's proposed bill and Executive Director Armstrong responded that the bill does not currently have a sponsor and that after submission of the bill on June 1, 2022 the Commission and its staff could promote the bill and reach out to new Legislators.

6. Public Comment.

No public comment.

7. Adjournment.

Vice-Chair Duffrin made a motion to adjourn the public meeting. Commissioner Oscarson seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting adjourned at 9:33 a.m.

Minutes prepared by:

/s/ Kari Pedroza

Kari Pedroza
Executive Assistant

/s/ Ross Armstrong

Ross Armstrong, Esq.
Executive Director

Minutes approved May 18, 2022:

Kim Wallin, CPA, CMA, CFM
Vice-Chair

Brian Duffrin
Commissioner

James Oscarson
Commissioner

Agenda Item 5



**STATE OF NEVADA
COMMISSION ON ETHICS**

704 W. Nye Lane, Suite 204
Carson City, Nevada 89703
(775) 687-5469 • Fax (775) 687-1279
ethics.nv.gov

In re **Qiong Liu**, former City Manager,
City of North Las Vegas,
State of Nevada ,

Ethics Complaint
Case No. 19-126C
Confidential

Subject. /

NOTICE OF COMPLAINT AND INVESTIGATION

NRS 281A.720 and NAC 281A.410

NOTICE IS HEREBY GIVEN that the Nevada Commission on Ethics ("Commission") received an Ethics Complaint on December 30, 2019, alleging that you may have engaged in conduct contrary to certain provisions of Nevada Revised Statutes ("NRS") Chapter 281A, the Nevada Ethics in Government Law ("Ethics Law"). The Commission conducted its jurisdictional and evidentiary review and issued its Order on Jurisdiction and Investigation on February 13, 2020, which order instructed the Executive Director to conduct an investigation regarding your alleged violations of the following provisions of the Ethics Law:

- NRS 281A.400(1)** Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity which would tend improperly to influence a reasonable person in your position to depart from the faithful and impartial discharge of your public duties.
- NRS 281A.400(2)** Using your public position to secure or grant unwarranted privileges, preferences or advantages to benefit yourself, any business entity in which you have a significant pecuniary interest, or any person to whom you have a commitment in a private capacity.
- NRS 281A.400(6)** Using your public position to suppress a governmental report or other document because it might tend to affect unfavorably on your pecuniary interests, or any person to whom you have a commitment in a private capacity.
- NRS 281A.400(7)** Using government time, property or equipment or other facility to benefit your significant personal or pecuniary interest.
- NRS 281A.400(9)** Attempting to benefit your personal or pecuniary interest through the influence of a subordinate.

NRS 281A.420(1) Failing to sufficiently disclose your acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.

NRS 281A.420(3) Failing to abstain from acting on an official matter which is materially affected by your acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.

Pursuant to NRS 281A.720, you may respond to the allegations in writing to the Executive Director, Yvonne M. Nevarez-Goodson, Esq., at the Nevada Commission on Ethics at 704 W. Nye Lane, Suite 204, Carson City, NV 89704.¹ The Executive Director will present your response as well as a recommendation to a review panel. The review panel will determine whether the investigation yields just and sufficient cause for the Commission to hold a hearing and render an opinion in the matter, or whether the matter will be dismissed. Alternatively, the review panel may approve a deferral agreement pursuant to NRS 281A.730.

Unless an extension is granted pursuant to NRS 281A.720 and the waiver of statutory timelines related to the investigation is received by the Commission, any response to the allegations must be submitted on or before:

March 18, 2020

A copy of the Ethics Complaint is attached as well as forms for waiving the time limits set forth in NRS 281A.725, NRS 281A.730, and NRS 281A.745. Please see NRS Chapter 281A and NAC Chapter 281A for State law and regulatory provisions applicable to administrative matters before the Commission available on the Commission's website at ethics.nv.gov or the Nevada Legislature's Law Library.

You are entitled to be represented by an attorney of your selection. Please notify the Commission if you will be represented by counsel.

Except as otherwise provided in NRS Chapter 281A, the Commission and its staff will hold its activities in response to this Ethics Complaint (including the fact that it received the Ethics Complaint) confidential until a review panel determines whether just and sufficient cause exists for the Commission to hold a hearing and render an opinion. However, the Commission has no authority to require the Requester to maintain the confidentiality of this matter. As a result, information may appear in the public or the media. The Commission will not be the source of any public information and will neither confirm nor deny the existence of this Ethics Complaint until a review panel has completed its review and rendered its determination. You will be provided notice of the review panel's determination.

¹ The purpose of the response is to provide the Executive Director with any information relevant to the matter that the public officer or employee believes may assist the Executive Director in conducting the investigation and the review panel in its determination of just and sufficient cause whether the Commission should hold a hearing and render an opinion. The public officer or employee is not required in the response or in any proceeding before the review panel to assert, claim or raise any objection or defense, in law or fact, to the allegations against the public officer or employee and no objection or defense, in law or fact, is waived, abandoned or barred by the failure to assert, claim or raise it in the response or in any proceeding before the review panel. NRS 281A.720.

If you have any questions regarding this notice, please contact me at (775) 687-5469 or ynevarez@ethics.nv.gov.

Dated this 13th day of February, 2020.

/s/ Yvonne M. Nevarez-Goodson
Yvonne M. Nevarez-Goodson, Esq.
Executive Director

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I deposited for mailing, via U.S. Postal Service, certified mail, return receipt requested, through the State of Nevada mailroom, and transmitted via email, a true and correct copy of the foregoing **Notice of Complaint and Investigation**, addressed as follows:

Qiong Liu


Cert. Mail No.: 9171 9690 0935 0037 6385 63

Dated: 2/13/20



Employee, Nevada Commission on Ethics



NEVADA COMMISSION ON ETHICS

ETHICS COMPLAINT

[Sec. 3.6 to 13, inclusive, of S.B. 84 \(2017\)](#)

1. Provide the following information for the public officer or employee you allege violated the Nevada Ethics in Government Law, NRS Chapter 281A. ***(If you allege that more than one public officer or employee has violated the law, use a separate form for each individual.)***

Name: (Last, First)	Liu, Qiong		Title of Public Office: (Position)	City Manager
Public Entity: (Name of the entity employing this position)	City of North Las Vegas			
Address:	[REDACTED]		City, State, Zip Code:	[REDACTED]
Telephone:	<u>Work:</u>	<u>Other (home/cell):</u>	Email:	[REDACTED]
		[REDACTED]		

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 282A. ***(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)***

A. INTRODUCTION On January 4, 2018, City of North Las Vegas City Manager Qiong Liu (hereinafter "Liu") issued a written personnel order and directed staff to effectuate an unauthorized pay increase for herself, from \$190,000 to \$220,000 annually, retroactive to November 5, 2015. When City of North Las Vegas Human Resources Director Cass Palmer (hereinafter "Palmer") raised concerns about whether Liu had City of North Las Vegas City Council (hereinafter the "City Council") authority to order the pay increase for herself, Liu raised her voice and, in a threatening tone, directed Palmer to process the payment, and to process it quickly. Palmer believed that if he did not process the payment, his job would be in jeopardy. Liu failed to disclose to any member of the City Council that she issued or planned to issue the retroactive pay increase for herself. Liu also failed to disclose her actions to the City Attorney. The only reason Liu's action came to light was as a result of various public records requests by the media for her emails. Although Liu had directed IT staff not to permit the City Attorney's office to review her emails without her permission, a review of Liu's emails was eventually permitted, which resulted in the discovery of Liu's acts. While reviewing Liu's emails in connection with multiple public records requests, City Attorney Micaela Moore discovered that, on January 4,

2018, Liu's assistant had emailed Human Resources ("HR") a personnel order effectuating an unauthorized, retroactive pay increase for Liu. Liu was blind-copied on the email. Along with the personnel order, Liu's assistant attached a copy of a memorandum (the "Memo"), addressed from Liu to City Council, explaining Liu's purported justification for the retroactive pay increase. The Memo was sent to HR in order to give staff the false impression that Liu had disclosed the retroactive pay increase to members of the City Council, when in fact she had not. Liu never sent the Memo to any member of the City Council. Nevertheless, Liu ordered her assistant to send the Memo to HR, in support of her retroactive pay raise. Said actions constitute a violation of the following provisions of NRS Chapter 281A: 1. NRS 281A.400(1): Seeking or accepting any economic opportunity for herself which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties. 2. NRS 281A.400(2): Using her position in government to secure or grant unwarranted privileges or advantages for herself. 3. NRS 281A.400(6): Suppressing any governmental report or other document because it might tend to affect unfavorably her pecuniary interests. 4. NRS 281A.400(7): Using governmental time, property, equipment or other facility to benefit her significant personal or financial interest. 5. NRS 281A.400(9): Attempting to benefit her personal or financial interest through the influence of a subordinate. 6. NRS 281A.420(1): Failing to sufficiently disclose her acceptance of a gift, loan, or pecuniary interest to the interest of another person that is reasonably affected by an official matter. 7. NRS 281A.420(3): Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person. B. FACTS 1. Liu's Original Employment Agreement On December 3, 2014, Liu was formally appointed to the position of City Manager after the City Council ratified her Employment Agreement (hereinafter the "Agreement"). Ex. 1. The Agreement was effective from November 5, 2014 until December 31, 2018, with options for earlier termination or extension in accordance with the terms set forth therein. Ex. 1. The Agreement provided for an annual base salary of \$190,000 and contained a provision whereby "the City agrees to increase said base salary and/or other benefits of Employee in such amounts and to such extent as the Mayor and City Council may determine that is desirable to do so on the basis of performance of Employee." Ex. 1. The Agreement further provided: "Employee shall be given a performance evaluation on the annual anniversary from the date of this contract, and shall be eligible for a salary and/or a bonus increase at that time." Ex. 1. In addition, the Agreement provided that "Employee shall be provided the standard compensation and benefit plan available to current appointive and Department Directors of the City." Ex. 1. 2. Liu's 2015 Annual Review Due to the serious, well-documented, economic

challenges faced by the City of North Las Vegas (hereinafter the "City"), Liu voluntarily waived her 2015 annual review, and did not receive a 2015 merit increase. Ex. 2. This was consistent with the City Council ordinances and administrative order in effect for appointed employees that fiscal year. Ex. 3-4. By memorandum dated February 3, 2015, Liu eliminated merit increases for appointed employees for fiscal year 2015/2016. Ex. 3. This was consistent with prior years, as appointed employees did not receive merit increases between 2010 and 2016. Ex. 4. Liu, by memorandum dated June 21, 2016, ordered merit increases returned to appointed employees in fiscal year 2016/2017. Ex. 5. 3. Liu's 2016 Annual Review and Wage Increase On September 7, 2016, City Council, at a duly-noticed public hearing, authorized Liu's contract to be renegotiated for her to receive a pay increase from \$190,000 to \$220,000. Ex. 6-8. At no point in time did City Council ever express or intimate that the increase would be retroactive to November 5, 2015. Ex. 6-8 On September 8, 2016, North Las Vegas City Clerk Catherine Raynor (hereinafter "Raynor") sent an email to Liu letting her know that City Council gave authority to draft an amendment to Liu's contract changing her annual salary from \$190,000 to \$220,000, presumably with the effective date of September 7, 2016. Ex. 8. Raynor opined that the final amendment would have to come back before City Council for final ratification, and advised Liu to obtain an opinion from the City Attorney. Ex. 8. On September 8, 2016, Liu issued and signed a personnel order based on the action taken by City Council on September 7, 2016, increasing her pay from \$190,000 to \$220,000, effective September 3, 2016 (the beginning of the pay period that includes September 7, 2016). Ex. 9. A written amendment was subsequently drafted and placed on the September 21, 2016 council meeting agenda. Ex. 10-13. The agenda item noted that "[t]he effective date of amendment is September 7, 2016." Ex. 10. On September 21, 2016, at a duly-noticed public hearing, City Council approved the consent agenda item, finalizing the written amendment to Liu's contract, and increasing her salary from \$190,000 to \$220,000, effective September 7, 2016. Ex. 10-13. Liu's increase went into effect on September 3, 2016 (the beginning of the pay period that includes September 7, 2016). Ex. 9. 4. Liu's 2017 Annual Review On December 20, 2017, Raynor gave Liu notice that there would be an agenda item on the January 3, 2018 City Council meeting to consider "Discussion and/or Action Regarding Annual Review of City Manager." Ex. 14. On January 3, 2018 at 6:27a.m., Liu sent an email to the Mayor and Council members, in which she stated that the Mayor "had offered me [a] 5% merit increase and \$10,000 bonus pay." Ex. 15. The email expressed Liu's opinion that she was not adequately compensated but did not propose a specific amount of compensation or address any concerns about her past compensation. Ex. 15. Liu sent a similar email with minor modifications approximately three hours later. Ex. 16. In the email, Liu states that "it has been an

extremely stressful and disheartening few days for me to learn the false or misleading information (even hatred in Larry Griffith's case) that was expressed to you..." Ex. 16. Later that evening, at the January 3, 2018 City Council meeting, the agenda item relating to Liu's review was continued to the January 17, 2018 Council meeting. Ex. 17. 5. Liu's Unauthorized Retroactive Pay Increase On January 4, 2018, Liu executed a personnel action form, ordering HR staff to pay a "Retro Pay Increase per Council Action on 9/7/16 to \$220,000 to November 5, 2015 per contract and standard practice" (hereinafter "the Personnel Order"). Ex. 18. On January 4, 2018, Liu also prepared a Memo, addressed from Liu to the Mayor and City Council, regarding "Merit Increase Related Concerns." Ex. 19. In the Memo, Liu purports to disclose to City Council that she believes her 2016 pay raise should have been made retroactive to November 5, 2015. Ex. 19. Liu, however, never transmitted the Memo to any member of City Council. Ex. 20-24, 27. Nevertheless, Liu ordered her subordinate, Senior Executive Assistant Rebecca Gipson (hereinafter "Gipson"), during business hours, to transmit the Personnel Order and Memo to HR in order to process the retroactive pay increase for the benefit of Liu. Ex. 25. Gipson emailed the Personnel Order and Memo to HR on January 4, 2018 at 5:23p.m., using the City's email systems and servers. Ex. 25. Gipson blind-copied Liu's work email address on the email. Ex. 25. The Memo was attached as supporting documentation for the Personnel Order in order to give HR the impression that Liu had disclosed the retroactive pay increase to City Council, when in fact she had not. Ex. 20-25. On January 4, 2018, at 10:13p.m., Liu emailed herself a copy of Gipson's email to HR, the Personnel Order, and Memo to her personal email address. Ex. 26. Gipson also delivered hard copies of the Personnel Order and Memo to HR. Ex. 27. While Liu ordered Gipson to deliver the Personnel Order and Memo to HR, Liu never ordered Gipson to deliver the Memo to City Council. Ex. 27. Liu gave Gipson the impression she had already delivered the Memo to City Council at the time she asked Gipson to send the Memo to HR. Ex. 27. On January 4, 2018, during City business hours, Liu ordered Palmer to process the Personnel Order, giving her a wage increase from \$190,000 to \$220,000 annually, retroactive to November 5, 2015. Ex. 27. Liu gave the directive orally and in writing, using the City's computers, servers, and email system. Ex. 25, 27. Palmer examined Liu's contract and amendment and determined that the pay increase was not authorized by City Council. Ex. 27. Palmer shared his concerns with Liu and told her that the Mayor did not share her view that she was entitled to retroactive pay. Ex. 27. Palmer asked Liu under whose authority she was acting. Ex. 27. Liu said she was acting on her own authority. Ex. 27. Liu admitted to Palmer that no one had ever told her that the pay increase she received in September of 2016 (from \$190,000 to \$220,000) would be retroactive 10 months to November 2015. Palmer told Liu that City Council had to authorize it. Ex.

27. Liu then became irate and aggressive, and reiterated that she had the authority to order it. Ex. 27. Liu ordered Palmer to pay it, and to do it quickly. Ex. 27. Palmer felt he would be fired if he did not comply. Ex. 27. Palmer did not ultimately process the payment on behalf of Liu. Ex. 27. 6. Liu's Attempts to Cover Up the Unauthorized Retroactive Pay Increase On or about January 9, 2018, during business hours, Liu ordered her subordinate employee, IT Manager Adam Cohen (hereinafter "Cohen") not to provide access to her emails and/or electronic files at the request of any staff members, including the City Attorney's office, without public approval by City Council. Ex. 28. This request was in violation of City Policy, which permits the City Attorney to request access to email and other electronic information for use in legal proceedings, or in anticipation of legal proceedings. Ex. 29. Cohen questioned Liu on how he was supposed to handle public records requests and requests for electronic information he received from the Clerk's office and the City Attorney's office going forward, including those requests currently pending. Ex. 28. Cohen asked whether he should pass the requests onto Liu before processing them. Ex. 28. Liu requested to be informed of any public records requests unless there was a formal investigation launched concerning her role as City Manager. Ex. 28. Liu's orders for IT staff to keep her emails, which are presumptively public records as a matter of law, away from the City Attorney's office, who had a legal right to obtain that information, were an attempt by Liu to suppress City records documenting her unauthorized retroactive pay increase. Liu was placed on administrative leave on or about January 10, 2018. On January 12, 2018, Liu wiped her City work cell phone clean of all public documents, data, and information. Ex. 30. This too is believed to be an attempt on Liu's part to suppress City records that might adversely affect her pecuniary interest in both receiving the unauthorized pay increase and a settlement or payout in connection with her separation. 7. Liu's Statement to the Investigator On January 30, 2018, Liu was interviewed by a third-party investigator about the unauthorized retroactive pay increase she ordered paid on January 2, 2018. Ex. 27. Liu admitted ordering the retroactive raise for herself and claimed that she believed she was owed the retroactive pay after she voluntarily deferred her 2015 review. Ex. 27. However, Liu admitted that no council action took place authorizing or intimating that she was entitled to receive a retroactive pay raise effective November 5, 2015. Ex. 27. Liu admitted issuing a personnel order on September 7, 2016, consistent with council's official action, making her pay increase effective at the beginning of the pay period that includes September 7, 2016 (September 3, 2016). Ex. 27. When asked why she waited until January 4, 2018 to change the effective date of the 2016 pay raise, and why she did not just wait until the January 17, 2018 council meeting to discuss the matter with City Council, Liu said that that she feared that her position was in jeopardy, and that if she waited,

it would be too late to get the retroactive payment. Ex. 27. Liu also admitted that she asked Gipson to transmit the Memo to HR, but that she never asked Gipson to send it to council and never got around to sending it to City Council herself. Ex. 27. C. ANALYSIS 1. Liu Violated NRS 281A.400(1) When She Sought Out an Economic Opportunity for Herself That Would Tend to Improperly Influence a Reasonable Person in Her Position to Depart from The Faithful and Impartial Discharge of Her Public Duties In December of 2017, Liu received notice that her annual review would be heard at a public meeting scheduled for January 3, 2018. Ex. 14. Although her performance and pay were being considered, Liu never mentioned to any City Council member that she believed her 2016 increase should have been made retroactive to 2015. Ex. 27. On the morning of January 3, 2018, Liu admitted that she was under stress for several days, as she had to defend against criticism from persons who had made their concerns about her performance known to City Council. Ex. 15, 16. On January 3, 2018, Liu became fearful that her job was in jeopardy after the January 3, 2018 hearing was continued to January 17, 2018. Ex. 27. Liu immediately took action on January 4, 2018, nearly 16 months after City Council increased her salary in September of 2016, and unilaterally attempted to make the 2016 increase retroactive to 2015. Ex. 25. Liu acted with no City Council knowledge or approval. Ex. 20-24, 27. Liu also acted in violation of her own administrative order, which provided that no merit increases would be given to appointed employees in fiscal year 2015/2016. Ex. 3. Had the Personnel Order been followed, Liu would have received a \$30,000 lump sum deposit into her checking account. Ex. 27. More importantly, the retroactive pay increase would have directly increased Liu's pension calculation, and yielded her a higher lifetime retirement payout. Ex. 28. It is estimated that a \$30,000 increase to Liu's pay in 2015 would have increased her pension from \$106,100 to approximately \$111,500 annually. Ex. 28. If Liu lived to be 95 years-old, the unauthorized pay increase would have yielded Liu an extra \$363,000 in retirement pay, at the expense of taxpayers. Ex. 28. Liu was more concerned with padding her pension than she was with impartially discharging her public duties. In ordering the pay increase without City Council knowledge or approval, Liu violated her duties to act impartially and faithfully regarding matters of appropriate, authorized, employee pay. 2. Liu Violated NRS 281A.400(2) When She Used Her Position in Government to Secure or Grant Unwarranted Privileges or Advantages for Herself Liu used her position as City Manager, which permits her to sign personnel orders affecting employee pay and to order staff to issue payouts based on those orders, to attempt to give herself an unauthorized pay increase. Liu used her position to order her assistant to send the order to HR attempting to backdate her 2016 pay increase to November 5, 2015. Liu also used her position to order the HR Director to process payment on her behalf. When it became clear to the HR Director that

Liu was acting without authority, Liu used her position to intimidate the HR Director in an attempt to get him to process the payment. Liu also used her position as City Manager to attempt to persuade IT staff to violate City policy and to suppress information from the City Attorney's office, all in an effort to cover up the fact that she had attempted to fast-track an unauthorized retroactive pay increase for herself, as she believed her job was in jeopardy. 3. Liu Violated NRS 281A.400(6) When She Suppressed Governmental Reports and Other Documents Because They Might Tend to Affect Unfavorably Her Pecuniary Interests On January 9, 2018, Liu directed IT staff not to permit any staff, including the City Attorney's Office, access to her emails or electronic files. Such records are presumptively public records. The City Attorney has the right to access such information in order to carry out the functions of her position in accordance with the City Charter. City policy expressly permits the City Attorney to access electronic records in order to carry out the duties of her position. Ex. 29. Liu abused her position by ordering IT staff not to permit the City Attorney's office or any other staff access to her emails. Liu gave the order to IT staff only two business days after she received and sent herself copies of the Personnel Order and Memo, ordering staff to pay her an unauthorized retroactive pay raise. Discovery of the orders by the City Attorney or other staff might have jeopardized Liu's chances of receiving the unauthorized payment into her account. On January 12, 2018, after she was placed on administrative leave, Liu again suppressed government information that might tend to negatively affect her pecuniary interests when she deleted all public records from her work cell phone. 4. Liu Violated NRS 281A.400(7) When She Used Governmental Time, Property, Equipment and Other Facility to Benefit Her Significant Personal or Financial Interest As detailed above, Liu used the time of City employees Gipson, Palmer, and Cohen, during work hours (work hours of the City are Monday-Thursday, 8am-6pm) in order to attempt to pay herself an unauthorized pay increase, and to cover up her actions. In addition, Liu used City IT systems, including computers, servers, and internet access in an attempt to gain an unauthorized financial benefit for herself. Liu also used City forms printed on City paper, using City printers, to try and gain an unwarranted personal financial advantage. 5. Liu Violated NRS 281A.400(9) When She Attempted to Benefit Her Personal or Financial Interest Through the Influence of a Subordinate As detailed above, Liu violated NRS 281A.400(9) when she influenced her subordinates, Palmer, Gipson, and Cohen to assist her in her attempt to secure and cover up an unauthorized retroactive pay increase for herself. When Palmer questioned Liu about whether City Council knew about the unauthorized pay increase, Liu raised her voice and took a stern tone with him. Palmer interpreted her words and actions to mean that if he did not process her retroactive pay increase, he would be terminated. Although Liu conceded she did not have City Council's

consent to act, she nevertheless ordered Palmer to push the pay raise through. 6. Liu Violated NRS 281A.420(1) When She Failed to Sufficiently Disclose Her Acceptance of a Pecuniary Interest to The Interest of Another Person That Is Reasonably Affected by an Official Matter As detailed above, on January 4, 2018, Liu executed a personnel action form, ordering HR staff to pay her a retroactive pay increase to \$220,000, effective November 5, 2015. Ex. 18. On January 4, 2018, Liu also prepared a Memo, addressed from Liu to the Mayor and City Council, regarding "Merit Increase Related Concerns." Ex. 19. In the Memo, Liu purports to disclose to City Council that she believes her 2016 pay raise should have been made retroactive to November 5, 2015. Ex. 19. Liu, however, never transmitted the Memo to any member of City Council. Ex. 20-24. Nevertheless, Liu ordered her subordinate to transmit the Personnel Order and Memo to HR in order to process the retroactive pay increase for her benefit. Ex. 25. Although Liu had time on the evening of January 4, 2018, at 10:13p.m. to email herself a copy of the Personnel Order and Memo to her personal email address, she did not find the time to discuss or disclose the Personnel Order or Memo with any member of City Council. Ex. 20-24, 26. Liu also did not find time to disclose the matter to anyone the following week, beginning January 8, 2018. Liu also never raised the matter with City Council in the days and weeks preceding her 2017 annual review, scheduled for January 3, 2018, even though her performance and pay were at issue at an upcoming City Council meeting. Liu also never raised the matter to City Council after her review was moved to January 17, 2018. City Council did not learn of Liu's attempt to help herself to a 2015 merit pay increase until the Personnel Order and Memo were inadvertently discovered through public records requests and brought to their attention by the City Attorney in late January, 2018. Liu also never disclosed her belief, intent, or act to pay herself a 2015 merit increase to the City Attorney. It is the duty of the City attorney to opine on legal matters involving the City. Such duties include review and interpretation of all City contracts. If Liu truly believed she was entitled to a retroactive pay increase under the terms of her employment agreement, she should have confirmed with the City Attorney and the City Council that her interpretation was proper. Not only did Liu fail to disclose to the City Attorney what she had done, she actually took steps to make sure the City Attorney would not be able to access the documents commemorating the transaction in Liu's email inbox. 7. Liu Violated NRS 281A.420(3) When She Failed to Abstain from Acting On an Official Matter Which Is Materially Affected by His Acceptance of a Pecuniary interest Liu violated 281A.420(3) when she took it upon herself to secretly order a retroactive pay increase for herself, dating back to November 2015. Such an act was not supported by the words, actions, agenda items, minutes, or contracts noticed and discussed in a public meeting of the City Council on September 7 and September 21, 2016.

As discussed above, Liu should have disclosed her beliefs and actions to the City Council and the City Attorney. In addition, Liu should have abstained taking unilateral action on her own behalf. She should have asked the City Attorney to act on the matter on her behalf, or raised the issue for discussion and action by with City Council at a duly-noticed public meeting. Because Liu did neither, and instead chose to act on her own behalf in secret, Liu violated NRS 281A.420(3).

3. Is the alleged conduct the subject of any action or matter currently pending before another administrative or judicial body? If yes, describe:

The City and Liu have agreed to submit any breach of contract claims she may have under her employment agreement to arbitration. No hearing date has been scheduled.

4. NRS 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? **Please check all that apply.**

<input checked="" type="checkbox"/> NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
<input checked="" type="checkbox"/> NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/> NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, and any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/> NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
<input type="checkbox"/> NRS 281A.400(5)	Acquiring, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
<input checked="" type="checkbox"/> NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably his pecuniary interests, or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/> NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit his significant person or financial interest, or any person to whom he has a commitment in a private capacity. <i>(Some exceptions apply)</i>
<input type="checkbox"/> NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. <i>(Some exceptions apply)</i>
<input checked="" type="checkbox"/> NRS 281A.400(9)	Attempting to benefit his personal or financial interest or any person to whom he has a commitment in a private capacity through the influence of a subordinate.
<input type="checkbox"/> NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
<input type="checkbox"/> NRS 281A.400(1)	Representing or counseling a private person for compensation on an issue pending before the agency while employed, or within 1 year after leaving the service of the agency, including before any state agency of the Executive or Legislative Department. (State and local legislators and part time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)

<input checked="" type="checkbox"/> NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.
<input checked="" type="checkbox"/> NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input type="checkbox"/> NRS 281A.430	Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest.
<input type="checkbox"/> NRS 281A.500	Failing to file or timely file a Nevada Acknowledgement of Ethical Standards for Public Officers form.
<input type="checkbox"/> NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/> NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/> NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. (Failing to honor the applicable "cooling off" period after leaving public service).

*Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse; domestic partner
2. Household member
3. Family member within 3rd degree of consanguinity
4. Employer or spouses/domestic partners employer
5. Substantial and continuing business partner/associate
6. Substantially similar relationships

5. YOU MUST SUBMIT EVIDENCE TO SUPPORT YOUR ALLEGATIONS. Attach all documents or items you believe support your allegations. [NAC 281A.400\(6\)](#) defines evidence which supports the allegation as any reliable and competent form of proof provided by witnesses, public and private records, audio or visual recordings, documents, exhibits, concrete objects, and such forms of proof that support a reasonable belief in the truth of the allegation. A newspaper article or other media report will not support your allegations if it is offered by itself, but may be included with evidence that corroborates the article on report.

6. Witnesses: Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide.

Name and Title:	Micaela Moore		
Address:		City, State, Zip:	North Las Vegas, NV 89030
Telephone:	Work: 702-449-8440	Other (home/cell): [REDACTED]	Email: moorem@cityofnorthlasvegas.com
Nature of Testimony:	On January 9, 2018, Liu terminated Assistant City Manager Ryann Juden and then disseminated an email to all directors criticizing him. That email was immediately publicly disseminated. As a result, multiple public records requests came into the City through its Public Information Officer, Delen Goldberg, for Liu's emails in January of 2018. After Goldberg requested records in normal course from IT Manager Adam Cohen, Cohen revealed that Liu had asked him not to share her emails with staff or the City Attorney. Goldberg and Cohen then shared this with City Attorney Moore, who was then granted access to Liu's inbox. Despite Liu's efforts to cover up the unauthorized retroactive pay increase, Moore discovered the personnel order and fictitious memo from Liu to City Council on or about January 24, 2018. She ordered that the matter be investigated by Fisher Phillips attorney Scott Mahoney.		
Name and Title:	Qiong Liu		

Address:			City, State, Zip:	Las Vegas, NV
Telephone:	<u>Work:</u> 702-360-9990	<u>Other (home/cell):</u>	Email:	██████████
Nature of Testimony:	<p>On or about January 4, 2018, during business hours, Liu ordered her assistant, Rebecca Gipson ("Gipson"), to prepare and transmit a personnel order to Human Resources, ordering that Liu receive a pay increase from \$190,000 to \$220,000, retroactive to November 5, 2015. This would result in a lump sum deposit into Liu's personal bank account of approximately \$25,000. It would also result in a lifetime increase to her monthly retirement payout through PERS. Liu ordered Gipson to send the personnel order to Human Resources, along with a memorandum (the "Memo") that made it look like Liu had disclosed the decision to pay the retroactive pay increase to City Council, when in fact she had not. Liu failed to disclose the retroactive pay adjustment to City Council, even though her 2017 performance review was publicly noticed on the January 3, 2018 and January 17, 2018 City Council agendas. In connection with those items, Liu lobbied City Council for a 2017 pay increase, but at no time did she disclose that she believed her 2016 pay increase should be retroactive to 2015, or that she planned to order staff to pay her a retroactive lump sum. Liu also failed to abstain from acting herself on the issue of the retroactive pay adjustment. She never disclosed or requested review or assistance from the City Attorney or any another member of the City's executive team regarding the retroactive pay. The only people who knew about the retroactive pay increase were Liu and her subordinates, Gipson and HR Director Cass Palmer. Liu, in person and in writing, ordered Palmer to process the payment. When Palmer questioned Liu about whether City Council authorized the increase, Liu said she did not need their authority and ordered him to pay it. When Palmer resisted, she became irate and aggressive in her tone and ordered him to pay it. It was clear to Palmer from Liu's tone that if he did not pay it, he would be fired. On January 9, 2018, Liu directed IT Manager Adam Cohen not to permit access to her emails or electronic files to any staff members, including the City Attorney's office, without public City Council approval. Some time after she left the City on January 10, 2018, Liu wiped her work phone clean of all official information. Both acts are believed to be an attempt on Liu's part to suppress City records ordering the unauthorized retroactive pay increase, because it might tend to affect unfavorably her pecuniary interest in receiving the pay increase. Despite Liu's efforts to cover her tracks, the personnel order and fictitious memo were both discovered on or about January 24, 2018. On January 30, 2018, Liu was interviewed by a third-party investigator about the matter. Liu admitted ordering the retroactive raise for herself and claimed that she believed she was owed the retroactive pay after she voluntarily deferred her 2015 review. However, Liu admitted that no council action took place authorizing or intimating that she was entitled to receive a retroactive pay raise effective November 5, 2015. Rather, on September 7, 2016 (and again on September 21, 2016), City Council voted to increase Liu's pay from \$190,000 to \$220,000, effective September 7, 2016. Liu admitted issuing a personnel order on September 7, 2016, consistent with council's official action, making her pay increase effective at the beginning of the pay period that includes September 7, 2016 (September 3, 2016). Appointed employees were not entitled to merit increases in 2015, by order of Liu herself. When asked why she waited until January 4, 2018 to change the effective date of the 2016 pay raise, and why she did not just wait until the January 17, 2018 council meeting to discuss the matter with City Council, Liu said that that she feared that her position was in jeopardy, and that if she waited, it would be too late to get the retroactive payment. Liu also admitted that she asked Gipson to transmit the Memo to HR, but that she never asked Gipson to send it to council and never got around to sending it to City Council herself.</p>			

Name and Title:	Cass Palmer		
Address:		City, State, Zip:	North Las Vegas, NV 89030
Telephone:	<u>Work:</u> 702-494-7766	<u>Other (home/cell):</u> [REDACTED]	Email: palmerc@cityofnorthlasvegas.com
Nature of Testimony:	<p>On January 4, 2018, during City business hours, Liu ordered Palmer, Liu's subordinate employee and HR Director at the time, to process a wage increase for her, from \$190,000 to \$220,000, retroactive to November 5, 2015. Liu gave the directive orally and in writing, using the City's computers, servers, and email system. Palmer examined Liu's contract and amendment and determined that the pay increase was not authorized by City Council. Palmer shared his concerns with Liu and told her that the Mayor did not share her view that she was entitled to retroactive pay. Palmer asked Liu under whose authority she was acting. Liu said she was acting on her own authority. Liu admitted to Palmer that no one had ever told her that the pay increase she received in September of 2016 (from \$190,000 to \$220,000) would be retroactive 10 months to November 2015. Palmer told Liu that City Council had to authorize it. Liu then became irate and aggressive, and reiterated that she had the authority to order it. Liu ordered Palmer to pay it, and to do it quickly. Palmer felt he would be fired if he did not comply. Palmer did not ultimately process the payment on behalf of Liu.</p>		

Name and Title:	Tina Geiger		
Address:		City, State, Zip:	North Las Vegas, NV 89030
Telephone:	<u>Work:</u>	<u>Other (home/cell):</u> [REDACTED]	Email: geigert@cityofnorthlasvegas.com
Nature of Testimony:	<p>Geiger is familiar with City payroll practices. She can confirm that appointed employees did not receive merit increases from 2010-2016. She can also explain that a "Personnel Action Form" or "PAF" is a personnel order, effective when signed by the City Manager.</p>		

Name and Title:	Rebecca Gipson		
Address:		City, State, Zip:	North Las Vegas, NV 89030
Telephone:	<u>Work:</u> 702-401-5065	<u>Other (home/cell):</u> [REDACTED]	Email: gipsonr@cityofnorthlasvegas.com
Nature of Testimony:	<p>On or about January 4, 2018, during business hours, Liu ordered Gipson to prepare and transmit a personnel order to Human Resources, ordering that Liu receive a pay increase from \$190,000 to \$220,000, retroactive to November 5, 2015. Liu ordered Gipson to send the personnel order to Human Resources, along with a memorandum (the "Memo") addressed from Liu to City Council that made it look like Liu had disclosed the retroactive pay increase to City Council, when in fact she had not. While Gipson was ordered to transmit the Memo to Human Resources, she was never ordered to transmit the Memo to City Council. Gipson believed that Liu had already transmitted the Memo to City Council when she emailed the Personnel Order and Memo to HR for processing and payment.</p>		

Name and Title:	Catherine Raynor
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Address:			City, State, Zip:	North Las Vegas, NV 89030
Telephone:	<u>Work:</u>	<u>Other (home/cell):</u>	Email:	raynorc@cityofnorthlasvegas.com
Nature of Testimony:	<p>Catherine Raynor is familiar with the processes of the City, the City Council, and the City Manager, for taking official action. She was present at both the September 7, 2016 and September 21, 2016 City Council meetings. On September 8, 2016, Raynor sent Liu an email letting her know that the official motion made at the September 7, 2016 meeting was to draft an amendment to Liu's contract, changing her salary from \$190,000 to \$220,000, presumably with the effective date of September 7, 2016. Raynor advised Liu to check with the City Attorney on whether an amendment needed to be drafted and placed on the September 21, 2016 agenda. Ultimately, an amendment to Liu's contract increasing her pay from \$190,000 to \$220,000 was drafted and placed on the September 21, 2016 agenda. The agenda item showed that the amendment was to become effective on September 7, 2016. At the September 21, 2016 City Council meeting, City Council moved to approve the agenda item as presented. At no point during either the September 7, 2016 meeting or during the September 21, 2016 City Council meeting did City Council vote to make Liu's pay increase retroactive to November 5, 2015.</p>			

Name and Title:	Adam Cohen			
Address:			City, State, Zip:	North Las Vegas, NV 89030
Telephone:	<u>Work:</u>	<u>Other (home/cell):</u>	Email:	cohen@cityofnorthlasvegas.com
Nature of Testimony:	<p>On or about January 9, 2018, during business hours, Liu ordered Cohen not to provide access to her emails and/or electronic files at the request of any staff members, including the City Attorney's office, without public approval by City Council. Cohen questioned Liu on how he was supposed to handle public records requests and requests for information he receives from the Clerk's office and the City Attorney's office going forward, including those requests currently pending. He asked whether he should pass the requests onto Liu before processing them. Liu responded that she would like to be informed of any public records requests unless there was a formal investigation launched concerning her role as City Manager. This is believed to be an attempt on Liu's part to suppress City records ordering the unauthorized retroactive pay increase, because it might tend to affect unfavorably her pecuniary interest in receiving the pay increase. After Liu was placed on administrative leave, she returned her City cell phone to City staff, wiped clean of all public documents, data, and information. This too is believed to be an attempt on Liu's part to suppress City records that might adversely affect her pecuniary interest in both receiving the unauthorized pay increase and a settlement or payout in connection with her separation.</p>			

Name and Title:	Scott Mahoney			
Address:			City, State, Zip:	Las Vegas, NV
Telephone:	<u>Work:</u>	<u>Other (home/cell):</u>	Email:	smahoney@fisherphillips.com
	702-252-3131			

Nature of Testimony:	Mahoney was retained by City Attorney Micaela Moore to investigate whether Liu acted improperly when she ordered staff to increase her salary, retroactive to November 5, 2015. Mahoney interviewed Liu, Palmer, Gipson, Raynor, and Cohen. He also received confirmation from all five City Council members that they were never informed by Liu that she intended to help herself to a retroactive pay increase. He concluded that it was a matter of discretion on the part of the City Council whether to increase Liu's pay beyond the original \$190,000 base salary. He concluded that Liu did not interpret her employment agreement as guaranteeing her annual salary increases. He concluded that there was no documentation from September 2016 suggesting that when the City increased Liu's pay from \$190,000 to \$220,000 that it was intended to be retroactive to November 5, 2015.		
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7. Requesters Information:

Your Name:	Micaela Moore		
Your Address:		City, State, Zip:	North Las Vegas, NV 89030
Your Telephone:	Day: 702-633-1057	Evening: [REDACTED]	Email: moorem@cityofnorthlasvegas.com

* NOTE: Your identity as the Requester and a copy of this Complaint will be provided to the Subject if the Commission accepts jurisdiction of the matter, unless:

Pursuant to Sec. 8 of S.B. 84, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box)

☒ I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence of your employment with the same public body, agency or employer.

OR

☐ I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my household to a bona fide threat of physical force or violence. Describe the facts and circumstances which support a reasonable likelihood of a bona fide threat of physical force or violence.

See Exhibit 32 of supporting documents for evidence of employment with the same public body. (Liu was terminated in March of 2018.)

The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bonafide threat of physical harm.

If the Commission declines to maintain my confidentiality, I wish to:

☐ Withdraw my Complaint, **OR**

☒ Submit the Complaint understanding that the Subject will know my identity as the Requester.

By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that, pursuant to NRS 281A, this Ethics Complaint, the materials submitted in support of the allegations, and the Commissions investigation are confidential unless and until the Commissions Review Panel renders a determination. The Commission's Investigatory File remains confidential.



Signature:

Print Name: Micaela Moore

Date: 12-27-2019

You must submit this form bearing your signature to:

Executive Director
Nevada Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, Nevada 89703
Or through the Commissions website: www.ethics.nv.gov

**COMPLAINT EXHIBITS
OMITTED DUE TO
VOLUME**



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Qiong Liu**, former City Manager,
City of North Las Vegas,
State of Nevada,

Ethics Complaint
Case No. 19-126C

Subject. /

REVIEW PANEL DETERMINATION
NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received this Ethics Complaint ("Complaint") on December 31, 2019, regarding the alleged conduct of Subject Qiong Liu ("Liu"). On February 13, 2020, the Commission instructed the Executive Director to investigate alleged violations of NRS 281A.400(1), (2), (6), (7) and (9), and 281A.420(1) and (3).

Liu is a public officer as defined in NRS 281A.160 and NRS 281A.182, and the Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Liu's conduct as a public officer and have associated implications under the Ethics Law.

On March 16, 2022, a Review Panel ("Panel") consisting of Vice-Chair Brian Duffrin (Presiding Officer) and Commissioner Barbara Gruenewald, Esq.¹ reviewed the following: (1) Ethics Complaint (2) Order on Jurisdiction and Investigation; (3) Liu's Response to the Complaint; and (4) Executive Director's Recommendation to the Review Panel with a Summary of Investigatory Findings.²

The Panel unanimously finds and concludes that the facts establish credible evidence to support a determination that just and sufficient cause exists for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(1), (2), (6), (7) and (9), and 281A.420(1) and (3).

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¹ A vacancy occurred in the Review Panel given the absence of Commissioner Sheets. Pursuant to NAC 281A.177(2), the remaining members of the Review Panel shall continue to serve and act upon matters.

² All materials provided to the Panel, except the Ethics Complaint and the Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

IT IS HEREBY ORDERED:

Based upon the just and sufficient cause determination, the Review Panel refers Ethics Complaint No. 19-126C to the Commission for further proceedings, which may include rendering an opinion on whether Liu violated NRS 281A.400(1), (2), (6), (7) and (9), and 281A.420(1) and (3).

Dated this 21st day of March, 2022.

REVIEW PANEL OF THE NEVADA COMMISSION ON ETHICS

By: /s/ Brian Duffrin
Brian Duffrin
Vice-Chair/Presiding Officer

By: Absent
Damian R. Sheets, Esq.
Commissioner

By: /s/ Barbara Gruenewald
Barbara Gruenewald, Esq.
Commissioner

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via electronic mail addressed as follows:

Ross E. Armstrong, Esq.
Executive Director
Elizabeth J. Bassett, Esq.
Nevada Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, NV 89703

Email: ramstrong@ethics.nv.gov

Email: ebassett@ethics.nv.gov

Qiong Liu
c/o Andrea M. Champion, Esq.
Nicole Lovelock, Esq.
Marta Kurshumova, Esq.
Jones Lovelock
6600 Amelia Earhart Ct. Ste. C
Las Vegas, NV 89119

Email: achampion@joneslovelock.com

Email: nlovelock@joneslovelock.com

Email: mkurshumova@joneslovelock.com

Email: jinton@joneslovelock.com

Dated: 3/21/22



Employee, Nevada Commission on Ethics



STATE OF NEVADA
BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Qiong Liu**, former City Manager, City
of North Las Vegas, State of Nevada,

Ethics Complaint

Case No. 19-126C

Subject. /

**WAIVER OF NOTICE REQUIRED UNDER NRS 241.033(1) TO
CONSIDER CHARACTER, MISCONDUCT, OR COMPETENCE
OF SUBJECT IN ETHICS COMPLAINT PROCEEDINGS**

The Nevada Commission on Ethics ("Commission") may be holding various hearings, meetings, judicial review or appellate proceedings and other proceedings to consider the Subject's character, misconduct or competence as related to the above referenced Consolidated Ethics Complaints (collectively "Proceedings"). If the Proceedings are not exempt from Nevada's Open Meeting Law pursuant to NRS Chapters 241 or 281A, NRS 241.033(1) requires notice be personally served on Subject of the time and place of the meeting at least 5 working days before the meeting or sent by certified mail to the last known address at least 21 working days before the meeting. Subject agrees to comply with all noticed deadlines and scheduled dates for the Proceedings, including those noticed by a posted public agenda, scheduled with the parties, or set forth in a Notice of Hearing and Scheduling Order and other issued Orders, including any amendments thereto.

I, Qiong Liu, understand the statutory notice requirements of NRS 241.033 and hereby knowingly and voluntarily waive my rights thereto associated with any Proceedings. In doing so, I expressly consent to any discussion of my qualifications, competence, and character in the Proceedings. Prior to signing this waiver, I either had the opportunity to discuss this matter with my attorney or have voluntarily determined to proceed on my own accord, thereby waiving the right to consult with an attorney.

Dated this 22nd day of March, 2022.

on behalf of By: Andrea Y. Champion
Qiong Liu



STATE OF NEVADA
BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Qiong Liu**, former City Manager,
City of North Las Vegas,
State of Nevada,

Ethics Complaint
Case No. 19-126C

Subject. /

NOTICE OF HEARING AND SCHEDULING ORDER
NRS 281A.745

and

Notice of Hearings and Meetings to Consider
Your Character, Alleged Misconduct, Professional Competence or Health
(NRS 241.033)

PLEASE TAKE NOTICE, the Nevada Commission on Ethics ("Commission") will hold public meetings to consider matters as set forth in this Scheduling Order to include consideration of the alleged misconduct, professional competence or health of Qiong Liu ("Subject") as it pertains to the Nevada Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law"), which may include the adjudicatory hearing, consideration of motions, stipulations or other matters associated with Ethics Complaint No. 19-126C ("Complaint"). Although portions of Commission hearings are exempt from Nevada's Open Meeting Law ("NOMA") pursuant to NRS 241.016 and NRS Chapter 281A, the Commission makes every effort to open the hearing to the public. An agenda will be posted, and a record of proceedings will be kept by the Commission.

HEARINGS

Hearing on Subject's Motion to Dismiss:¹ The hearing will take place at a location to be determined on **Wednesday, May 18, 2022 at 9:00 a.m.**, or as soon thereafter as the Commission is able to adjudicate the matter, which hearing may include determination of submitted dispositive motions or stipulations.

Hearing on Dispositive Motions or Stipulations: The hearing will take place at a location to be determined on **Wednesday, October 19, 2022 at 9:00 a.m.**, or as soon thereafter as the Commission is able to adjudicate the matter, which hearing may include determination of submitted dispositive motions or stipulations.

Adjudicatory Hearing including consideration of Adjudicatory Motions or Stipulations: The hearing will take place at a location to be determined on **Wednesday, November 16, 2022 at 9:00 a.m.**, or as soon thereafter as the Commission is able to

¹ Subject filed a pre-panel Motion to Dismiss on March 3, 2022. Since the complaint had not yet been referred to the Commission for proceedings, which could include motion practice, Subject agreed to place the motion on hold pending issuance of this Scheduling Order, by which the Commission would establish all associated deadlines.

adjudicate the matter, which may include an adjudicatory hearing wherein witness and evidence is received and determination of any submitted adjudicatory motions, stipulations or other matters associated with the Complaints.

In all presentations before the Commission, the Parties must reference appropriate authority set forth in NRS Chapter 281A, NAC Chapter 281A or Commission opinion precedent, which may be located on the Commission's website at www.ethics.nv.gov or available through other legal research sources. For hearings, the Parties must be prepared to provide oral presentations to the Commission on any motions and stipulations. For the Adjudicatory Hearing, the Parties must be prepared to present opening and closing arguments, witnesses, and evidence in support of their respective cases, within the time limits established by the Chair or Commission.

Subject has the right to be represented by counsel, appear, and participate in all noticed hearings. In accordance with the Scheduling Order, each Party has the right to participate in discovery, request that the Commission issue subpoenas to compel witnesses to testify and/or produce evidence in accordance with applicable statutes and regulations. The requesting Party may be required to demonstrate the relevance of the requested discovery, witnesses' testimony and/or evidence to the matters to be considered by the Commission, and each Party shall be responsible for subpoena service and related costs. Other rights are found in NRS Chapter 281A, NAC Chapter 281A and NRS Chapter 233B. The Commission must support any finding of a violation of the Ethics Law by a preponderance of the evidence.

SCHEDULING ORDER

The Commission has scheduled hearings on the dates noticed above. The Commission's Executive Director and the Subject (hereafter referred to respectively as a "Party" or the "Parties," as applicable) shall comply with the Scheduling Order:

1. APPEARANCES

Pursuant to NAC 281A.452, the Commission directs the Parties and their respective counsel to appear personally at the adjudicatory hearing related to the Complaints and appearances through counsel will be required at all other scheduled hearings, including motions and stipulations. Pursuant to NRS 281A.300, Subject has confirmed through her attorneys, her appearance at the adjudicatory hearing. Further, Subject has executed and returned to the Commission a waiver of the statutory time requirements to conduct the adjudicatory hearing and a waiver of NOMA's personal notice requirements set forth in NRS 241.033.

If Subject is not otherwise excused by the Chair or present when the matters are called, the Commission may consider as true the alleged violations specified in the Review Panel Determination or pursuant to an Offer of Proof submitted by the Executive Director. NAC 281A.452 indicates that when a Subject fails to reply to a notice to appear, the Commission may consider the alleged violations specified in the Review Panel Determination to be true or may proceed to consider the case without the presence of the absent subject and may dispose of the matter on the basis of the evidence before it.

2. DISCOVERY AND RELATED MOTIONS

As permitted by NRS Chapter 281A and NAC Chapter 281A, the Parties may engage in continued investigation of facts and exchange written discovery interrogatories, written requests for production, requests for admission and depositions upon issuance of this notice with a **discovery deadline of Thursday, September 8, 2022**. Such requests shall not be costly or burdensome and depositions may be taken by telephone as agreed by the Parties. Written and deposition discovery need not be filed with the Commission, unless relevant to a discovery dispute to be considered by motion. Established dates for discovery matters including discovery-related motions, responses and replies are set forth in Section 11, the Deadline Schedule.

The Parties shall have a continuing duty to supplement prior discovery responses with additional information that is relevant to the response. All responses to written discovery requests including any dispute or objection to a discovery request by the recipient Party must be in writing and served on the requesting Party not later than 5 business days after receipt of the discovery request.²

The Parties shall make reasonable efforts to resolve any discovery dispute. If the Parties are unable to resolve the dispute, any disagreement regarding discovery issues including depositions of witnesses may be considered through submission of a motion and resolved by the Commission through its Chair or Vice Chair. Any discovery extensions, disputes, or requests for additional discovery, that are not addressed in this Scheduling Order, may be requested by written stipulation, and submitted to Commission Counsel on or before the established discovery deadline.

3. SUBPOENAS

All requests for subpoenas must comply with NRS 281A.300 and NAC 281A.448 and be requested so there is 3 business days for processing and sufficient time to comply with all service requirements of the Nevada Rules of Civil Procedure applicable to service of a subpoena in a civil action, including payment of the costs of service. Any request for issuance of a subpoena shall be made to the Chair, through Commission Counsel, and the Chair will determine whether it is appropriate to issue the requested subpoena. Discovery related subpoenas must be requested and served within the discovery period and allot sufficient time for the responding party or person to complete the requested discovery before the established discovery deadline.

4. STIPULATIONS

If the Parties reach a proposed stipulation resolving all or a portion of the issues set forth in the Complaints, they must submit a joint proposal through Commission Counsel to the Commission on the established deadline for the scheduled hearings or no less than 2 weeks before any public meeting of the Commission at which the parties request the stipulation be considered, which are usually scheduled for the third Wednesday of the given month, in order to be placed on the calendar. See Section 11, Deadline Schedule for specific dates relating to consideration of Stipulations at hearing dates scheduled for this case.

² The business days of the Commission are Monday through Thursday, except for holidays and closures, which closures are as declared by the Governor of the State of Nevada.

5. POST-DISCOVERY MOTIONS

a) Dispositive Motions:

The Parties may submit written dispositive motions, such as a motion for summary judgment, to the Commission for consideration, which motions and related pleadings must be submitted on or before the dates established in Section 11, Deadline Schedule. Even though the Nevada Rules of Civil Procedure are not controlling on administrative proceedings of the Commission unless specifically reference in NRS Chapter 281A or NAC 281A, the Commission, in its discretion, may utilize the requirements of NRCP as guidance in its consideration of the merits of a dispositive motion. Parties shall be prepared to present oral argument on dispositive motions at the hearing established in Section 11 unless the Parties agree to submit the dispositive motions to the Commission for consideration by submission.

b) Adjudicatory Motions:

The Parties may submit *Motions in Limine* or other procedural motions applicable to the adjudicatory hearing (collectively “Adjudicatory Motions”) for consideration of the Chair or Commission. Adjudicatory Motions must include a concise statement of the issue or facts, detail any evidentiary objections to the admissibility of any exhibit identified by the other Party or expected testimony of any witnesses and contain points and authorities supporting the request. Parties should be prepared to present oral argument to the Chair or Commission, as applicable, on the merits of the filed pleadings.

Adjudicatory Motions, responses and replies must be filed on or before the designated date set forth in Section 11, the Deadline Schedule. If no objection is stated as to any exhibit or expected testimony, the Chair/Commission will presume that there is no objection to the admission into evidence of the listed exhibit or expected testimony.

6. PREHEARING STATEMENTS

On or before the date established in the Deadline Schedule set forth in Section 11, below, the Parties shall submit prehearing statements to the Commission in preparation for the adjudicatory hearing. The Prehearing Statements shall be in proper format, limited to 10 pages and must include the following information:

a) Statement of Relevant Facts:

A brief statement of relevant facts, including any admitted or undisputed facts.

b) Claims and Defenses:

A concise statement of the Party’s allegations or defenses and the facts supporting the same. Such allegations, defenses and facts shall be organized by listing each essential element of the allegation or defense and stating the facts in support of each such element as they relate to specific provisions of NRS Chapter 281A.

c) Statement of Issues of Law:

A statement of any issues of law supported by authorities with a brief summary of the relevant rule. The Parties should emphasize any Commission opinions deemed relevant and applicable.

d) Witnesses:

The names of each witness, except impeaching witnesses, the Party expects to call, a clear statement of the expected testimony of each witness and its relevance, and an estimate of the time the Party will require for the testimony of each witness. To the extent possible, provide an estimate of time for cross-examination of the opposing Party's witnesses.

e) Exhibits

A list of the exhibits expected to be identified and introduced at hearing for the purpose of developing the evidentiary record and a concise statement of the relevancy of each exhibit.

f) Stipulations

A concise statement of any stipulations regarding the admissibility of an exhibit or expected testimony of any witness.

g) Motions

A brief summary of any pre-hearing procedural or substantive motions. Except for any procedural or substantive motions that arise during the hearing, all pre-hearing procedural and substantive motions must be submitted in accordance with this scheduling order.

h) Other

Any other appropriate comments, suggestions or information which may assist the Commission in the disposition of the case.

7. EXHIBIT BOOKS

The Parties shall cooperate with each other to determine whether they may submit a joint exhibit book. On or before the deadline set forth in the Deadline Schedule below, the Parties shall submit to the Commission an electronic copy of either a joint or individual exhibit book(s) in PDF format consisting of the exhibits, if any, expected to be identified and introduced as evidence at the hearing. The exhibit book(s) must include an index of the exhibits and be Bates numbered.

8. FORMAT, SUBMISSION AND SERVICE REQUIREMENTS

All documents must be within the designated page limitations as set forth in this scheduling order, unless a written request for additional pages is granted by the Chair based upon good cause. With the exception of exhibits, submitted documents must contain a caption and signature, and be consecutively page-numbered on 8 ½ by 11-inch pleading paper with double-spaced text and using a font no smaller than 12 characters per inch. Unless additional pages are authorized by the Chair for good cause, any motion, response, or reply shall be limited to 10 pages, exclusive of exhibits.

The Parties have stipulated to electronic service of all matters. The Parties shall submit all documents by the designated deadline not later than 5:00 p.m. (the Commission's close of business) electronically in PDF format to tchase@ethics.nv.gov,

with copy to dhayden@ethics.nv.gov. Upon submission, each Party shall serve its documents on the other Party by electronic mail as follows:

<u>EXECUTIVE DIRECTOR:</u>	<u>SUBJECT:</u>
Ross Armstrong, Esq. Executive Director Elizabeth J. Bassett, Esq. Associate Counsel Nevada Commission on Ethics 704 West Nye Lane, Suite 204 Carson City, NV 89703 rarmstrong@ethics.nv.gov ebassett@ethics.nv.gov k.pedroza@ethics.nv.gov	Qiong Liu c/o Andrea M. Champion, Esq. Nichole Lovelock, Esq. Marta Kurshumova, Esq. Jones Lovelock 6600 Amelia Earhart Ct. Ste. C Las Vegas, NV 89119 achampion@joneslovelock.com nlovelock@joneslovelock.com mkurshumova@joneslovelock.com jlinton@joneslovelock.com

A certificate of service shall be included verifying service as required herein.

9. EXTENSIONS, CONTINUANCES AND SCHEDULING MATTERS

The Parties may present to Commission Counsel written stipulations for extensions and continuances of the deadlines and hearing dates set forth in this Scheduling Order, which must be based upon good cause. If a stipulation is not reached between the Parties, all scheduling requests must be presented by motion. No unilateral request for extension or continuance of the scheduled deadlines or hearings will be granted except upon good cause as presented in written motion as may be determined by the Chair or the Commission.

Unless exigent circumstances are presented, the motion must be filed with sufficient time to provide any Party opposing the written motion 2 business days to file a response thereto and the moving Party is provided 2 business days to submit a reply in support of the motion. Extensions or continuances will not be granted except in the case of good cause shown and are not effective without the written consent of the Commission or Chair or Commission Counsel, as applicable. Please direct any scheduling matters including stipulations and motions to Commission Counsel, Tracy L. Chase, Esq., at (775) 687-5469 or via email at tchase@ethics.nv.gov.

10. PREHEARING CONFERENCE

After the receipt of Prehearing Statements, the Commission may set a prehearing conference with the Parties to include representative counsel and the Chair or Vice Chair to be held before the adjudicatory hearing set for this matter. At the prehearing conference, the Chair may request presentations on any outstanding Adjudicatory Motions.

11. DEADLINE SCHEDULE

SCHEDULE FOR DISCOVERY, MOTIONS, HEARINGS AND OTHER MATTERS	SERVE/FILE DEADLINE
File Response to Subject's Motion to Dismiss	April 21, 2022
File Reply in support of Subject's Motion to Dismiss	May 2, 2022
Hearing on Subject's Motion to Dismiss	May 18, 2022
Executive Director's disclosures pursuant to NAC 281A.444(5) and (6)	August 30, 2022
Last day to serve written discovery	September 1, 2022
Discovery Deadline	September 8, 2022
File Discovery-related Motions	September 13, 2022
File response to Discovery-related Motions	September 15, 2022
File reply in support of Discovery-related Motions	September 20, 2022
File Dispositive Motions	September 27, 2022
File response to Dispositive Motions	October 5, 2022
File reply in support of Dispositive Motions and any proposed stipulations	October 10, 2022
Hearing on Dispositive Motions or Stipulation	October 19, 2022
File Prehearing Statements for Adjudicatory Hearing	October 24, 2022
File Adjudicatory Motions	October 26, 2022
File response to Adjudicatory Motions	October 31, 2022
File reply supporting Adjudicatory Motions	November 3, 2022
Submit Exhibit Books and proposed stipulations	November 7, 2022
Pretrial Conference with Chair/Vice-Chair	TBD
Adjudicatory Hearing including Adjudicatory Motions or Stipulations	November 16, 2022

The above synopsis schedule is not inclusive of all scheduling matters. Each party must comply with this Scheduling Order and all applicable provisions of NRS Chapter 281A and NAC Chapter 281A.

DATED: March 24, 2022

/s/ Tracy L. Chase

Tracy L. Chase, Esq.
Commission Counsel

CERTIFICATE OF SERVICE

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **Notice of Hearing and Scheduling Order** via *Email*, personal service through *Reno Carson Messenger Service on the Subject*, and *U.S. Certified Mail* addressed as follows:

Executive Director:

Ross E. Armstrong, Esq.
Executive Director
Elizabeth J. Bassett, Esq.
Associate Counsel
704 W. Nye Lane, Suite 204
Carson City, NV 89703

Email: rarmstrong@ethics.nv.gov

Email: ebassett@ethics.nv.gov

cc: k.pedroza@ethics.nv.gov

Subject:

Qiong Liu
c/o Andrea M. Champion, Esq.
Nicole Lovelock, Esq.
Marta Kurshumova, Esq.
Jones Lovelock
6600 Amelia Earhart Ct. Ste. C
Las Vegas, NV 89119

Email: achampion@joneslovelock.com

Email: nlovelock@joneslovelock.com

Email: mkurshumova@joneslovelock.com

Email: jlinton@joneslovelock.com

DATED: March 24, 2022



Employee of the Nevada Commission on Ethics

BEFORE THE NEVADA COMMISSION ON ETHICS

In re Qiong Liu
Former City Manager
City of North Las Vegas

Case No. 19-126

MOTION TO DISMISS

I. INTRODUCTION

The Nevada Commission on Ethics was created to ensure that decisions of public importance are not influenced by private considerations. The Commission is supposed to be above political mudslinging. To ensure that is the case, ethics complaints submitted to the Commission, and the Commission's investigative process, are confidential by statute. As Mayor John Lee, from the City of North Las Vegas ("CNLV"), previously recognized, "one of the primary reasons for a confidential process is to protect the Nevada Commission on Ethics from being used for purely political gamesmanship."¹

Yet, CNLV's Ethics Complaint regarding Dr. Liu was submitted for that very (improper) purpose. CNLV terminated Dr. Liu in February 2018, claiming that it had "cause" to fire her from her position as City Manager of CNLV. But CNLV's reason for terminating Dr. Liu does not fit within the definition of "cause" in her Employment Agreement. After Dr. Liu threatened to sue CNLV, CNLV decided it needed to create some leverage, some distraction from her claims. CNLV then submitted an Ethics Complaint to this Commission accusing Dr. Liu of seven violations of her ethical duties.

CNLV's Ethics Complaint was not made in good faith. CNLV's recent public campaign to besmirch Dr. Liu in the press makes that clear. CNLV has continuously and intentionally provided public comments and leaked confidential information about the Commission's investigation to the press in order to cast aspersions on Dr. Liu and to create the false impression that the Commission has already concluded that Dr. Liu was properly terminated. In fact, the Commission is not investigating any such thing. Because CNLV's Ethics Complaint has all the hallmarks of a political stunt, it should be dismissed.

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¹ Bethany Barnes, *2 Ethics Complaints Challenge North Las Vegas Mayor Lee's Leadership*, LAS VEGAS REVIEW J. (May 2, 2015, 10:24 p.m.), <https://www.reviewjournal.com/news/2-ethics-complaints-challenge-north-las-vegas-mayor-lees-leadership/>, attached hereto as Exhibit 1.

II. RELEVANT FACTS

A. CNLV Submitted the Ethics Complaint in Retaliation for Dr. Liu's Claims for Wrongful Termination.

Dr. Liu was terminated from her position as City Manager of CNLV in February 2018, in contradiction to the clear language of her Employment Agreement. Dr. Liu, through her counsel, subsequently informed CNLV that she intended to pursue multiple claims against CNLV, Mayor John Lee, and Ryann Juden for her abrupt, public, and wrongful termination. On November 27, 2019, in direct response thereto, CNLV submitted an Ethics Complaint regarding Dr. Liu to the Nevada Commission of Ethics. In doing so, CNLV requested that the Nevada Commission on Ethics find that Dr. Liu violated multiple subsections of NRS 281A.400 and NRS 291A.420. Micaela Moore, the City Attorney for CNLV, submitted the Ethics Complaint on CNLV's behalf. In submitting the Ethics Complaint, she made the following acknowledgement on behalf of CNLV:

I acknowledge that this Ethics Complaint, the materials submitted in support of the allegations, and the Commission's Investigation are confidential unless and until the Commission's Review Panel renders a determination.

See Ethics Complaint submitted by CNLV, without exhibits, attached hereto as Exhibit 2, at pg. 4.

B. CNLV Intentionally Violated NRS 281A.685 to Sway Public Opinion Against Dr. Liu.

CNLV knew well before submitting the Ethics Complaint regarding Dr. Liu that Ethics Complaints, all information, communications, records, and documents related to Ethics Complaints are confidential by statute. Indeed, in 2015, when two Ethics Complaints were then-pending against CNLV's Mayor, John Lee, the Las Vegas Review-Journal spoke to Mayor Lee who "noted that ethics complaints under consideration by the Ethics Commission are not public documents under state law." See Ex. 1. Mayor Lee went on to publicly comment: "As I'm sure you understand, *one of the primary reasons for a confidential process is to protect the Nevada Commission on Ethics from being used for purely political gamesmanship. I certainly will not waive state laws to assist in what has all the hallmarks of a political stunt.*" *Id.*

Yet, now that litigation is ongoing between CNLV and Dr. Liu, CNLV has decided to intentionally disregard the mandates of NRS 281A.685 and Ms. Moore's prior acknowledgment in order to use the Ethics Complaint as a sword against Dr. Liu in the press and in a blatant attempt to sway public opinion.

On January 27, 2022, Dr. Liu formally filed a wrongful termination lawsuit against CNLV before the Eighth Judicial District Court of Nevada. Four days later, on January 31, 2022, the Las Vegas Review Journal published an article regarding Dr. Liu's lawsuit. In that article, Delen Goldberg, CNLV's current Assistant City Manager, was quoted as telling the Review Journal that "several city employees have been interviewed in connection with the ethics investigation and evidence was retrieved from city hall" and that "the Nevada ethics commission [sic] found cause

and is investigating Dr. Liu for seven violations of state law.”² Sabrina Schnur, *Former North Las Vegas City Manager Files 3rd Suit Against City*, LAS VEGAS REVIEW JOURNAL (Jan. 31, 2022, 11:55 a.m.), <https://www.reviewjournal.com/local/north-las-vegas/former-north-las-vegas-city-manager-files-3rd-suit-against-city-2521881/>, attached hereto as Exhibit 3.

On February 6, 2022, the Las Vegas Sun published an article addressing the recent lawsuit. In that article, the Sun detailed, *and directly quoted from*, the allegations in the Ethics Complaint. See Hillary Davis, *Ex-city manager’s direction on disputed salary hike was to ‘process it quickly,’* LAS VEGAS SUN (Feb. 6, 2022, 2:00 a.m.), <https://lasvegassun.com/news/2022/feb/06/ex-city-managers-direction-on-disputed-salary-hike/>, attached hereto as Exhibit 4. According to the Las Vegas Sun, CNLV recognized that ethics complaints are typically confidential until they are decided “*but the city [CNLV] provided the complaint to the Sun in response to a public records request.*” (emphasis added).³

III. LEGAL ARGUMENT

A. The Ethics Complaint and Information About the Commission’s Investigation is Statutorily Protected.

It is undisputed that Ethics Complaints and information about the status of, or record of the proceedings of the investigation and investigatory panel (if any) are confidential and not public records until the investigatory panel determines whether there is just and sufficient cause to render an opinion in the matter and serves a written notice or the subject of the complaint authorizes the Commission, in writing, to waive confidentiality and make the information public. NRS 281A.685 governs confidentiality of ethics complaints and related materials. It specifically provides:

Except as otherwise provided in this section, the following materials are confidential and are not public records pursuant to chapter 239 of NRS:

...

(d) Any information, communications, records, documents or other materials in the possession of the requester of the advisory opinion that are related to the request and, if disclosed by the requester, would reveal the existence, nature, or content of the request or the advisory opinion.⁴

² Not only did CNLV’s comment violate the mandates of NRS 281A.685, as addressed below, but it is also untrue. The Nevada Commission on Ethics has never informed Dr. Liu that there was a finding of just and sufficient cause for the Commission to render an opinion in order to present a written recommendation to a review panel, as defined in NRS 281A.720. As far as the undersigned counsel and Dr. Liu are aware, the investigation is ongoing, and no determination has been made.

³ Unlike CNLV, Dr. Liu’s counsel refused to comment on the ethics investigation, citing the statutes governing confidentiality of pending ethics complaints. See *id.*

⁴ NRS 281A.750 contains a similar confidentiality provision, confirming that “all information, communications, records, documents or other materials in the possession of the Commission, the review panel or their staff that are related to an ethics complaint are confidential and are not public records until” either (a) the review panel determines there is just and sufficient cause for the Commission to render an opinion *and the Commission serves written notice of its determination on the subject of the ethics complaint* or (b) the public officer or employee who is the subject of the ethics complaint authorizes the Commission, in writing, to make the information, communications, records, documents, and other materials related to the ethics complaint publicly available.

NRS 281A.685(1)(d). Here, CNLV is the “requester of the advisory opinion” because CNLV filed the Ethics Complaint regarding Dr. Liu. *See* NRS 281A.088 (defining “Ethics Complaint” as “a request for an opinion which is filed with the Commission . . .”). Thus, CNLV has a statutory obligation (in addition the obligation acknowledged by Ms. Moore in the clear language of the Ethics Complaint) to maintain the Ethics Complaint, the materials submitted in support of the allegations, and information about the Ethics Commission’s investigation as confidential until and unless the Commission’s Review Panel renders a determination.

To date, the Commission’s Review Panel has not issued a determination. As a result, CNLV has, and continues to have, a legal obligation created by statute, to maintain the confidentiality of the Nevada Commission on Ethics’ investigation and the related Ethics Complaint. CNLV has consciously, intentionally, and repeatedly disregarded that obligation in a blatant attempt to smear Dr. Liu’s name in the press and to distract from other, ongoing litigation between Dr. Liu and CNLV.

B. CNLV Knowingly Violated NRS 281A.685 by Disclosing the Ethics Complaint and Disclosing Information About the Investigation to the Press.

When CNLV gave statements to the Las Vegas Review Journal, it not only disclosed that an investigation was pending, but told the Las Vegas Review Journal that multiple CNLV employees had been interviewed (a fact Dr. Liu was unaware of)⁵ and that “the Nevada ethics commission [sic] found cause” against Dr. Liu and was investigating seven violations of state law (a statement that is simply untrue). *See* Ex. 3. Apparently, that was not enough for CNLV because just weeks later, when the Las Vegas Sun reached out to CNLV, CNLV decided to hand over the Ethics Complaint and all of the materials submitted in support of the allegations. *See* Ex.4. In doing so, CNLV specifically recognized that ethics complaints are typically confidential until they are decided “*but the city [CNLV] provided the complaint to the Sun in response to a public records request.*” *Id.* (emphasis added).

CNLV cannot hide behind Nevada’s Public Records Act to justify its intentional and blatant violations of NRS 281A.685.⁶ CNLV, as a governmental entity, routinely receives and responds to public records requests is well aware of the limitations of Nevada’s Public Records Act, codified at NRS Chapter 239. NRS 239.010 requires that all public books and records of a

The Ethics Commission’s most recent Ethics in Government Manual, from July 2014, is in accord. Under the section entitled “Third-Party Opinions” discussing requests from third-parties, like CNLV, the Manual echoes the confidentiality language found in NRS 281A.750.

⁵ In fact, when the Nevada Commission on Ethics investigator initially interviewed Dr. Liu, the undersigned counsel asked the investigator if other interviews had been conducted merely to determine the stage of the investigation. The investigator specifically invoked the confidentiality provisions in NRS 281A to say that even the existence (or non-existence) of other interviews could not be disclosed and was confidential. The investigator has not completed his interview of Dr. Liu.

⁶ It also bears noting that Dr. Liu, as the subject of the Ethics Complaint, has not authorized the Commission (or CNLV) to make the information, communications, records, documents, and other materials related to the ethics complaint publicly available.

governmental entity (like CNLV) must be open for inspection unless declared otherwise by law to be confidential. NRS 281A.685 and NRS 281A.750 are two of the explicit exceptions to public records available for inspection in NRS 239.010(1). Moreover, NRS 281A.685 begins by stating: “the following materials are confidential and *are not public records pursuant to chapter 239 of NRS . . .*”⁷ (emphasis added). In other words, Nevada’s statutory scheme expressly provides that records related to an ethics complaint are not public records under Nevada’s Public Records Act.

CNLV was not only legally precluded from handing over the Ethics Complaint, the materials submitted in support of the Ethics Complaint, and from making public statements about the status of the Ethics Commission, but CNLV also knew there was a proper process to log that information and documents if a public records request was in fact made.⁸ NRS 239.0107(1)(d) provides a mechanism for governmental entities that need to withhold documents and information from public disclosure. In Nevada, that is done through a privilege log. *See Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 882-83, 266 P.3d 623, 629 (2011); *Las Vegas Review-Journal v. City of Henderson*, 2019 WL 2252868, 441 P.3d 546 (Nev. 2019) (“In *Gibbons*, we held that a privilege log is usually how the governmental entity makes a showing that records should not be disclosed because they are confidential.”), *remanded on other grounds by Las Vegas Review-Journal v. City of Henderson*, 137 Nev. Adv. Rep. 81, 500 P.3d 1271 (2021); *See also, City of Henderson v. Las Vegas Review-Journal*, 450 P.3d 387 (Nev. 2019) (“We affirmed the district court's order as to records identified in the City's privilege log as confidential and protected by attorney-client privilege and work-product privilege.”); *See generally, Clark Cty. Sch. Dist. v. Las Vegas Review-Journal*, 134 Nev. 700, 429 P.3d 313 (2018). The only appropriate thing for CNLV to do, when asked for comment on the Ethics Complaint, the related investigation, or for a copy of the Ethics Complaint and its supporting materials, was to provide a privilege log in response to the media’s request.

C. The Ethical Complaint Should be Dismissed.

In the words of Mayor Lee, CNLV has utilized its Ethics Complaint for “political gamesmanship” and the filing of the Ethics Complaint as a distraction tool for the separate, ongoing litigation between Dr. Liu and CNLV has “all the hallmarks of a political stunt.” There must be some remedy for CNLV’s clear and intentional violations of the confidentiality statutes. If not, CNLV will continue to exploit the Ethics Complaint and the Ethics Commission’s ongoing investigation in the media in a concerted effort to influence the investigation of the Ethics Complaint and to sway potential jurors. Thus, while NRS Chapter 281A does not prescribe a specific remedy for CNLV’s clear and intentional violation, Dr. Liu respectfully submits that the only appropriate remedy for CNLV’s multiple, intentional violations is to dismiss the Ethics

⁷ NRS 281A.750 contains similar language. NRS 281A.750(1) (“Except as otherwise provided in this section and NRS 281A.755, all information, communications, records, documents or other materials in the possession of the Commission, the review panel or their staff that are related to an ethics complaint are confidential and are not public records pursuant to chapter 239 of NRS until”)

⁸ The undersigned counsel has serious doubts about whether the Las Vegas Sun actually made a public records request to CNLV or, at least, whether such a public records request was made prior to the Las Vegas Sun reaching out to the undersigned counsel for comment. When the undersigned counsel refused to comment on the pending Ethics Complaint and cited NRS Chapter 281A to the Las Vegas Sun reporter, the reporter for the Las Vegas Sun seemed confused about the fact that the law protects ethics complaints and information about the Commission’s investigation.

Complaint. To do less would be to censure CNLV's conduct and to encourage the filing of unmeritorious third-party ethics complaints, made solely for the purpose of gamesmanship tactics.

IV. CONCLUSION

For the foregoing reasons, Dr. Liu respectfully requests that CNLV's pending Ethics Complaint be dismissed in its entirety.

DATED this 22nd day of February, 2022.

JONES LOVELOCK

By: /s/ Andrea M. Champion, Esq.
Andrea M. Champion, Esq. (13461)
Marta Kurshumova, Esq. (14728)
6600 Amelia Earhart Ct., Suite C
Las Vegas, Nevada 89119

Attorneys for Plaintiff Qiong Liu

EXHIBIT “1”

EXHIBIT “1”

2 ethics complaints challenge North Las Vegas Mayor Lee's leadership



North Las Vegas Mayor John Lee delivers his State of the City address Tuesday, Jan. 27, 2015, at Texas Station. (Sam Morris/Las Vegas Review-Journal)

By BETHANY BARNES © 2015, LAS VEGAS REVIEW-JOURNAL

May 2, 2015 - 10:24 pm

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North Las Vegas Mayor John Lee made good on his promise to change his city — it's whether his leadership has the city on the road to reform or the fast track to failure that people can't agree on. And it's the question central to ethics complaints filed by two longtime city employees.

The complaints describe the mayor's tenure in office, which began in July 2013, as a reign of terror where favoritism is rampant and employees are threatened and humiliated until they either fall in line or are fired.

It's a markedly different story than the message City Hall has been championing: That the city is turning around and employees are smiling again.

During Lee's time as mayor, the city reported it cut its long-term budget deficit from \$152 million to \$78 million. The city also laid off several directors, something Lee has said he did not have much of a role in.

The complaints were filed by two employees in human resources, a department the city has been debating outsourcing. Bachera Washington and Tammy Bonner have been through multiple administrations in North Las Vegas. Bonner has been with the city 13 years, Washington 20.

Lee is using his chief of staff, Ryann Juden, as an enforcer and a means for acting outside the scope of his office, the complaints allege.

A chief of staff position is typically seen in big cities that operate under what's known as a strong mayor system. North Las Vegas runs on a city manager-council style of governance, meaning the city manager — not the mayor — has the executive role and serves at the pleasure of the council.

The structure is often compared to how a CEO answers to a board of directors.

The mayor's actions get to the heart of why the city designed its rules to leave elected officials out of personnel matters, which is to "prevent the sort of political, religious, and racial nepotism which is being engaged in at the City of North Las Vegas," the complaint says.

At the mayor's request, the city created a \$125,000 position especially for Juden, Lee's former campaign manager, according to the complaints.

After Lee took office, Juden roamed City Hall for two months with unlimited access even though he had not undergone the city's standard background check or even been hired, according to the complaint.

Then City Manager Tim Hacker refused to take orders from Juden, the complaint says. Hacker resigned in September 2013 and Juden officially joined the staff the next day.

As Juden's job was new and not part of the budget, there was debate over what to call the role and what duties to assign to it. Juden summed up his job to Washington as the "Mayor's Bitch," according to the complaints.

In an email to the former human resources director describing his duties, he gave himself the title of "Government Relations/Chief of Staff/Supreme Chancellor of the Universe," adding, "and then I can do my business card like the credits on Star Wars!!," the complaints say.

The Review-Journal on Wednesday asked for a meeting with Lee to talk about the complaints and sent him a summary of the allegations. Lee sent an email Thursday evening saying he was unable to respond, writing that he couldn't comment on the complaints without seeing a copy of them.

He noted that ethics complaints under consideration by the Ethics Commission are not public documents under state law.

"At this time, I have not received anything from the State indicating that a complaint has been filed or that any allegations have been made," Lee said. "As I'm sure you understand, one of the primary reasons for a confidential process is to protect the Nevada Commission on Ethics from being used for purely political gamesmanship. I certainly will not waive state laws to assist in what has all the hallmarks of a political stunt."

ALLEGED ABUSES

Bonner and Washington's complaints detail a litany of alleged abuses carried out by Lee and Juden: intimidation of city employees, the hiring of top officials who have skirted traditional hiring practices because of personal relationships, and a warpath to ruin one city judge while bullying the city's other judge.

The mayor's alleged malfeasance with employees outlined in the complaints includes attempting to move an employee from her department, seemingly without reason. During the

ordeal, Lee asked the employee if she was married and had kids, adding, “there are other ‘pretty’ people who can do her job,” according to the complaints.

Lee then asked if she was on his team, according to the complaints. It’s a phrase employees say is wielded as a weapon in City Hall. The implication, according to the complaints: You’re either on the team or off the team. Another variation is you’re either at the table or on the menu.

In another incident, Lee, who is Mormon, told an employee he was too old to be working and asked why he wasn’t a practicing member of The Church of Jesus Christ of Latter-day Saints, according to the complaints. The mayor’s religion is brought up throughout the complaints, which include a list of nine names of people the mayor’s office had hired and who are members of the Mormon Church.

The complaints also lend credence to what embattled Municipal Judge Catherine Ramsey has been contending: The recall effort against her is a political hit job.

According to the complaints, Juden bragged about scripting a City Council meeting where the mayor called Ramsey’s alleged excessive absences “immoral.” The mayor’s statement has been brought up repeatedly by the recall effort against the judge and was used in the recall’s press release. Ramsey has contended that the city’s count of her days off is false and that the city is behind the effort to have her ousted. The city had denied being behind the recall.

According to the complaint, Juden and Lee had a meeting with Ramsey where Juden told her he could “make a pamphlet of half-truths and those stupid low-income citizens wouldn’t know what to believe.”

As for the other Municipal Court judge, the complaint says Lee told Judge Sean Hoeffgen, “I made sure no one ran against you so now you owe me.”

It also alleges that Lee told the judge to fire the city’s court administrator, telling him he knew someone to replace her. The court administrator has not been fired.

The relationship between the city and its courts has been rocky lately. The two judges have united to raise concerns about separation of powers, a tradition in American government of keeping the executive branch — in this case City Hall — and the judicial branch — in this case the Municipal Court — separate.

Emails obtained by the Review-Journal echo the tension between the court and City Hall. In one email, Hoeffgen told his court administrator the mayor called him and was very upset and accused the court of stalling on hiring new bailiffs. According to the email, this wasn't the first time the mayor felt the court wasn't moving fast enough.

In another email, the city manager emailed the mayor's chief of staff about court administrator Cindy Marshall: "Looks like you were right about Cindy. My patience is really running out with her and the Judges :("

MORE DETAILS

The ethics complaints came not long after Lee and Juden made an unsuccessful push to gain more power for the city. Lee and Juden lobbied the Legislature in February for the ability to rewrite the rules that govern North Las Vegas through a majority City Council vote.

In addition to asking the state Ethics Commission to investigate the mayor and his chief of staff, the complaints also ask the commission to investigate the city attorney and the city manager for letting the mayor abuse his office. The complaint argues City Manager Qiong Liu is beholden to Lee and Juden after brokering an unprecedented severance deal where she gets \$170,000 if she leaves.

This isn't the first time Washington and Bonner have taken on the city. The pair settled a discrimination lawsuit last year and their attorney has said North Las Vegas is retaliating by looking at outsourcing their department. The city has said the evaluation of its human resources department has nothing to do with Bonner's and Washington's settlements.

The state Ethics Commission renders opinions on public officers and employees who are believed to have violated the Nevada ethics in government law. Complaints are required to include credible evidence, for which the threshold is low, and are vetted before the

commission launches an investigation, according to Ethics Commission Executive Director Yvonne Nevarez-Goodson.

The North Las Vegas complaints offer evidence such as city emails and memos, a long witness list and lawsuit testimony.

If the commission decides there is enough evidence to warrant an investigation, the subject of the complaint is notified and given a chance to appeal. After the investigation, two members of the panel meet to determine if the case should go to the full commission. The complaint becomes public if it goes to the full commission. The full commission, which is made up of eight members who are appointed by the governor and the Legislative Commission, then holds a hearing and decides if the law has been willfully violated.

The commission has the power to impose penalties: \$5,000 for one willful violation, \$10,000 for two and \$25,000 for three.

The commission is bound by law to move for the removal of the public official or employee for three or more willful violations.

Contact Bethany Barnes at bbarnes@reviewjournal.com or 702-477-3861. Find her on Twitter: [@betsbarnes](https://twitter.com/betsbarnes)

EXHIBIT “2”

EXHIBIT “2”



NEVADA COMMISSION ON ETHICS

ETHICS COMPLAINT

Sec. 3.6 to 13, inclusive, of S.B. 84 (2017)

1. Provide the following information for the public officer or employee you allege violated the Nevada Ethics in Government Law, NRS Chapter 281A. (If you allege that more than one public officer or employee has violated the law, use a separate form for each individual.)

NAME: <small>(Last, First)</small>	Liu, Qiong		TITLE OF PUBLIC OFFICE: <small>(Position)</small>	City Manager
PUBLIC ENTITY: <small>(Name of the entity employing this position)</small>	City of North Las Vegas			
ADDRESS:	[REDACTED]		CITY, STATE, ZIP CODE	[REDACTED]
TELEPHONE:	Work: NA	Other: (Home, cell) [REDACTED]	E-MAIL:	[REDACTED]

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 281A. (Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)

Check here ☒ if additional pages are attached.

See attached pages.

3. Is the alleged conduct the subject of any action or matter currently pending before another administrative or judicial body? If yes, describe:

The City and Liu have agreed to submit any breach of contract claims she may have under her employment agreement to arbitration. No hearing date has been scheduled.

4. NRS Chapter 281A requires public officers and employees to hold public office as a public trust and avoid conflicts between public duties and private interests. (NRS 281A.020) What provisions of NRS Chapter 281A are relevant to the conduct alleged? Please check all that apply.

	Statute	Statutory Summary:
<input checked="" type="checkbox"/>	NRS 281A.400(1)	Seeking or accepting any gift, service, favor, employment, engagement, emolument or economic opportunity for himself or person to whom he has a commitment in a private capacity which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
<input checked="" type="checkbox"/>	NRS 281A.400(2)	Using his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any business entity in which he has a significant pecuniary interest, or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/>	NRS 281A.400(3)	Participating as an agent of government in the negotiation or execution of a contract between the government and himself, and any business entity in which he has a significant pecuniary interest or any person to whom he has a commitment in a private capacity.
<input type="checkbox"/>	NRS 281A.400(4)	Accepting any salary, retainer, augmentation, expense allowance or other compensation from any private source for himself or any person to whom he has a commitment in a private capacity for the performance of his duties as a public officer or employee.
<input type="checkbox"/>	NRS 281A.400(5)	Acquiring, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, and using the information to further the pecuniary interests of himself or any other person or business entity.
<input checked="" type="checkbox"/>	NRS 281A.400(6)	Suppressing any governmental report or other document because it might tend to affect unfavorably his pecuniary interests, or any person to whom he has a commitment in a private capacity.
<input checked="" type="checkbox"/>	NRS 281A.400(7)	Using governmental time, property, equipment or other facility to benefit his significant personal or financial interest, or any person to whom he has a commitment in a private capacity. (Some exceptions apply).
<input type="checkbox"/>	NRS 281A.400(8)	A State Legislator using governmental time, property, equipment or other facility for a nongovernmental purpose or for the private benefit of himself or any other person, or requiring or authorizing a legislative employee, while on duty, to perform personal services or assist in a private activity. (Some exceptions apply).
<input checked="" type="checkbox"/>	NRS 281A.400(9)	Attempting to benefit his personal or financial interest or any person to whom he has a commitment in a private capacity through the influence of a subordinate.
<input type="checkbox"/>	NRS 281A.400(10)	Seeking other employment or contracts for himself or any person to whom he has a commitment in a private capacity through the use of his official position.
<input type="checkbox"/>	NRS 281A.410	Representing or counseling a private person for compensation on an issue pending before a public agency while employed, or within 1 year after leaving the service of a public agency, including before any state agency of the Executive or Legislative Department. (State and local legislators and part-time public officers and employees may represent/counsel private persons before agencies they do not serve, except local legislators may not represent/counsel private persons before other local agencies within the same county.)
<input checked="" type="checkbox"/>	NRS 281A.420(1)	Failing to sufficiently disclose his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person that is reasonably affected by an official matter.
<input checked="" type="checkbox"/>	NRS 281A.420(3)	Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.
<input type="checkbox"/>	NRS 281A.430	Negotiating, bidding on or entering into a government contract in which he has a significant pecuniary interest. (some exceptions apply).
<input type="checkbox"/>	NRS 281A.500	Failing to file or timely file a Nevada Acknowledgement of Ethical Standards for Public Officers form.
<input type="checkbox"/>	NRS 281A.510	Accepting or receiving an improper honorarium.
<input type="checkbox"/>	NRS 281A.520	Requesting or otherwise causing a governmental entity to incur an expense or make an expenditure to support or oppose a ballot question or candidate during the relevant timeframe.
<input type="checkbox"/>	NRS 281A.550	Negotiating or accepting employment from a business or industry regulated by or contracted with former public agency within one year after leaving the service of the agency. (Failing to honor the applicable "cooling off" period after leaving public service).

*Pursuant to NRS 281A.065, a public officer or employee has a commitment in a private capacity to the following persons:

1. Spouse; domestic partner
2. Household member
3. Family member within 3rd degree of consanguinity
4. Employer or spouse's/domestic partner's employer
5. Substantial and continuing business relationship, i.e. partner or associate
6. Substantially similar relationships

5. YOU MUST SUBMIT EVIDENCE TO SUPPORT YOUR ALLEGATIONS.

Attach all documents or items you believe support your allegations. NAC 281A.400(6) defines "evidence which supports the allegation" as "any reliable and competent form of proof provided by witnesses, public and private records, audio or visual recordings, documents, exhibits, concrete objects, and such forms of proof that support a reasonable belief in the truth of the allegation." A newspaper article or other media report will not support your allegations if it is offered by itself, but may be included with evidence that corroborates the article or report.

State the total number of additional pages attached (including evidence) 237

6. Witnesses: Identify all persons who have knowledge of the facts and circumstances you have described, as well as the nature of the testimony the person will provide. Check here X if additional pages are attached.

NAME and TITLE: (Person #1)	Cass Palmer, Parks Director (former HR Director), City of North Las Vegas		
ADDRESS:	2250 Las Vegas Blvd North	CITY, STATE, ZIP	Las Vegas, NV 89030
TELEPHONE:	Work: (702) 633-1172 Other: (Home, cell) [REDACTED]	E-MAIL:	palmerc@cityofnorthlasvegas.com
NATURE OF TESTIMONY:	<p>On January 4, 2018, during City business hours, Liu ordered Palmer, Liu's subordinate employee and HR Director at the time, to process a wage increase for her, from \$190,000 to \$220,000, retroactive to November 5, 2015. Liu gave the directive orally and in writing, using the City's computers, servers, and email system. Palmer examined Liu's contract and amendment and determined that the pay increase was not authorized by City Council. Palmer shared his concerns with Liu and told her that the Mayor did not share her view that she was entitled to retroactive pay. Palmer asked Liu under whose authority she was acting. Liu said she was acting on her own authority. Liu admitted to Palmer that no one had ever told her that the pay increase she received in September of 2016 (from \$190,000 to \$220,000) would be retroactive 10 months to November 2015. Palmer told Liu that City Council had to authorize it. Liu then became irate and aggressive, and reiterated that she had the authority to order it. Liu ordered Palmer to pay it, and to do it quickly. Palmer felt he would be fired if he did not comply. Palmer did not ultimately process the payment on behalf of Liu.</p>		
NAME and TITLE: (Person #2)	Qiong Liu		
ADDRESS:	[REDACTED]	CITY, STATE, ZIP	[REDACTED]
TELEPHONE:	Work: NA Other: (Home, cell) [REDACTED]	E-MAIL:	[REDACTED]
NATURE OF TESTIMONY:	<p>On or about January 4, 2018, during business hours, Liu ordered her assistant, Rebecca Gipson ("Gipson"), to prepare and transmit a personnel order to Human Resources, ordering that Liu receive a pay increase from \$190,000 to \$220,000, retroactive to November 5, 2015. This would result in a lump sum deposit into Liu's personal bank account of approximately \$25,000. It would also result in a lifetime increase to her monthly retirement payout through PERS. Liu ordered Gipson to send the personnel order to Human Resources, along with a memorandum (the "Memo") that made it look like Liu had disclosed the decision to pay the retroactive pay increase to City Council, when in fact she had not. Liu failed to disclose the retroactive pay adjustment to City Council, even though her 2017 performance review was publicly noticed on the January 3, 2018 and January 17, 2018 City Council agendas. In connection with those items, Liu lobbied City Council for a 2017 pay increase, but at no time did she disclose that she believed her 2016 pay increase should be retroactive to 2015, or that she planned to order staff to pay her a retroactive lump sum. Liu also failed to abstain from acting herself on the issue of the retroactive pay adjustment. She never disclosed or requested review or assistance from the City Attorney or any other member of the City's executive team regarding the retroactive pay. The only people who knew about the retroactive pay increase were Liu and her subordinates. another member of the City's executive team regarding the retroactive pay. The only people who knew about the retroactive pay increase were Liu and her subordinates. When Palmer questioned Liu about whether City Council authorized the increase, Liu said she did not need their authority and ordered him to pay it. When Palmer resisted, she became irate and aggressive in her tone and ordered him to pay it. It was clear to Palmer from Liu's tone that if he did not pay it, he would be fired. On January 9, 2018, Liu directed IT Manager Adam Cohen not to permit access to her emails or electronic files to any staff members, including the City Attorney's office, without public City Council approval. Some time after she left the City on January 10, 2018, Liu wiped her work phone clean of all official information. Both acts are believed to be an attempt on Liu's part to suppress City records ordering the unauthorized retroactive pay increase, because it might tend to effect unfavorably her pecuniary interest in receiving the pay increase. Despite Liu's efforts to cover her tracks, the personnel order and fictitious memo were both discovered on or about January 24, 2018. On January 30, 2018, Liu was interviewed by a third-party investigator about the matter. Liu admitted ordering the retroactive raise for herself and claimed that she believed she was owed the retroactive pay after she voluntarily deferred her 2015 review. However, Liu admitted that no council action took place authorizing or intimating that she was entitled to receive a retroactive pay raise effective November 5, 2015. Rather, on September 7, 2016 (and again on September 21, 2016), City Council voted to increase Liu's pay from \$190,000 to \$220,000, effective September 7, 2016. Liu admitted issuing a personnel order on September 7, 2016, consistent with council's official action, making her pay increase effective at the beginning of the pay period that includes September 7, 2016 (September 3, 2016). Appointed employees were not entitled to merit increases in 2016, by order of Liu herself. When asked why she waited until January 4, 2018 to change the effective date of the 2016 pay raise, and why she did not just wait until the January 17, 2018 council meeting to discuss the matter with City Council, Liu said that that she feared that her position was in jeopardy, and that if she waited, it would be too late to get the retroactive payment. Liu also admitted that she asked Gipson to transmit the Memo to HR, but that she never asked Gipson to send it to council and never got around to sending it to City Council herself.</p>		

7. REQUESTER INFORMATION:

YOUR NAME:	Micaela Moore, City Attorney, City of North Las Vegas		
YOUR ADDRESS:	2250 Las Vegas Blvd. North, Suite 801	CITY, STATE, ZIP:	North Las Vegas, NV 89030
YOUR TELEPHONE:	Day: 702-633-1057	Evening: [REDACTED]	E-MAIL: moorem@cityofnorthlasvegas.com

NOTE: Your identity as the Requester and a copy of this Complaint will be provided to the Subject if the Commission accepts jurisdiction of the matter, unless:

Pursuant to Sec. 8 of S.B. 84, I request that my identity as the requester of this Ethics Complaint remain confidential because (please check appropriate box):

☒ I am a public officer or employee who works for the same public body, agency or employer as the subject of this Ethics Complaint. Provide evidence of your employment with the same public body, agency or employer.

OR

☐ I can show a reasonable likelihood that disclosure of my identity will subject me or a member of my household to a bona fide threat of physical force or violence. Please describe the facts and circumstances which support a reasonable likelihood of a bona fide threat of physical force or violence below.

The Commission may decline to maintain the confidentiality of your identity as the Requester for lack of sufficient evidence of your employment status with the same public body, agency or employer, or proof of a bonafide threat of physical harm.

If the Commission declines to maintain my confidentiality, I wish to:

☐ Withdraw my Complaint OR

☒ Submit the Complaint understanding that the Subject will know my identity as the Requester.

By my signature below, I affirm that the facts set forth in this document and all of its attachments are true and correct to the best of my knowledge and belief. I am willing to provide sworn testimony regarding these allegations. I acknowledge that this Ethics Complaint, the materials submitted in support of the allegations, and the Commission's investigation are confidential unless and until the Commission's Review Panel renders a determination. The Commission's Investigatory File remains confidential pursuant to Sec. 9 of S.B. 84.

Micaela Moore Digitally signed by Micaela Moore
Date: 2019.12.27 15:51:34 -08'00'

December 27, 2019

Signature:

Date:

Micaela Moore

Print Name:

You must submit this form bearing your signature to:

Executive Director
Nevada Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, Nevada 89703

Or through the Commission's website: www.ethics.nv.gov

NEVADA COMMISSION ON ETHICS
ETHICS COMPLAINT

Regarding Qiong Liu, former City Manager, City of North Las Vegas

ADDITIONAL PAGES

2. Describe in specific detail the public officer's or employee's conduct that you allege violated NRS Chapter 281A. *(Include specific facts and circumstances to support your allegation: times, places, and the name and position of each person involved.)* (Continued from Page 1):

A. INTRODUCTION

On January 4, 2018, City of North Las Vegas City Manager Qiong Liu (hereinafter "Liu") issued a written personnel order and directed staff to effectuate an unauthorized pay increase for herself, from \$190,000 to \$220,000 annually, retroactive to November 5, 2015. When City of North Las Vegas Human Resources Director Cass Palmer (hereinafter "Palmer") raised concerns about whether Liu had City of North Las Vegas City Council (hereinafter the "City Council") authority to order the pay increase for herself, Liu raised her voice and, in a threatening tone, directed Palmer to process the payment, and to process it quickly. Palmer believed that if he did not process the payment, his job would be in jeopardy.

Liu failed to disclose to any member of the City Council that she issued or planned to issue the retroactive pay increase for herself. Liu also failed to disclose her actions to the City Attorney.

The only reason Liu's action came to light was as a result of various public records requests by the media for her emails. Although Liu had directed IT staff not to permit the City Attorney's office to review her emails without her permission, a review of Liu's emails was eventually permitted, which resulted in the discovery of Liu's acts.

While reviewing Liu's emails in connection with multiple public records requests, City Attorney Micaela Moore discovered that, on January 4, 2018, Liu's assistant had emailed Human Resources ("HR") a personnel order effectuating an unauthorized, retroactive pay increase for Liu. Liu was blind-copied on the email.

Along with the personnel order, Liu's assistant attached a copy of a memorandum (the "Memo"), addressed from Liu to City Council, explaining Liu's purported justification for the retroactive pay increase. The Memo was sent to HR in order to give staff the false impression that Liu had disclosed the retroactive pay increase to members of the City Council, when in fact she had not. Liu never sent the Memo to any member of the City Council. Nevertheless, Liu ordered her assistant to send the Memo to HR, in support of her retroactive pay raise.

Said actions constitute a violation of the following provisions of NRS Chapter 281A:

1. NRS 281A.400(1): Seeking or accepting any economic opportunity for herself which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.
2. NRS 281A.400(2): Using her position in government to secure or grant unwarranted privileges or advantages for herself.
3. NRS 281A.400(6): Suppressing any governmental report or other document because it might tend to affect unfavorably her pecuniary interests.
4. NRS 281A.400(7): Using governmental time, property, equipment or other facility to benefit her significant personal or financial interest.
5. NRS 281A.400(9): Attempting to benefit her personal or financial interest through the influence of a subordinate.
6. NRS 281A.420(1): Failing to sufficiently disclose her acceptance of a gift, loan, or pecuniary interest to the interest of another person that is reasonably affected by an official matter.
7. NRS 281A.420(3): Failing to abstain from acting on an official matter which is materially affected by his acceptance of a gift or loan, pecuniary interest, or commitment in a private capacity to the interest of another person.

B. FACTS

1. Liu's Original Employment Agreement

On December 3, 2014, Liu was formally appointed to the position of City Manager after the City Council ratified her Employment Agreement (hereinafter the "Agreement"). Ex. 1. The Agreement was effective from November 5, 2014 until December 31, 2018, with options for earlier termination or extension in accordance with the terms set forth therein. Ex. 1. The Agreement provided for an annual base salary of \$190,000 and contained a provision whereby "the City agrees to increase said base salary and/or other benefits of Employee in such amounts and to such extent as the Mayor and City Council may determine that is desirable to do so on the basis of performance of Employee." Ex. 1. The Agreement further provided: "Employee shall be given a performance evaluation on the annual anniversary from the date of this contract, and shall be eligible for a salary and/or a bonus increase at that time." Ex. 1. In addition, the Agreement provided that "Employee shall be provided the standard compensation and benefit plan available to current appointive and Department Directors of the City." Ex. 1.

2. Liu's 2015 Annual Review

Due to the serious, well-documented, economic challenges faced by the City of North Las Vegas (hereinafter the "City"), Liu voluntarily waived her 2015 annual review, and did not receive a 2015 merit increase. Ex. 2. This was consistent with the City Council ordinances and administrative order in effect for appointed employees that fiscal year. Ex. 3-4.

By memorandum dated February 3, 2015, Liu eliminated merit increases for appointed employees for fiscal year 2015/2016. Ex. 3. This was consistent with prior years, as appointed employees did not receive merit increases between 2010 and 2016. Ex. 4. Liu, by memorandum dated June 21, 2016, ordered merit increases returned to appointed employees in fiscal year 2016/2017. Ex. 5.

3. Liu's 2016 Annual Review and Wage Increase

On September 7, 2016, City Council, at a duly-noticed public hearing, authorized Liu's contract to be renegotiated for her to receive a pay increase from \$190,000 to \$220,000. Ex. 6-8. At no point in time did City Council ever express or intimate that the increase would be retroactive to November 5, 2015.¹ Ex. 6-8

On September 8, 2016, North Las Vegas City Clerk Catherine Raynor (hereinafter "Raynor") sent an email to Liu letting her know that City Council gave authority to draft an amendment to Liu's contract changing her annual salary from \$190,000 to \$220,000, presumably with the effective date of September 7, 2016. Ex. 8. Raynor opined that the final amendment would have to come back before City Council for final ratification, and advised Liu to obtain an opinion from the City Attorney. Ex. 8.

On September 8, 2016, Liu issued and signed a personnel order based on the action taken by City Council on September 7, 2016, increasing her pay from \$190,000 to \$220,000, effective September 3, 2016 (the beginning of the pay period that includes September 7, 2016). Ex. 9.

A written amendment was subsequently drafted and placed on the September 21, 2016 council meeting agenda.² Ex. 10-13. The agenda item noted that "[t]he effective date of amendment is September 7, 2016." Ex. 10.

On September 21, 2016, at a duly-noticed public hearing, City Council approved the consent agenda item, finalizing the written amendment to Liu's contract, and increasing her

¹ The full public hearing is available for viewing at the following URL (by clicking on item 31 on the agenda): <http://www.cityofnorthlasvegas.com/SirePub/mtgviewer.aspx?meetid=793&doctype=AGENDA>

² The full public hearing is available for viewing at the following URL (by clicking on item 5 on the agenda): <http://www.cityofnorthlasvegas.com/SirePub/mtgviewer.aspx?meetid=798&doctype=AGENDA>

salary from \$190,000 to \$220,000, effective September 7, 2016.³ Ex. 10-13. Liu's increase went into effect on September 3, 2016 (the beginning of the pay period that includes September 7, 2016). Ex. 9.

4. Liu's 2017 Annual Review

On December 20, 2017, Raynor gave Liu notice that there would be an agenda item on the January 3, 2018 City Council meeting to consider "Discussion and/or Action Regarding Annual Review of City Manager." Ex. 14.

On January 3, 2018 at 6:27a.m., Liu sent an email to the Mayor and Council members, in which she stated that the Mayor "had offered me [a] 5% merit increase and \$10,000 bonus pay." Ex. 15. The email expressed Liu's opinion that she was not adequately compensated but did not propose a specific amount of compensation or address any concerns about her past compensation. Ex. 15. Liu sent a similar email with minor modifications approximately three hours later. Ex. 16. In the email, Liu states that "it has been an extremely stressful and disheartening few days for me to learn the false or misleading information (even hatred in Larry Griffith's case) that was expressed to you..." Ex. 16.

Later that evening, at the January 3, 2018 City Council meeting, the agenda item relating to Liu's review was continued to the January 17, 2018 Council meeting. Ex. 17.

5. Liu's Unauthorized Retroactive Pay Increase

On January 4, 2018, Liu executed a personnel action form, ordering HR staff to pay a "Retro Pay Increase per Council Action on 9/7/16 to \$220,000 to November 5, 2015 per contract and standard practice" (hereinafter "the Personnel Order"). Ex. 18. On January 4, 2018, Liu also prepared a Memo, addressed from Liu to the Mayor and City Council, regarding "Merit Increase Related Concerns." Ex. 19. In the Memo, Liu purports to disclose to City Council that she believes her 2016 pay raise should have been made retroactive to November 5, 2015. Ex. 19.

Liu, however, never transmitted the Memo to any member of City Council. Ex. 20-24, 27. Nevertheless, Liu ordered her subordinate, Senior Executive Assistant Rebecca Gipson (hereinafter "Gipson"), during business hours, to transmit the Personnel Order and Memo to HR in order to process the retroactive pay increase for the benefit of Liu. Ex. 25. Gipson emailed the Personnel Order and Memo to HR on January 4, 2018 at 5:23p.m., using the City's email systems and servers. Ex. 25. Gipson blind-copied Liu's work email address on the email. Ex. 25. The Memo was attached as supporting documentation for the Personnel Order in order

³ Note that the First Amendment to Employment Agreement states that "the Parties have set their hands and official seals to be effective the date first above-written," which is September 21, 2016. Ex. 13. However, City Council's motion authorizing the amendment approves staff's recommendation on the agenda item, stating that "[t]he effective date of amendment is September 7, 2016." Ex. 10-13.

to give HR the impression that Liu had disclosed the retroactive pay increase to City Council, when in fact she had not. Ex. 20-25. On January 4, 2018, at 10:13p.m., Liu emailed herself a copy of Gipson's email to HR, the Personnel Order, and Memo to her personal email address. Ex. 26.

Gipson also delivered hard copies of the Personnel Order and Memo to HR. Ex. 27. While Liu ordered Gipson to deliver the Personnel Order and Memo to HR, Liu never ordered Gipson to deliver the Memo to City Council. Ex. 27. Liu gave Gipson the impression she had already delivered the Memo to City Council at the time she asked Gipson to send the Memo to HR. Ex. 27.

On January 4, 2018, during City business hours, Liu ordered Palmer to process the Personnel Order, giving her a wage increase from \$190,000 to \$220,000 annually, retroactive to November 5, 2015. Ex. 27. Liu gave the directive orally and in writing, using the City's computers, servers, and email system. Ex. 25, 27. Palmer examined Liu's contract and amendment and determined that the pay increase was not authorized by City Council. Ex. 27. Palmer shared his concerns with Liu and told her that the Mayor did not share her view that she was entitled to retroactive pay. Ex. 27. Palmer asked Liu under whose authority she was acting. Ex. 27. Liu said she was acting on her own authority. Ex. 27. Liu admitted to Palmer that no one had ever told her that the pay increase she received in September of 2016 (from \$190,000 to \$220,000) would be retroactive 10 months to November 2015. Palmer told Liu that City Council had to authorize it. Ex. 27. Liu then became irate and aggressive, and reiterated that she had the authority to order it. Ex. 27. Liu ordered Palmer to pay it, and to do it quickly. Ex. 27. Palmer felt he would be fired if he did not comply. Ex. 27. Palmer did not ultimately process the payment on behalf of Liu. Ex. 27.

6. Liu's Attempts to Cover Up the Unauthorized Retroactive Pay Increase

On or about January 9, 2018, during business hours, Liu ordered her subordinate employee, IT Manager Adam Cohen (hereinafter "Cohen") not to provide access to her emails and/or electronic files at the request of any staff members, including the City Attorney's office, without public approval by City Council. Ex. 28. This request was in violation of City Policy, which permits the City Attorney to request access to email and other electronic information for use in legal proceedings, or in anticipation of legal proceedings. Ex. 29. Cohen questioned Liu on how he was supposed to handle public records requests and requests for electronic information he received from the Clerk's office and the City Attorney's office going forward, including those requests currently pending. Ex. 28. Cohen asked whether he should pass the requests onto Liu before processing them. Ex. 28. Liu requested to be informed of any public records requests unless there was a formal investigation launched concerning her role as City Manager. Ex. 28. Liu's orders for IT staff to keep her emails, which are presumptively public records as a matter of law, away from the City Attorney's office, who had a legal right to obtain that information, were an attempt by Liu to suppress City records documenting her unauthorized retroactive pay increase.

Liu was placed on administrative leave on or about January 10, 2018. On January 12, 2018, Liu wiped her City work cell phone clean of all public documents, data, and information. Ex. 30. This too is believed to be an attempt on Liu's part to suppress City records that might adversely affect her pecuniary interest in both receiving the unauthorized pay increase and a settlement or payout in connection with her separation.

7. Liu's Statement to the Investigator

On January 30, 2018, Liu was interviewed by a third-party investigator about the unauthorized retroactive pay increase she ordered paid on January 2, 2018. Ex. 27. Liu admitted ordering the retroactive raise for herself and claimed that she believed she was owed the retroactive pay after she voluntarily deferred her 2015 review. Ex. 27. However, Liu admitted that no council action took place authorizing or intimating that she was entitled to receive a retroactive pay raise effective November 5, 2015. Ex. 27. Liu admitted issuing a personnel order on September 7, 2016, consistent with council's official action, making her pay increase effective at the beginning of the pay period that includes September 7, 2016 (September 3, 2016). Ex. 27. When asked why she waited until January 4, 2018 to change the effective date of the 2016 pay raise, and why she did not just wait until the January 17, 2018 council meeting to discuss the matter with City Council, Liu said that that she feared that her position was in jeopardy, and that if she waited, it would be too late to get the retroactive payment. Ex. 27. Liu also admitted that she asked Gipson to transmit the Memo to HR, but that she never asked Gipson to send it to council and never got around to sending it to City Council herself. Ex. 27.

C. ANALYSIS

1. Liu Violated NRS 281A.400(1) When She Sought Out an Economic Opportunity for Herself That Would Tend to Improperly Influence a Reasonable Person in Her Position to Depart from The Faithful and Impartial Discharge of Her Public Duties

In December of 2017, Liu received notice that her annual review would be heard at a public meeting scheduled for January 3, 2018. Ex. 14. Although her performance and pay were being considered, Liu never mentioned to any City Council member that she believed her 2016 increase should have been made retroactive to 2015. Ex. 27.

On the morning of January 3, 2018, Liu admitted that she was under stress for several days, as she had to defend against criticism from persons who had made their concerns about her performance known to City Council. Ex. 15, 16. On January 3, 2018, Liu became fearful that her job was in jeopardy after the January 3, 2018 hearing was continued to January 17, 2018. Ex. 27.

Liu immediately took action on January 4, 2018, nearly 16 months after City Council increased her salary in September of 2016, and unilaterally attempted to make the 2016 increase retroactive to 2015. Ex. 25. Liu acted with no City Council knowledge or approval. Ex.

20-24, 27. Liu also acted in violation of her own administrative order, which provided that no merit increases would be given to appointed employees in fiscal year 2015/2016. Ex. 3.

Had the Personnel Order been followed, Liu would have received a \$30,000 lump sum deposit into her checking account. Ex. 27. More importantly, the retroactive pay increase would have directly increased Liu's pension calculation, and yielded her a higher lifetime retirement payout. Ex. 28. It is estimated that a \$30,000 increase to Liu's pay in 2015 would have increased her pension from \$106,100 to approximately \$111,500 annually. Ex. 28. If Liu lived to be 95 years-old, the unauthorized pay increase would have yielded Liu an extra \$363,000 in retirement pay, at the expense of taxpayers. Ex. 28.

Liu was more concerned with padding her pension than she was with impartially discharging her public duties. In ordering the pay increase without City Council knowledge or approval, Liu violated her duties to act impartially and faithfully regarding matters of appropriate, authorized, employee pay.

2. Liu Violated NRS 281A.400(2) When She Used Her Position in Government to Secure or Grant Unwarranted Privileges or Advantages for Herself

Liu used her position as City Manager, which permits her to sign personnel orders affecting employee pay and to order staff to issue payouts based on those orders, to attempt to give herself an unauthorized pay increase. Liu used her position to order her assistant to send the order to HR attempting to backdate her 2016 pay increase to November 5, 2015. Liu also used her position to order the HR Director to process payment on her behalf. When it became clear to the HR Director that Liu was acting without authority, Liu used her position to intimidate the HR Director in an attempt to get him to process the payment. Liu also used her position as City Manager to attempt to persuade IT staff to violate City policy and to suppress information from the City Attorney's office, all in an effort to cover up the fact that she had attempted to fast-track an unauthorized retroactive pay increase for herself, as she believed her job was in jeopardy.

3. Liu Violated NRS 281A.400(6) When She Suppressed Governmental Reports and Other Documents Because They Might Tend to Affect Unfavorably Her Pecuniary Interests

On January 9, 2018, Liu directed IT staff not to permit any staff, including the City Attorney's Office, access to her emails or electronic files. Such records are presumptively public records. The City Attorney has the right to access such information in order to carry out the functions of her position in accordance with the City Charter. City policy expressly permits the City Attorney to access electronic records in order to carry out the duties of her position. Ex. 29. Liu abused her position by ordering IT staff not to permit the City Attorney's office or any other staff access to her emails. Liu gave the order to IT staff only two business days after she received and sent herself copies of the Personnel Order and Memo, ordering staff to pay her an unauthorized retroactive pay raise. Discovery of the orders by the City Attorney or other staff might have jeopardized Liu's chances of receiving the unauthorized payment into her account.

On January 12, 2018, after she was placed on administrative leave, Liu again suppressed government information that might tend to negatively affect her pecuniary interests when she deleted all public records from her work cell phone.

4. Liu Violated NRS 281A.400(7) When She Used Governmental Time, Property, Equipment and Other Facility to Benefit Her Significant Personal or Financial Interest

As detailed above, Liu used the time of City employees Gipson, Palmer, and Cohen, during work hours (work hours of the City are Monday-Thursday, 8am-6pm) in order to attempt to pay herself an unauthorized pay increase, and to cover up her actions. In addition, Liu used City IT systems, including computers, servers, and internet access in an attempt to gain an unauthorized financial benefit for herself. Liu also used City forms printed on City paper, using City printers, to try and gain an unwarranted personal financial advantage.

5. Liu Violated NRS 281A.400(9) When She Attempted to Benefit Her Personal or Financial Interest Through the Influence of a Subordinate

As detailed above, Liu violated NRS 281A.400(9) when she influenced her subordinates, Palmer, Gipson, and Cohen to assist her in her attempt to secure and cover up an unauthorized retroactive pay increase for herself.

When Palmer questioned Liu about whether City Council knew about the unauthorized pay increase, Liu raised her voice and took a stern tone with him. Palmer interpreted her words and actions to mean that if he did not process her retroactive pay increase, he would be terminated. Although Liu conceded she did not have City Council's consent to act, she nevertheless ordered Palmer to push the pay raise through.

6. Liu Violated NRS 281A.420(1) When She Failed to Sufficiently Disclose Her Acceptance of a Pecuniary Interest to The Interest of Another Person That Is Reasonably Affected by an Official Matter

As detailed above, on January 4, 2018, Liu executed a personnel action form, ordering HR staff to pay her a retroactive pay increase to \$220,000, effective November 5, 2015. Ex. 18. On January 4, 2018, Liu also prepared a Memo, addressed from Liu to the Mayor and City Council, regarding "Merit Increase Related Concerns." Ex. 19. In the Memo, Liu purports to disclose to City Council that she believes her 2016 pay raise should have been made retroactive to November 5, 2015. Ex. 19. Liu, however, never transmitted the Memo to any member of City Council. Ex. 20-24. Nevertheless, Liu ordered her subordinate to transmit the Personnel Order and Memo to HR in order to process the retroactive pay increase for her benefit. Ex. 25.

Although Liu had time on the evening of January 4, 2018, at 10:13p.m. to email herself a copy of the Personnel Order and Memo to her personal email address, she did not find the time to discuss or disclose the Personnel Order or Memo with any member of City Council. Ex. 20-

24, 26. Liu also did not find time to disclose the matter to anyone the following week, beginning January 8, 2018. Liu also never raised the matter with City Council in the days and weeks preceding her 2017 annual review, scheduled for January 3, 2018, even though her performance and pay were at issue at an upcoming City Council meeting. Liu also never raised the matter to City Council after her review was moved to January 17, 2018.

City Council did not learn of Liu's attempt to help herself to a 2015 merit pay increase until the Personnel Order and Memo were inadvertently discovered through public records requests and brought to their attention by the City Attorney in late January, 2018.

Liu also never disclosed her belief, intent, or act to pay herself a 2015 merit increase to the City Attorney. It is the duty of the City attorney to opine on legal matters involving the City. Such duties include review and interpretation of all City contracts. If Liu truly believed she was entitled to a retroactive pay increase under the terms of her employment agreement, she should have confirmed with the City Attorney and the City Council that her interpretation was proper. Not only did Liu fail to disclose to the City Attorney what she had done, she actually took steps to make sure the City Attorney would not be able to access the documents commemorating the transaction in Liu's email inbox.

7. Liu Violated NRS 281A.420(3) When She Failed to Abstain from Acting On an Official Matter Which Is Materially Affected by His Acceptance of a Pecuniary Interest

Liu violated 281A.420(3) when she took it upon herself to secretly order a retroactive pay increase for herself, dating back to November 2015. Such an act was not supported by the words, actions, agenda items, minutes, or contracts noticed and discussed in a public meeting of the City Council on September 7 and September 21, 2016. As discussed above, Liu should have disclosed her beliefs and actions to the City Council and the City Attorney. In addition, Liu should have abstained taking unilateral action on her own behalf. She should have asked the City Attorney to act on the matter on her behalf, or raised the issue for discussion and action by with City Council at a duly-noticed public meeting. Because Liu did neither, and instead chose to act on her own behalf in secret, Liu violated NRS 281A.420(3).

6. Witnesses (continued from page 3)

Name and Title (Person 3): Rebecca Gipson, Senior Executive Assistant, City of North Las Vegas

Address: 2250 Las Vegas Blvd North, North Las Vegas, NV 89030

Telephone: 702-633-1002 (work); [REDACTED]

Email: gipsonr@cityofnorthlasvegas.com

Nature of testimony:

On or about January 4, 2018, during business hours, Liu ordered Gipson to prepare and transmit a personnel order to Human Resources, ordering that Liu receive a pay increase from \$190,000 to \$220,000, retroactive to November 5, 2015. Liu ordered Gipson to send the personnel order to Human Resources, along with a memorandum (the "Memo") addressed

from Liu to City Council that made it look like Liu had disclosed the retroactive pay increase to City Council, when in fact she had not. While Gipson was ordered to transmit the Memo to Human Resources, she was never ordered to transmit the Memo to City Council. Gipson believed that Liu had already transmitted the Memo to City Council when she emailed the Personnel Order and Memo to HR for processing and payment.

Name and Title (Person 4): Catherine Raynor, City Clerk, City of North Las Vegas

Address: 2250 Las Vegas Blvd North, North Las Vegas, NV 89030

Telephone: 702-633-1031 (work)

Email: raynorc@cityofnorthlasvegas.com

Nature of testimony:

Catherine Raynor is familiar with the processes of the City, the City Council, and the City Manager, for taking official action. She was present at both the September 7, 2016 and September 21, 2016 City Council meetings. On September 8, 2016, Raynor sent Liu an email letting her know that the official motion made at the September 7, 2016 meeting was to draft an amendment to Liu's contract, changing her salary from \$190,000 to \$220,000, presumably with the effective date of September 7, 2016. Raynor advised Liu to check with the City Attorney on whether an amendment needed to be drafted and placed on the September 21, 2016 agenda. Ultimately, an amendment to Liu's contract increasing her pay from \$190,000 to \$220,000 was drafted and placed on the September 21, 2016 agenda. The agenda item showed that the amendment was to become effective on September 7, 2016. At the September 21, 2016 City Council meeting, City Council moved to approve the agenda item as presented. At no point during either the September 7, 2016 meeting or during the September 21, 2016 City Council meeting did City Council vote to make Liu's pay increase retroactive to November 5, 2015.

Name and Title (Person 5): Adam Cohen, IT Manager, City of North Las Vegas

Address: 2250 Las Vegas Blvd North, North Las Vegas, NV 89030

Telephone: 702-633-1854 (work); [REDACTED]

Email: cohena@cityofnorthlasvegas.com

Nature of testimony:

On or about January 9, 2018, during business hours, Liu ordered Cohen not to provide access to her emails and/or electronic files at the request of any staff members, including the City Attorney's office, without public approval by City Council. Cohen questioned Liu on how he was supposed to handle public records requests and requests for information he receives from the Clerk's office and the City Attorney's office going forward, including those requests currently pending. He asked whether he should pass the requests onto Liu before processing them. Liu responded that she would like to be informed of any public records requests unless there was a formal investigation launched concerning her role as City Manager. This is believed to be an attempt on Liu's part to suppress City records ordering the unauthorized retroactive pay increase, because it might tend to affect unfavorably her pecuniary interest in receiving the pay increase. After Liu was placed on administrative leave, she returned her City cell phone to

City staff, wiped clean of all public documents, data, and information. This too is believed to be an attempt on Liu's part to suppress City records that might adversely affect her pecuniary interest in both receiving the unauthorized pay increase and a settlement or payout in connection with her separation.

Name and Title (Person 6): Scott Mahoney, Attorney, Fisher & Phillips, LLP
Address: 300 S 4th St #1500, Las Vegas, NV 89101
Telephone: (702) 252-3131 (work)
Email: smahoney@fisherphillips.com
Nature of testimony:

Mahoney was retained by City Attorney Micaela Moore to investigate whether Liu acted improperly when she ordered staff to increase her salary, retroactive to November 5, 2015. Mahoney interviewed Liu, Palmer, Gipson, Raynor, and Cohen. He also received confirmation from all five City Council members that they were never informed by Liu that she intended to help herself to a retroactive pay increase. He concluded that it was a matter of discretion on the part of the City Council whether to increase Liu's pay beyond the original \$190,000 base salary. He concluded that Liu did not interpret her employment agreement as guaranteeing her annual salary increases. He concluded that there was no documentation from September 2016 suggesting that when the City increased Liu's pay from \$190,000 to \$220,000 that it was intended to be retroactive to November 5, 2015.

Name and Title (Person 7): Tina Geiger, Financial Analyst III, City of North Las Vegas
Address: 2250 Las Vegas Blvd North, North Las Vegas, NV 89030
Telephone: (702) 633-1460 (work)
Email: geigert@cityofnorthlasvegas.com
Nature of testimony:

Geiger is familiar with City payroll practices. She can confirm that appointed employees did not receive merit increases from 2010-2016. She can also explain that a "Personnel Action Form" or "PAF" is a personnel order, effective when signed by the City Manager.

Name and Title (Person 8): Micaela Moore, City Attorney, City of North Las Vegas
Address: 2250 Las Vegas Blvd North, North Las Vegas, NV 89030
Telephone: (702) 633-1057 [REDACTED]
Email: moorem@cityofnorthlasvegas.com
Nature of testimony:

On January 9, 2018, Liu terminated Assistant City Manager Ryann Juden and then disseminated an email to all directors criticizing him. That email was immediately publicly disseminated. As a result, multiple public records requests came into the City through its Public Information Officer, Delen Goldberg, for Liu's emails in January of 2018. After Goldberg requested records in normal course from IT Manager Adam Cohen, Cohen revealed that Liu had

asked him not to share her emails with staff or the City Attorney. Goldberg and Cohen then shared this with City Attorney Moore, who was then granted access to Liu's inbox. Despite Liu's efforts to cover up the unauthorized retroactive pay increase, Moore discovered the personnel order and fictitious memo from Liu to City Council on or about January 24, 2018. She ordered that the matter be investigated by Fisher Phillips attorney Scott Mahoney.

EXHIBIT “3”

EXHIBIT “3”

Former North Las Vegas city manager files 3rd suit against city



Quiong Liu (City of North Las Vegas)

By **Sabrina Schnur** Las Vegas Review-Journal

January 31, 2022 - 11:55 am

Don't miss the big stories. Like us on Facebook.

The former city manager of North Las Vegas is suing the city for the third time, arguing she was wrongfully terminated despite ongoing ethics investigations about her conduct.

Qiong Liu was fired in February 2018 after the city council claimed she forged documents to give herself a retroactive raise.

According to the lawsuit, Liu tried to explain to the city council that she thought she was fixing an accounting error.

The complaint filed Thursday states that Liu was given a pay increase in 2016 that she felt was retroactive to 2015, and she sent a memo to Cass Palmer in the city's human resources department asking to have the \$30,000 raise paid retroactively.

Liu claimed that North Las Vegas Mayor John Lee told her to file the memo instead of bringing the retroactive pay proposal in front of the city council.

"Mayor Lee told Dr. Liu not to discuss her request and instructed her to work with Mr. Palmer to resolve the issue," attorneys wrote in the complaint. "Mayor Lee did not tell Dr. Liu that she was not entitled to a retroactive pay increase or that Human Resources ("HR") could not approve such a request without approval from the City Council."

Liu is being represented by attorneys Andrea Champion, Nicole Lovelock, Sue Cavaco and Marta Kurshumova.

'Glowing performance reviews'

The attorneys argued that despite Liu's "glowing performance reviews," Lee wanted his longtime associate and former political adviser Ryann Juden to take over Liu's job.

"Dr. Liu was recognized as an exemplary employee of the City of North Las Vegas and served as a civil servant for the people of North Las Vegas for thirteen years," Champion wrote in a statement to the Review-Journal Friday. "She was wrongfully terminated, in violation of the terms of her Employment Agreement, in November 2018. Since then, the City of North Las Vegas has not acted in good faith to resolve her claims."

Liu and the city initially agreed to an arbitration process. Then Liu filed a lawsuit in January 2020 against Lee and Juden, arguing they conspired to oust her.

In April 2020 she filed a second suit against the city that echoed the statements made in the first. The April complaint also laid out seven accusations the city made in a complaint against Liu filed with the state ethics commission.

The January case remains open and is scheduled for jury trial in September. The April case was closed in June when the court ruled Liu should receive \$44,622 from the city.

Ongoing ethics investigation

Meanwhile, an investigation by the state ethics commission is ongoing. North Las Vegas spokesperson Delen Goldberg said Saturday that several city employees have been interviewed in connection with the ethics investigation and evidence was retrieved from city hall.

An internal investigation completed by the Las Vegas law firm of Fisher Phillips found Liu had prepared an internal memo seeking the pay raise on Jan. 4, 2018, one day after the North Las Vegas City Council delayed for two weeks a discussion about her performance.

Liu's assistant forwarded the memo to the city's human resources department, believing it was already delivered to the City Council, according to the report, which was released by the city Friday. The memo was never delivered, and the report found that Liu had time to send it "if she wanted to."

Less than a month before she was terminated, on Jan. 9, 2018, she asked an employee to "limit access to her emails," which she told the investigator was in response to the ongoing investigation and she feared Juden "poking around."

FBI agent Reid Nakamura met with North Las Vegas officials at City Hall on Jan. 30, 2018 and again on Feb. 6, 2018, the day before Liu's termination, according to visitor sign-on logs obtained by the Review-Journal at the time. Goldberg confirmed that those meetings were related to Liu.

"Both parties agreed to arbitration for contract disputes," Goldberg said Saturday. "It's unfortunate that Dr. Liu has chosen once again to waste taxpayer dollars with a dishonest and meritless lawsuit. A third party outside investigation found cause and as her own lawyer disclosed, the Nevada ethics commission found cause and is investigating Dr. Liu for seven violations of state law. We are extremely confident in counsel's decision to terminate Dr. Liu for cause."

Contact Sabrina Schnur at sschnur@reviewjournal.com or 702-383-0278.

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EXHIBIT “4”

EXHIBIT “4”

North Las Vegas:

Ex-city manager's direction on disputed salary hike was to 'process it quickly'

City's side of dispute included in 237-page ethics complaint

By [Hillary Davis](#) ([contact](#))

Sunday, Feb. 6, 2022 | 2 a.m.

A state ethics complaint filed by the city of North Las Vegas against its former city manager details how, according to the city, Qiong Liu used her position of authority as chief executive to pressure subordinates to push through a \$30,000-a-year raise and then try to cover it up.

The 237-page complaint, pending for more than two years and obtained by the Sun, sheds light on the back and forth between the parties. Liu on Jan. 27 sued the city a third time claiming wrongful termination.

"Liu was more concerned with padding her pension than she was with impartially discharging her public duties," City Attorney Micaela Moore wrote in the December 2019 complaint.

The complaint shows how Liu instructed staffers to increase her pay from \$190,000 to \$220,000, which would go into effect in September 2016 and be retroactive to November 2015. That would have netted her a \$25,000 lump-sum payment for back salary and increased her future pension payments.

The city council voted to fire Liu in February 2018 "for cause" without a severance package other than a payout of unused time off. The cause, the city said, was Liu trying to extend the raise without council approval.

Liu said she was trying to correct an accounting error and believed she was entitled to the salary adjustment, although the internal investigation concluded that her actions were "inconsistent with such a belief."

Memo's delivery at issue

The ethics complaint came to light in April 2020 when Liu successfully sued North Las Vegas to cover her costs for defending herself against the claim.

The state typically keeps ethics complaints confidential until they are decided, but the city provided the complaint to the Sun in response to a public records request.

The complaint says an independent investigation by law firm Fisher Phillips concluded that Liu had her executive assistant forward paperwork authorizing the raise to another of her subordinates, then-director of human resources Cass Palmer. She attached a supporting memo addressed to the city council discussing why the 2016 raise should be retroactive to November 2015, her work anniversary.

All five council members, however, confirmed that they had never received the memo.

The investigation also found that she instructed IT staff not to share her work emails with city officials and wiped her city-issued cell phone.

A summary of Palmer's recollections in the ethics complaint shows that Liu turned on him when he told her that the city council had to authorize the raise.

"Liu raised her voice and, in a threatening tone, directed Palmer to process the payment, and to process it quickly," the complaint reads. "Palmer believed that if he did not process the payment, his job would be in jeopardy."

Multiple lawsuits

In addition to the city's ethics complaint, Liu has filed three lawsuits against her former employer in two years.

She filed her first lawsuit in January 2020 against Mayor John Lee and current City Manager Ryann Juden, claiming that the longtime friends and associates conspired to interfere with her contract by forcing her out of her job and blocking her proposed, \$613,000 severance package. The case is scheduled for a jury trial in September.

The second suit, filed three months later, argued that her employment contract required the city to pay for Liu's defense in any ethics complaint, regardless of who filed it. The judge in that suit awarded Liu about \$44,000 last July.

The most recent lawsuit, filed Jan. 27 against the city as an entity, is for wrongful termination. It says none of the reasons given for her firing met her contract's definition of "cause" and restates the accusations of cronyism.

Liu has said her firing was a personal vendetta after she fired Juden — then the assistant city manager — following an argument and sending council a memo calling his hiring "the biggest mistake that I have made" and accusing him of causing "widespread fear and damage" at City Hall. She rescinded the firing the next day.

In this year's lawsuit, though, she said Juden "had consistently been insubordinate" and that he threatened her job on Lee's behalf.

Liu worked for North Las Vegas from 2005 to 2018, starting out as deputy public works director. She was appointed as city manager in 2014, when the city was in the midst of a financial crisis. Her LinkedIn profile shows she now works for a California-based software management company and that she is "retired" from North Las Vegas.

Andrea Champion, Liu's attorney, declined to comment on the ethics investigation, citing the state's confidentiality of pending complaints.

To the lawsuit filed late last month, Champion said Liu "was forced to file this complaint for wrongful termination because the city has not acted in good faith to resolve her claim as promised."

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STATE OF NEVADA

BEFORE THE COMMISSION ON ETHICS

In re **Qiong Liu**, former City Manager,
City of North Las Vegas,
State of Nevada,

Ethics Complaint
Case No. 19-126C

Subject. /

OPPOSITION TO MOTION TO DISMISS

Ross Armstrong, Esq., Executive Director of the Nevada Commission on Ethics ("Commission"), through the Commission's Associate Counsel, Elizabeth J. Bassett, Esq., submits this Opposition to Subject Qiong Liu's ("Dr. Liu") Motion to Dismiss ("Motion").

PROCEDURAL HISTORY

The Motion was initially filed by Dr. Liu prior to this matter being presented by the Executive Director to a Review Panel. As NAC 281A.442 only allows a party to present a written motion to the Commission, the Motion was stayed pending a panel determination referring this matter to the Commission. On March 21, 2022, a Panel Determination was issued finding just and sufficient cause and referring this matter to the Commission for further proceedings.

LEGAL ARGUMENT

Dr. Liu argues in her Motion that because the City of North Las Vegas ("City"), the Requester in this matter, provided documents and information to the press, the

Commission's Complaint against her should be dismissed as a sanction for the City's actions. There is no support in the law for this argument.

A. The City is Not a Party to This Matter; The Executive Director Should Not Be Sanctioned for a Non-Party's Actions.

Dr. Liu's Motion argues that the Ethics Complaint pending against her in this matter should be dismissed based on alleged actions taken by the City. However, the City is the Requester in this matter. See NAC 281A.090 (defining "Requester" as the "person who files with the Commission an ethics complaint"). The City is not a party to this action. See NAC 281A.060 (defining party as "the subject of an ethics complaint, the Executive Director and any other person who the Commission reasonably determines will be treated as a party in a matter").

If the Commission were to dismiss the Ethics Complaint because of the City's actions, it would be sanctioning a party, the Executive Director, for the actions of a non-party, the City. This would not be proper or fair. The Executive Director does not have control over what actions the City takes and therefore should not be held responsible for its actions.

B. The Statutes Relied on By the Motion Are Not Applicable to the City.

None of the statutes Dr. Liu alleges the City violated are in fact applicable to the City. The protections of NRS 281A.750 and NRS 281A.755 apply to records in the possession of the Commission in Ethics Complaint proceedings¹. These statutes do not apply to requesters. As such, even if the City took the actions alleged in the Motion, since the City is not governed by the cited statutes the City could not have violated them and Dr. Liu's allegations could not serve as a basis for dismissal of the Ethics Complaint.

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¹ NRS 281A.685, which is also cited by and relied on by Dr. Liu in the Motion, applies to requests for Advisory Opinions and is therefore not applicable to this matter.

1 In addition, the Commission without authority to dismiss a Complaint at this
2 time in the proceedings. A Complaint may only be dismissed if:

- 3 1) Upon receiving a jurisdictional recommendation from the Executive Director,
4 the Commission determines it does not have jurisdiction. NRS 281A.715(2);
- 5 2) Upon receiving a jurisdictional recommendation from the Executive Director,
6 the Commission determines it has jurisdiction by t the evidence submitted in
7 not sufficient to warrant an investigation in the matter. NRS 281A.715(3);
- 8 3) A Review Panel determines there is not just and sufficient cause for the
9 Commission to render an opinion. NRS 281A.730(4);
- 10 4) A Subject satisfactorily complies with a deferral agreement. NRS
11 281A.740(9); or
- 12 5) The Commission determines in proceedings concerning an ethics complaint
13 that the ethics violation has not been proven. NRS 281A.765.

14 In this matter the Commission has determined it does have jurisdiction over this
15 Complaint and determined to proceed with an investigation pursuant to NRS
16 281A.715. Subsequently, the Review Panel determined there was just and sufficient
17 cause to refer this Complaint to the Commission pursuant to NRS 281A.730. The only
18 remaining moments in the life of this Complaint where the Commission would have
19 the authority to dismiss the complaint would be upon the Subjects satisfactory
20 completion of a deferral agreement or upon a finding by the Commission that the
21 alleged ethics violations have not been proved. Therefore, the Commission does not
22 have authority to grant Dr. Liu's Motion to Dismiss.

23 **C. Dr. Liu Has a Remedy for the City's Actions Under the Ethics Law.**

24 NRS. 281A.790(2) provides:

25 In addition to any other penalties provided by law, if any person
26 prevents, interferes with or attempts to prevent or interfere with any
27 investigation or proceedings pursuant to this chapter or the discovery of
28 a violation of this chapter, the Commission may, upon its own motion or
upon the motion of the current or former public officer or employee who
is the subject of the investigation or proceedings:

1 (a) Impose on the person committing such an act a civil penalty not to
2 exceed \$5,000; and

3 (b) If appropriate under the facts and circumstances, assess against the
4 person committing such an act an amount equal to the amount of
5 attorney's fees and costs actually and reasonably incurred by the
6 current or former public officer or employee as a result of the act.

7 If Dr. Liu believes that the City is interfering with the preventing or investigation with
8 the investigation in this matter, her proper remedy against the City is to file a motion
9 under NRS 281A.790(2). Her Motion is therefore procedurally improper.

10 **CONCLUSION**

11 For the foregoing reasons, the Executive Director respectfully requests that Dr.
12 Liu's Motion to Dismiss be denied.

13 DATED this 21st day of April, 2022.

14 NEVADA COMMISSION ON ETHICS

15 /s/ Elizabeth J. Bassett

16 Elizabeth J. Bassett, Esq.

17 Associate Counsel

18 Nevada Commission on Ethics
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1 **CERTIFICATE OF SERVICE**

2
3 I certify that I am an employee of the Nevada Commission on Ethics and that
4 on this day in Carson City, Nevada, I transmitted a true and correct copy of the
5 foregoing Notice of Hearing and Scheduling Order via Email, personal service
6 through Reno Carson Messenger Service on the Subject, and U.S. Certified Mail
7 addressed as follows:

8 **Commission Counsel:**

9 Tracy L. Chase, Esq.
10 Commission Counsel
11 Darci Hayden
12 Senior Legal Researcher
13 704 W. Nye Lane, Suite 204
14 Carson City, NV 89703

Email: tchase@ethics.nv.gov

cc: dhayden@ethics.nv.gov

15 **Subject:**

16 Qiong Liu
17 c/o Andrea M. Champion, Esq.
18 Nicole Lovelock, Esq.
19 Marta Kurshumova, Esq.
20 Jones Lovelock
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23 Dated: April 21, 2022

24 /s/ K. Pedroza Kari Pedroza
25 Employee, Nevada Commission on Ethics
26
27
28

BEFORE THE NEVADA COMMISSION ON ETHICS

In re Qiong Liu
Former City Manager
City of North Las Vegas

Case No. 19-126

REPLY IN SUPPORT OF MOTION TO DISMISS

I. INTRODUCTION

The City of North Las Vegas (“CNLV”) filed a politically charged Ethics Complaint against Dr. Liu for the improper purpose of punishing her for disputing her wrongful termination. CNLV failed to keep the Ethics Complaint confidential (at best), deliberately leaked the Ethics Complaint to the Las Vegas Sun (at worst), and *CNLV’s Assistant City Manager went on the record to discuss the status of the Ethics Commission investigation with the media claiming that the Commission had made a determination on the case (which is untrue)*. This is a blatant violation of NRS 281A.685 and was done solely to retaliate against Dr. Liu because of her litigation against CNLV for improper termination.

These facts are not disputed in the Opposition.

Now, with this improper Ethics Complaint before the Panel, Dr. Liu requests that the Panel dismiss the Ethics Complaint in its entirety given that it is painfully apparent that the matter is a political hit-job. As stated in the Motion, “NRS Chapter 281A does not prescribe a specific remedy for CNLV’s clear and intentional violation,” thus the only possible remedy is dismissal given CNLV’s repeated and blatant violations of NRS Chapter 281A. Any other remedy would simply encourage other bad actors to file bogus ethics complaints and immediately leak them to the media for retaliation. The Opposition suggests that Dr. Liu’s remedy is to seek a paltry monetary fine against CNLV. That suggestion is insufficient; it is clear that CNLV will continue to use the Ethics Complaint improperly against Dr. Liu until this Commission dismisses it.

This charade has gone on long enough. It is time to prevent CNLV from continuing to leak information about the Ethics Commissions’ confidential investigation and to dismiss the Ethics Complaint.

II. LEGAL ARGUMENT

Ethics Complaints and information about the status of, or record of the proceedings of the investigation and investigatory panel are confidential and not public records until the investigatory panel determines whether there is just and sufficient cause to render an opinion in the matter and serves a written notice or the subject of the complaint authorizes the Commission, in writing, to waive confidentiality and make the information public. NRS 281A.685. Because CNLV is the

requestor of the investigation, CNLV has a statutory obligation to maintain the Ethics Complaint, the materials submitted in support of the allegations, and information about the Ethics Commission's investigation as confidential until the Commission's Review Panel renders a determination. *See* NRS 281A.088; NRS 218A.685.

CNLV clearly ignored its duties under Nevada law and provided confidential information to the media for the purposes of harassing and retaliating against Dr. Liu. Recall that on January 27, 2022, Dr. Liu formally filed a wrongful termination lawsuit against CNLV before the Eighth Judicial District Court of Nevada.¹ ***Four days later***, the Las Vegas Review Journal published an article regarding Dr. Liu's lawsuit, where CNLV's Assistant City manager informed the Review Journal that "several city employees have been interviewed in connection with the ethics investigation and evidence was retrieved from city hall" and that "the Nevada ethics commission [sic] found cause and is investigating Dr. Liu for seven violations of state law."²

Six days after the Review Journal published its article, the Las Vegas Sun published an article where the Sun detailed *and directly quoted from* the allegations in the Ethics Complaint.³ According to the Sun, CNLV recognized that ethics complaints are typically confidential until they are decided "***but the city [CNLV] provided the complaint to the Sun in response to a public records request.***" (emphasis added).

These are an intentional, blatant and gross violation of NRS 281A.685's confidentiality requirements. CNLV was well aware of its obligations to keep the Ethics Complaint confidential. CNLV knowingly chose to disclose that information to further harass Dr. Liu. The information CNLV and its officers and employees provided to the media demonstrates that the decision to leak the information to the media did not come from a single person but was the result of CNLV and its officers and employees undertaking a concentrated, deliberate effort to bring the Ethics Complaint to the media's attention and then commenting to the media about the Ethics Complaint.

The only remedy for this blatant abuse of Nevada's ethical procedures and retaliatory conduct is dismissal of the Ethics Complaint. Otherwise, bad actors will be encouraged to use this Commission as a bludgeon, and it will further burden this Commission and its counsel with unnecessary and unsupported complaints.

The Opposition does not dispute the facts in the Motion.⁴ Instead, the Opposition focuses its attention on three procedural arguments that do not address the severity of CNLV's actions. First, the Opposition states that Dr. Liu's remedy is to file a motion with this Commission asking that CNLV be fined pursuant to NRS 281A.790(2).⁵ That statute provides a civil penalty of up to \$5,000.00 on a person or City that interferes with an investigation or discovery of a violation of this matter.

¹ Motion at pp. 2-3.

² Motion at Exh. 3.

³ Motion at Exh. 4.

⁴ *See gen.* Opposition.

⁵ Opposition at pp. 3-4.

It is not apparent that NRS 281A.790(2) would apply in this situation because CNLV's intent was to harass and retaliate against Dr. Liu, not to interfere with the Commission's investigation. CNLV's interest is in prolonging the investigation as long as possible to use it against Dr. Liu. And, it is telling that Associate Counsel Bassett did not bring a motion under NRS 281A.790(2). ("the Commission may, upon its *own motion*... (a) Impose on the person committing such an act a civil penalty not to exceed \$5,000..."). NRS 281A.790(2) does not appear to offer any relief for Dr. Liu here,⁶ and in any event, does not address the impropriety of the Ethics Complaint.

Second, the Opposition asserts that CNLV "is not a party to this matter and thus the Executive Director should not be sanctioned for a non-party's actions."⁷ The Opposition is correct insofar that CNLV is not a party; however, CNLV it is the Requester as defined by NAC 281A.090. And the Opposition misses the broader point: the Ethics Complaint is being improperly used as retaliation against Dr. Liu. By continuing to proceed with this matter, the Commission is helping (albeit unknowingly and/or unwittingly) CNLV retaliate against Dr. Liu. The Commission should decline to continue to assist CNLV in its retaliation.

Third, the Opposition argues that there is no legal authority under NRS Chapter 281A to dismiss the Ethics Complaint at this time.⁸ Under NRS 281A.765, this Commission may dismiss the Ethics Complaint if there is no violation of NRS Chapter 281A. Respectfully, the Commission may review the Ethics Complaint and treat the Motion as a dispositive motion due to CNLV's blatant violation of NRS 218A.685. Or, the Committee may use its inherent authority to manage its own affairs and processes to dismiss the Ethics Complaint. There is no statute in NRS Chapter 281A that prevents this Committee from dismissing the Ethics Complaint at any time.

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⁶ Dr. Liu reserves her rights to assert this remedy if the Commission determines it is an appropriate remedy.

⁷ Opposition at p. 2 (cleaned up).

⁸ Opposition at pp. 2-3. While The Nevada Commission on Ethics has never informed Dr. Liu that there was a finding of just and sufficient cause for the Commission to render an opinion in order to present a written recommendation to a review panel, as defined in NRS 281A.720. As far as the undersigned counsel and Dr. Liu are aware, the investigation is ongoing, and no determination has been made, however the Opposition states that the Review Panel has determined to refer the Ethics Complaint to the Commission. Opposition at p. 3.

III. CONCLUSION

For the foregoing reasons, Dr. Liu respectfully requests that CNLV's pending Ethics Complaint be dismissed in its entirety.

DATED this 27th day of April, 2022.

JONES LOVELOCK

By: /s/ Andrea M. Champion, Esq.
Andrea M. Champion, Esq. (13461)
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Attorneys for Plaintiff Qiong Liu

Agenda Item 6

Bill Draft Request Language for the 2023 Legislative Session

General Clean-up and Clarifications – Definitions & Confidentiality

Section 1. NRS 281.5584 is hereby amended to read as follows:

281.5584 “Financial disclosure statement” or “statement” means a financial disclosure statement in the electronic form or other authorized form prescribed by the Secretary of State pursuant to NRS 281.5555 to 281.581, inclusive. ~~[, or in the form approved by the Secretary of State for a specialized or local ethics committee pursuant to NRS 281A.350.]~~

Sec. 2. Chapter 281A of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 12, inclusive, of this act.

Sec. 3. “Chair” means:

- 1. The Chair of the Commission; or*
- 2. The Vice Chair or another member of the Commission serving in the capacity of the Chair pursuant to NRS 281A.210.*

Sec. 4. “Party” means, for the purposes of the adjudicatory hearing or other disposition of proceedings before the Commission concerning an ethics complaint pursuant to this chapter:

- 1. The Executive Director or his or her designee; and*
- 2. The public officer or employee who is the subject of the ethics complaint.*

Sec. 5. “Published opinion” means an opinion issued by the Commission that is publicly available on the Internet website of the Commission.

Sec. 6. “Statutory ethical standards” means the statutory ethical standards set forth in the provisions of this chapter.

Sec. 7.1. The provisions of this chapter establish statutory ethical standards to govern the conduct of:

- (a) Public officers and employees; and*
 - (b) Former public officers and employees in situations where the statutory ethical standards apply to the conduct of former public officers and employees after the end of any period of public service or employment.*
- 2. The statutory ethical standards are cumulative and supplement each other, and the application of any one of the statutory ethical standards to a given set of facts and circumstances does not bar the application of any other of the statutory ethical standards that also apply to the given set of facts and circumstances.*

Sec. 9. During any period in which proceedings concerning a request for an advisory opinion or an ethics complaint are confidential pursuant to this chapter, the provisions of chapter 241 of NRS do not apply to any meeting or hearing held by the Commission or any deliberations or actions of the Commission involving:

- 1. Any decisions in litigation concerning any judicial action or proceeding related to the request for an advisory opinion or the ethics complaint; or*
- 2. Any delegation of authority to make such decisions in the litigation to the Chair or the Executive Director, or both, pursuant to NRS 241.0357.*

New Ethics Violation – Unwarranted Harm

Sec. 10. A public officer or employee shall not use the public officer’s or employee’s position or power in government to take any actions or compel a subordinate to take any actions that cause unwarranted harm or damage to an individual in order to benefit the significant pecuniary or personal interest of the public officer or employee or the significant pecuniary or personal interest of any person to whom the public officer or employee has a commitment in a private capacity. As used in this subsection, “unwarranted” means without justification or adequate reason.

Acknowledgment Compliance Assistance

Sec. 11. *A list of each public officer who is required to file an acknowledgment of the statutory ethical standards in accordance with NRS 281A.500 must be submitted electronically to the Commission, in the form prescribed by the Commission, on or before December 1 of each year by:*

1. For an appointed public officer, the appointing authority of the public officer, including, without limitation:

- (a) The manager of each local agency for a public officer of a local agency;*
- (b) The Director of the Legislative Counsel Bureau for a public officer of the Legislative Department of the State Government; and*
- (c) The Director of the Department of Administration, or his or her designee, for a public officer of the Executive Department of the State Government; and*

2. For an elected public officer of:

- (a) A county and other political subdivisions within the county except cities, the county clerk;*
- (b) A city, the city clerk;*
- (c) The Legislative Department of the State Government, the Director of the Legislative Counsel Bureau; and*
- (d) The Executive Department of the State Government, the Director of the Department of Administration, or his or her designee.*

General Clean-up and Clarifications

Sec. 13. NRS 281A.030 is hereby amended to read as follows:

281A.030 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 281A.032 to 281A.170, inclusive, *and sections 3 to 6, inclusive, of this act* have the meanings ascribed to them in those sections.

Sec. 14. NRS 281A.032 is hereby amended to read as follows:

281A.032 “Adjudicatory hearing” means a hearing held by the Commission pursuant to NRS 281A.745 to receive evidence *and render a decision* concerning an ethics complaint. ~~[and render an opinion in the matter.]~~

Sec. 15. NRS 281A.033 is hereby amended to read as follows:

281A.033 “Advisory opinion” means an advisory opinion ~~[rendered]~~ *issued* by the Commission pursuant to NRS 281A.670 to 281A.690, inclusive.

Sec. 16. NRS 281A.065 is hereby amended to read as follows:

281A.065 “Commitment in a private ~~[capacity,” with respect to the interests of another person,]~~ *capacity*” means a *private* commitment, interest or relationship of a public officer or employee to: ~~[a person:]~~

1. ~~[Who is the]~~ *The* spouse or domestic partner of the public officer or employee;
2. ~~[Who is a]~~ *A* member of the household of the public officer or employee;
3. ~~[Who is related to]~~ *A relative of* the public officer or employee, or ~~[to]~~ the spouse or domestic partner of the public officer or employee, by blood, adoption, marriage or domestic partnership within the third degree of consanguinity or affinity;
4. ~~[Who employs]~~ *The employer of* the public officer or employee, the spouse or domestic partner of the public officer or employee or a member of the household of the public officer or employee;
5. ~~[With]~~ *A person with* whom the public officer or employee has a substantial and continuing business relationship; or
6. ~~[With]~~ *A person with* whom the public officer or employee has any other *private* commitment, interest or relationship that is substantially similar to a *private* commitment, interest or relationship described in subsections 1 to 5, inclusive.

Sec. 17. NRS 281A.088 is hereby amended to read as follows:

281A.088 “Ethics complaint” means ~~[a request for an opinion]~~ *an ethics complaint* which is filed with the Commission or initiated by the Commission on its own motion pursuant to NRS 281A.710 regarding the propriety of the conduct of a public officer or employee under *this chapter the statutory ethical standards.* ~~[set forth in this chapter.]~~

Sec. 18. NRS 281A.135 is hereby amended to read as follows:

281A.135 1. "Opinion" means an opinion ~~rendered~~ *issued* by the Commission in accordance with the provisions of this chapter.

2. The term includes, without limitation, the disposition of an ethics complaint by stipulation, agreed settlement, consent order or default as authorized by NRS 233B.121.

Sec. 19. NRS 281A.161 is hereby amended to read as follows:

281A.161 "Request for an advisory opinion" means a request for an advisory opinion which is filed with the Commission pursuant to NRS 281A.675. ~~by a public officer or employee who is:~~

~~1. Seeking guidance on matters which directly relate to the propriety of his or her own past, present or future conduct as a public officer or employee under the statutory ethical standards set forth in this chapter; or~~

~~2. Requesting relief pursuant to NRS 281A.410, 281A.430 or 281A.550.]~~

Vice Chair May Perform Chair Duties

Sec. 20. NRS 281A.210 is hereby amended to read as follows:

281A.210 1. The Commission shall ~~[(a) At]~~ *at* its first meeting *of the fiscal year* and annually thereafter elect a Chair and Vice Chair from among its members.

~~[(b) Meet]~~

2. If the Chair is prohibited from acting on a particular matter or is otherwise unable to act on a particular matter, the Vice Chair shall exercise the powers and functions and perform the duties of the Chair concerning that particular matter. If the Chair and Vice Chair are prohibited from acting on a particular matter or are otherwise unable to act on a particular matter, accordance with the regulations of the Commission shall exercise the powers and functions and perform the duties of the Chair concerning that particular matter.

3. The Commission shall meet regularly at least once in each calendar quarter, unless there are no ethics complaints or requests for advisory opinions pursuant to this chapter, and at other times upon the call of the Chair.

~~[2.]~~*4.* Members of the Commission are entitled to receive a salary of not more than \$80 per day, as fixed by the Commission, while engaged in the business of the Commission.

~~[3.]~~*5.* While engaged in the business of the Commission, each member and employee of the Commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

~~[4.]~~*6.* The Commission may, within the limits of legislative appropriation, maintain such facilities as are required to carry out its functions.

Statutory Authority for Settlement Conferences

Sec. 21. NRS 281A.220 is hereby amended to read as follows:

281A.220 1. The Chair shall appoint one or more review panels of three members of the Commission on a rotating basis to perform the functions assigned to such review panels pursuant to this chapter.

2. The Chair and Vice Chair of the Commission may not serve together on a review panel.

3. Not more than two members of a review panel may be members of the same political party.

4. If a review panel determines that there is just and sufficient cause for the Commission to render *a decision and issue* an opinion in a matter, the members of the review panel shall not participate in any further proceedings of the Commission relating to that matter

~~[(1)], except that:~~

(a) One or more members of the review panel may, with the consent of the parties, participate as mediators or facilitators in any settlement negotiations between the parties ~~that are conducted after issuance of the review panel determination and before an adjudicatory hearing in the matter.~~

(b) The members of the review panel may authorize the development of or approve a deferral agreement pursuant to NRS 281A.730.

General Clean-up and Clarifications – Litigation & Investigation

Sec. 23. NRS 281A.240 is hereby amended to read as follows:

281A.240 1. In addition to any other duties imposed upon the Executive Director, the Executive Director shall:

- (a) Maintain complete and accurate records of all transactions and proceedings of the Commission.
 - (b) Receive ethics complaints and requests for advisory opinions pursuant to this chapter.
 - (c) Gather information and conduct investigations regarding ethics complaints and requests for advisory opinions pursuant to this chapter.
 - (d) ~~Submit~~ **Present** recommendations to the review panel regarding whether there is just and sufficient cause for the Commission to render **a decision and issue** an opinion in a matter.
 - (e) Recommend to the Commission any regulations or legislation ~~that~~ the Executive Director considers desirable or necessary to improve the operation of the Commission and maintain high standards of ethical conduct in government.
 - (f) Upon the request of any public officer or the employer of a public employee, conduct training on the requirements of this chapter, the rules and regulations adopted by the Commission and ~~previous~~ **the published** opinions of the Commission. In any such training, the Executive Director shall emphasize that the Executive Director is not a member of the Commission and that only the Commission may issue opinions concerning the application of the statutory ethical standards to any given set of facts and circumstances. The Commission may charge a reasonable fee to cover the costs of training provided by the Executive Director pursuant to this paragraph.
 - (g) Perform such other duties, not inconsistent with law, as may be required by the Commission.
2. The Executive Director shall, within the limits of legislative appropriation, employ such persons as are necessary to carry out any of the Executive Director's duties relating to:
- (a) The administration of the affairs of the Commission; and
 - (b) The investigation of matters under the jurisdiction of the Commission.
3. If the Executive Director is prohibited from acting on a particular matter or is otherwise unable to act on a particular matter, the Chair ~~of the Commission~~ shall designate a qualified person to perform the duties of the Executive Director with regard to that particular matter.

Sec. 24. NRS 281A.260 is hereby amended to read as follows:

281A.260 1. The Commission Counsel is the legal adviser to the Commission. For each **written** opinion of the Commission, the Commission Counsel shall prepare, at the direction of the Commission ~~or as required pursuant to this chapter~~, the appropriate findings of fact and conclusions as to **the** relevant **statutory ethical** standards and the propriety of particular conduct. The Commission Counsel shall not issue written opinions concerning the applicability of the statutory ethical standards to a given set of facts and circumstances except as directed by the Commission.

2. The Commission may rely upon the legal advice of the Commission Counsel in conducting its daily operations.

3. ***Except as otherwise provided in this section or directed by the Commission, in litigation concerning any judicial action or proceeding in which the Commission or any member or employee of the Commission is a party in an official capacity or participates or intervenes in an official capacity, the Commission Counsel shall represent and act as legal counsel to the Commission or any member or employee of the Commission in the action or proceeding.***

4. ***The provisions of subsection 3 do not apply to litigation concerning any judicial action or proceeding in which the Commission:***

- (a) Requests that the Attorney General appoint a deputy to act in the place of the Commission Counsel; or***
- (b) Employs outside legal counsel.***

5. ***The Commission Counsel shall not represent and act as legal counsel for the Executive Director in any judicial action or proceeding in which the Executive Director is named as a party based upon conduct in the official capacity of the Executive Director as a party to an adjudicatory proceeding.***

6. If the Commission Counsel is prohibited from acting on a particular matter or is otherwise unable to act on a particular matter, the Commission may:

- (a) Request that the Attorney General appoint a deputy to act in the place of the Commission Counsel; or
- (b) Employ outside legal counsel.

Sec. 25. NRS 281A.280 is hereby amended to read as follows:

281A.280 1. Except as otherwise provided in this section, the Commission has jurisdiction to ~~investigate~~:

(a) *Gather information and issue an advisory opinion in any proceeding commenced by a request for an advisory opinion that is filed with the Commission, except that the Commission does not have jurisdiction to issue an advisory opinion on matters which directly relate to the propriety of past conduct occurring more than 2 years before the date on which the request for an advisory opinion is filed with the Commission.*

(b) *Investigate* and take appropriate action regarding an alleged violation of this chapter by a ~~public officer or employee~~ *current* or former public officer or employee in any proceeding commenced by an ethics complaint, which is filed with the Commission or initiated by the Commission on its own motion, within 2 years after the alleged violation or reasonable discovery of the alleged violation.

(c) *Investigate and take appropriate action regarding an alleged violation of subsection 3 of NRS 281A.790 by a current or former public officer or employee or any other person in any proceeding commenced by a written notice of the charges, which is initiated by the Commission on its own motion, within 2 years after the alleged violation or reasonable discovery of the alleged violation.*

2. The Commission does not have jurisdiction regarding alleged conduct by a ~~public officer or employee~~ *current* or former public officer or employee for which:

(a) A complaint may be filed or, if the applicable limitations period has expired, could have been filed with the United States Equal Employment Opportunity Commission or the Nevada Equal Rights Commission; or

(b) A complaint or employment-related grievance may be filed or, if the applicable limitations period has expired, could have been filed with another appropriate agency with jurisdiction to redress alleged discrimination or harassment, including, without limitation, a state or local employee-management relations board or similar state or local agency,

→ but any bar on the Commission's jurisdiction imposed by this subsection applies only to the extent that it pertains to the alleged discrimination or harassment, and this subsection does not deprive the Commission of jurisdiction regarding the alleged conduct if such conduct is sanctionable separately or concurrently under the provisions of this chapter, irrespective of the alleged discrimination or harassment.

3. For the purposes of this section, a proceeding is commenced ~~and~~ *by an ethics complaint*:

(a) On the date on which ~~an~~ *the* ethics complaint is filed in the proper form with the Commission in accordance with the regulations of the Commission; or

(b) If the ethics complaint is initiated by the Commission on its own motion, on the date on which the Commission serves the ~~public officer or employee~~ *current* or former public officer or employee with *a written* notice of the *investigation of the* ethics complaint in accordance with the regulations of the Commission.

General Clean-up and Clarifications – Regulations and Manual

Sec. 26. NRS 281A.290 is hereby amended to read as follows:

281A.290 The Commission shall:

1. Adopt procedural regulations that are necessary and proper to carry out the provisions of this chapter, including, without limitation:

(a) To facilitate the receipt of inquiries by the Commission;

(b) For the filing of an ethics complaint or a request for an advisory opinion with the Commission;

(c) For the withdrawal of an ethics complaint or a request for an advisory opinion by the person who filed the ethics complaint or request;

(d) To facilitate the prompt rendition *of decisions and the issuance* of opinions by the Commission; and

(e) For proceedings concerning an ethics complaint, to facilitate written discovery requests submitted pursuant to NRS 281A.750 and 281A.755 and the disclosure of evidence in the manner required by those sections, including, without limitation, the disclosure of evidence obtained by or on behalf of the Executive Director during the course of the investigation that affirmatively and substantively disproves any alleged violation of this chapter that is related to the ethics complaint and has been referred to the Commission for an adjudicatory hearing.

2. Prescribe, by regulation, forms and procedures for the submission of ~~statements of acknowledgment~~ *acknowledgments of the statutory ethical standards* filed by public officers pursuant to NRS 281A.500, maintain files of such ~~statements~~ *acknowledgments* and make the ~~statements~~ *acknowledgments* available for public inspection.

3. Cause the making of such investigations as are reasonable and necessary for the rendition of *decisions and the issuance* of ~~its~~ opinions pursuant to this chapter.

4. Inform the Attorney General or district attorney of all cases of noncompliance with the requirements of this chapter.

5. Recommend to the Legislature such further legislation as the Commission considers desirable or necessary to promote and maintain high standards of ethical conduct in government.

6. Publish ~~a manual~~ *materials* for the use of public officers and employees that ~~explains~~ *explain* the requirements of this chapter.

- ~~[The Legislative Counsel shall prepare annotations to this chapter for inclusion in the Nevada Revised Statutes based on the published opinions of the Commission.]~~

Sec. 27. NRS 281A.300 is hereby amended to read as follows:

281A.300 1. The Chair ~~and Vice Chair~~ *or a member* of the Commission *appointed by the Chair to preside over any meetings, hearings and proceedings* may administer oaths ~~or direct a certified court reporter or other authorized person to administer oaths.~~

2. The Commission, upon majority vote, may issue a subpoena to compel the attendance of a witness and the production of any books and papers for any hearing before the Commission.

3. ~~Upon~~ *Except as otherwise provided in this subsection, upon* the request of the Executive Director, the Chair ~~for, in the Chair's absence, the Vice Chair,~~ *may issue a subpoena during the course of any investigation to compel the participation of a potential witness and the production of any books and papers during the course of any investigation, including, without limitation, information, records and documentation regarding personnel records maintained by an agency concerning the conduct of a public officer or employee, including, notwithstanding any other provision of law to the contrary, records otherwise deemed by law to be confidential, that relate to issues under consideration in an ethics complaint. A request by the Executive Director for a subpoena pursuant to this subsection may not include a request for records related to a concurrent, pending criminal investigation where such records are otherwise protected as confidential.*

4. Upon the request of the Executive Director or the public officer or employee who is the subject of an ethics complaint, the Chair ~~for, in the Chair's absence, the Vice Chair,~~ *may issue a subpoena to compel the attendance of a witness and the production of any books and papers for any hearing before the Commission. A public officer or employee who requests the issuance of a subpoena pursuant to this subsection must serve the subpoena in the manner provided in the Nevada Rules of Civil Procedure for service of subpoenas in a civil action and must pay the costs of such service.*

5. Before ~~issuing~~ *the Chair issues* a subpoena *directed to* ~~the~~ *the* public officer or employee who is the subject of an ethics complaint to compel his or her participation in any investigation, his or her attendance as a witness or his or her production of any books and papers, the Executive Director shall submit a written request to the public officer or employee requesting:

- (a) The voluntary participation of the public officer or employee in the investigation;
- (b) The voluntary attendance of the public officer or employee as a witness; or
- (c) The voluntary production by the public officer or employee of any books and papers relating to the ethics complaint.

6. Each written request submitted by the Executive Director pursuant to subsection 5 must specify the time and place for the voluntary participation of the public officer or employee in the investigation, attendance of the public officer or employee as a witness or production of any books and papers, and designate with certainty the books and papers requested, if any.

7. If the public officer or employee fails or refuses to respond to the Executive Director's written request pursuant to subsection 5 to voluntarily participate or attend at the time and place specified or produce the books and papers requested by the Executive Director within 5 business days after receipt of the written request, the Chair ~~for, in the Chair's absence, the Vice Chair,~~ *may issue the subpoena. Failure of the public officer or employee to comply with the written request of the Executive Director shall be deemed a waiver by the public officer or employee of the time limits set forth in NRS 281A.700 to 281A.790, inclusive, and section 12 of this act, that* apply to proceedings concerning the ethics complaint.

8. If any witness fails or refuses to participate, attend, testify or produce any books and papers as required by the subpoena, the Chair ~~for, in the Chair's absence, the Vice Chair,~~ *may report to the*

district court by petition, setting forth that:

- (a) Due notice has been given of the time and place of the participation or attendance of the witness or the production of the books and papers;
- (b) The witness has been subpoenaed pursuant to this section; and
- (c) The witness has failed or refused to participate, attend, testify or produce the books and papers as required by the subpoena, or has failed or refused to answer questions propounded to the witness,

→ and asking for an order of the court compelling the witness to participate, attend, testify or produce the books and papers as required by the subpoena.

9. Upon such a petition, the court shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order, and then and there show cause why the witness has not participated, attended, testified or produced the books or papers as required by the subpoena. A certified copy of the order must be served upon the witness.

10. If ~~it appears to~~, *at the hearing to show cause*, the court *finds* that the subpoena was regularly issued pursuant to this section ~~and that the witness has not proven a reason recognized by law for the failure to comply with its provisions~~, the court shall enter an order that the witness comply with the subpoena, at the time and place fixed in the order, and participate, attend, testify or produce the required books and papers. Upon failure to obey the order, the witness must be dealt with as for contempt of court.

11. Any court proceeding commenced pursuant to this section is deemed good cause for the Commission to grant an extension of the time limits set forth in NRS 281A.700 to 281A.790, inclusive, and section 12 of this act, that apply to proceedings concerning the ethics complaint.

Limited Use Exception Clarification

Sec. 29. NRS 281A.400 is hereby amended to read as follows:

281A.400 ~~[A code of ethical standards is hereby established to govern the conduct of public officers and employees:]~~

7. Except for State Legislators who are subject to the restrictions set forth in subsection 8, a public officer or employee shall not use governmental time, property, equipment or other facility to benefit a significant personal or pecuniary interest of the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity. This subsection does not prohibit:

- (a) A limited use of governmental property, equipment or other facility for personal purposes if:

- (1) ~~[The]~~ *At the time that the use occurs, the use is:*

- (I) *Authorized by a written policy which was adopted before the use occurs by the* public officer or employee who is responsible for and has authority to authorize the use of such property, equipment or other facility ~~[has established a policy allowing the use or the use is necessary];~~ *or*

- (II) *Necessary* as a result of emergency circumstances ~~and~~, whether or not the use is authorized by such a written policy;

- (2) The use does not interfere with the performance of the public officer's or employee's public duties;

- (3) The cost or value related to the use is nominal; and

- (4) The use does not create the appearance of impropriety;

- (b) The use of mailing lists, computer data or other information lawfully obtained from a governmental agency which is available to members of the general public for nongovernmental purposes; or

- (c) The use of telephones or other means of communication if there is not a special charge for that use.

→ If a governmental agency incurs a cost as a result of a use that is authorized pursuant to this subsection or would ordinarily charge a member of the general public for the use, the public officer or employee shall promptly reimburse the cost or pay the charge to the governmental agency.

8. A State Legislator shall not:

- (a) Use governmental time, property, equipment or other facility ~~[for a nongovernmental purpose or for the private] to~~ benefit *a significant personal or pecuniary interest* of the State Legislator or any ~~[other] person [] to whom the State Legislator has a commitment in a private capacity~~. This paragraph does not prohibit:

- (1) A limited use of ~~{state}~~ **governmental** property ~~{and resources}~~, **equipment or other facility** for personal purposes if:
 - (I) The use does not interfere with the performance of the State Legislator's public duties;
 - (II) The cost or value related to the use is nominal; and
 - (III) The use does not create the appearance of impropriety;
- (2) The use of mailing lists, computer data or other information lawfully obtained from a governmental agency which is available to members of the general public for nongovernmental purposes; or
- (3) The use of telephones or other means of communication if there is not a special charge for that use.
- (b) Require or authorize a legislative employee, while on duty, to perform personal services or assist in a private activity, except:
 - (1) In unusual and infrequent situations where the **legislative** employee's service is reasonably necessary to permit the State Legislator or legislative employee to perform that person's official duties; or
 - (2) Where such service has otherwise been established as legislative policy.

11. As used in this section, "appearance of impropriety" means a reasonable person would find, based on the given set of facts and circumstances, that a public officer's or employee's limited use of governmental property, equipment or other facility for personal purposes is inappropriate, disproportionate, excessive or unreasonable under that given set of facts and circumstances.

General Clean-up

Sec. 30. NRS 281A.410 is hereby amended to read as follows:

281A.410 ~~{In addition to the requirements of the code of ethical standards and the other provisions of this chapter:}~~

4. For the purposes of subsection 3, the request for an advisory opinion, **the decision rendered**, the advisory opinion and all meetings, hearings and proceedings of the Commission in such a matter are governed by the provisions of NRS 281A.670 to 281A.690, inclusive.

No Duty To Disclosure Legally Confidential Information

Sec. 31. NRS 281A.420 is hereby amended to read as follows:

281A.420 2. The provisions of subsection 1 do not require ~~{a}~~:

(a) A public officer to disclose:

~~{(a)}~~ (1) Any campaign contributions that the public officer reported in a timely manner pursuant to NRS 294A.120 or 294A.125; or

~~{(b)}~~ (2) Any contributions to a legal defense fund that the public officer reported in a timely manner pursuant to NRS 294A.286.

(b) A public officer or employee to disclose any information which is confidential as a result of a bona fide relationship that protects the confidentiality of the information under the terms of a contract or as a matter of law, including, without limitation, the attorney-client relationship, if the public officer or employee:

(1) In the disclosure made pursuant to subsection 1, discloses all nonconfidential information that is required to be disclosed and describes the general nature of the relationship that protects the confidential information from being disclosed; and

(2) Abstains from advocating the passage or failure of and from approving, disapproving, voting or otherwise acting upon the matter, regardless of whether the public officer or employee would be required to abstain pursuant to subsection 3.

3. Except as otherwise provided in this section, in addition to the requirements of subsection 1, a public officer shall not vote upon or advocate the passage or failure of, but may otherwise participate in the consideration of, a matter with respect to which the independence of judgment of a reasonable person in the public officer's situation would be materially affected by:

(a) The public officer's acceptance of a gift or loan;

(b) The public officer's significant pecuniary interest; ~~{or}~~

(c) The public officer's commitment in a private capacity to the interests of another person ~~{,}~~;
or

(d) The public officer's representation or counseling of a private person for compensation before another agency within the immediately preceding year, provided such representation or

counseling is permitted by NRS 281A.410.

4. In interpreting and applying the provisions of subsection 3:

(a) It must be presumed that the independence of judgment of a reasonable person in the public officer's situation would not be materially affected by the public officer's acceptance of a gift or loan, significant pecuniary interest, ~~or~~ commitment in a private capacity to the interests of another person *or representation or counseling of a private person for compensation as permitted by NRS 281A.410* where the resulting benefit or detriment accruing to the public officer, or if the public officer has a commitment in a private capacity to the interests of another person ~~or~~ *or has represented or counseled a private person for compensation as permitted by NRS 281A.410*, accruing to the other person, is not greater than that accruing to any other member of any general business, profession, occupation or group that is affected by the matter. The presumption set forth in this paragraph does not affect the applicability of the requirements set forth in subsection 1 relating to the duty of the public officer to make a proper disclosure at the time the matter is considered and in the manner required by subsection 1.

(b) The Commission must give appropriate weight and proper deference to the public policy of this State which favors the right of a public officer to perform the duties for which the public officer was elected or appointed and to vote or otherwise act upon a matter, provided the public officer makes a proper disclosure at the time the matter is considered and in the manner required by subsection 1. Because abstention by a public officer disrupts the normal course of representative government and deprives the public and the public officer's constituents of a voice in governmental affairs, the provisions of this section are intended to require abstention only in clear cases where the independence of judgment of a reasonable person in the public officer's situation would be materially affected by the public officer's acceptance of a gift or loan, significant pecuniary interest, ~~or~~ commitment in a private capacity to the interests of another person ~~or~~ *or representation or counseling of a private person for compensation as permitted by NRS 281A.410.*

6. The provisions of this section do not, under any circumstances:

(a) Prohibit a member of a local legislative body from requesting or introducing a legislative measure; or

(b) Require a member of a local legislative body to take any particular action before or while requesting or introducing a legislative measure.

7. The provisions of this section do not, under any circumstances, apply to State Legislators or allow the Commission to exercise jurisdiction or authority over State Legislators. The responsibility of a State Legislator to make disclosures concerning ~~gifts, loans, interests or commitments~~ *a matter* and the responsibility of a State Legislator to abstain from voting upon or advocating the passage or failure of a matter are governed by the Standing Rules of the Legislative Department of *the* State Government which are adopted, administered and enforced exclusively by the appropriate bodies of the Legislative Department of *the* State Government pursuant to Section 6 of Article 4 of the Nevada Constitution.

8. As used in this section, "public officer" and "public employee" do not include a State Legislator.

Cooling Off Limitations

Sec. 33. NRS 281A.550 is hereby amended to read as follows:

281A.550 3. In addition to the prohibitions set forth in subsections 1 and 2, and except as otherwise provided in subsections 4 and 6, a *current or* former public officer or *management-level public* employee of a board, commission, department, division or other agency of the Executive Department of *the* State Government ~~[except a clerical employee.]~~ shall not solicit or accept employment from a business or industry whose activities are governed by regulations adopted *or administered* by the board, commission, department, division or other agency, *as applicable, during the public officer's or employee's period of public service or employment or* for 1 year after the termination of ~~[the former public officer's or employee's] his or her period of public~~ service or ~~[period of]~~ employment if:

(a) The ~~former~~ public officer's or employee's principal duties *include or* included the formulation of policy contained in the regulations governing the business or industry;

(b) ~~[During]~~ *Within* the immediately preceding year, ~~[the former]~~ *during the public officer's or employee's period of public service or employment or within the year immediately preceding the termination of the public officer's or employee's period of public service or employment,* the public officer or employee directly performed activities, or controlled or influenced an audit, decision, investigation or other action, which significantly affected the business or

- industry; ~~[which might, but for this section, employ the former public officer or employee;]~~ or
- (c) As a result of the ~~[former]~~ public officer's or employee's governmental service or employment, the ~~[former]~~ public officer or employee possesses knowledge of the trade secrets of a direct business competitor.
4. The provisions of subsection 3 do not apply to a **current or** former ~~[public officer who was a]~~ member of a board, commission or similar body of the State if:
- (a) The ~~[former public officer]~~ **member** is engaged in the profession, occupation or business regulated by the board, commission or similar body;
 - (b) The ~~[former public officer]~~ **member** holds a license issued by the board, commission or similar body; and
 - (c) Holding a license issued by the board, commission or similar body is a requirement for membership on the board, commission or similar body.
5. Except as otherwise provided in subsection 6, a **current or** former public officer or employee of the State or a political subdivision, except a clerical employee, shall not solicit or accept employment from a person to whom a contract for supplies, materials, equipment or services was awarded by the State or political subdivision, as applicable, ***or was implemented, managed or administered by the State or political subdivision, as applicable, during the public officer's or employee's period of public service or employment or*** for 1 year after the termination of ~~[the officer's or employee's]~~ ***his or her period of public service or [period of] employment, if:***
- (a) The amount of the contract exceeded \$25,000;
 - (b) The contract was awarded ***or was implemented, managed or administered by the State or political subdivision, as applicable, within the immediately preceding year during the public officer's or employee's period of public service or employment or*** within the ~~[12-month period]~~ ***year*** immediately preceding the termination of the **public** officer's or employee's **period of public** service or ~~[period of]~~ employment; and
 - (c) The position held by the ~~[former]~~ public officer or employee at the time the contract was awarded ***or while it was implemented, managed or administered by the State or political subdivision, as applicable,*** allowed the ~~[former]~~ public officer or employee to ***materially*** affect or influence the awarding of the contract ~~[.] or its implementation, management or administration.~~
6. A current or former public officer or employee may file a request for an advisory opinion pursuant to NRS 281A.675 concerning the application of the relevant facts in that person's case to the provisions of subsection 3 or 5, as applicable, and ***the Commission may*** determine whether relief from the strict application of those provisions is proper. ***For the purposes of submitting all necessary information for the Commission to render a decision and issue an advisory opinion in the matter, a current or former public officer or employee may request information concerning potential employment from any business, industry or other person without violating the provisions of subsection 3 or 5, as applicable.*** If the Commission determines that relief from the strict application of the provisions of subsection 3 or 5, as applicable, is not contrary to:
- (a) The best interests of the public;
 - (b) The continued ethical integrity of the State Government or political subdivision, as applicable; and
 - (c) The provisions of this chapter,
 - it may issue an advisory opinion to that effect and grant such relief.
7. For the purposes of subsection 6, the request for an advisory opinion, ***the decision rendered,*** the advisory opinion and all meetings, hearings and proceedings of the Commission in such a matter are governed by the provisions of NRS 281A.670 to 281A.690, inclusive.
8. The advisory opinion does not relieve the current or former public officer or employee from the strict application of any provision of NRS 281A.410.
9. ~~[For]~~ ***Except as otherwise provided in subsection 6, for the purposes of this section:***
- (a) A former member of the Public Utilities Commission of Nevada, the Nevada Gaming Control Board or the Nevada Gaming Commission; or
 - (b) Any other **current or** former public officer or employee governed by this section, is employed by or is soliciting or accepting employment from a business, industry or other person described in this section if any oral or written agreement is sought, negotiated or exists during the restricted period pursuant to which the personal services of the public officer or employee are provided or will be provided to the business, industry or other person, even if such an agreement does not or will not become effective until after the restricted period.

10. As used in this section, “regulation” has the meaning ascribed to it in NRS 233B.038 and also includes regulations adopted *or administered* by a board, commission, department, division or other agency of the Executive Department of *the* State Government that is exempted from the requirements of chapter 233B of NRS.

General Clean-up

Sec. 34. NRS 281A.665 is hereby amended to read as follows:

281A.665 *1. The Legislative Counsel shall prepare annotations to this chapter for inclusion in the Nevada Revised Statutes based on the published opinions of the Commission.*

2. The ~~Commission's~~ opinions *of the Commission* may include guidance to a public officer or employee on questions whether:

~~1. (a)~~ *(a)* A conflict exists between the public officer's or employee's personal interest and the public officer's or employee's official ~~duty~~ *duties*.

~~2. (b)~~ *(b)* The public officer's or employee's official duties involve the use of discretionary judgment whose exercise in the particular matter would have a significant effect upon the disposition of the matter.

~~3. (c)~~ *(c)* The conflict would materially affect the independence of the judgment of a reasonable person in the public officer's or employee's situation.

~~4. (d)~~ *(d)* The public officer or employee possesses special knowledge which is an indispensable asset of ~~the public officer's or employee's public~~ *his or her public body*, agency *or employer* and is needed by it to reach a sound decision.

~~5. (e)~~ *(e)* It would be appropriate for the public officer or employee to withdraw or abstain from participation, disclose the nature of the public officer's or employee's conflicting personal interest or pursue some other designated course of action in the matter.

General Clean-up and Clarification – Advisory Opinions

Sec. 35. NRS 281A.675 is hereby amended to read as follows:

281A.675 1. ~~1. Except as otherwise provided in this section and NRS 281A.280,~~ *a* public officer or employee may file with the Commission a request for an advisory opinion to:

(a) Seek guidance on matters which directly relate to the propriety of his or her own past, present or future conduct as a public officer or employee under the statutory ethical standards; ~~set forth in this chapter;~~ or

(b) Request relief pursuant to NRS 281A.410, 281A.430 or 281A.550.

2. The request for an advisory opinion must be:

(a) Filed on a form prescribed by the Commission; and

(b) Submitted with all necessary information for the Commission to render *a decision and issue* an advisory opinion in the matter.

3. *At any time after a request for an advisory opinion is filed with the Commission, the Commission may request additional information relating to the request for an advisory opinion from the requester and his or her legal counsel.*

4. The Commission may decline to render *a decision and issue* an advisory opinion if the ~~public officer or employee~~ *requester* does not:

(a) Submit all necessary information for the Commission to render *a decision and issue* an advisory opinion in the matter; or

(b) Declare by oath or affirmation that he or she will testify truthfully regarding the matter ~~or confirm in writing, signed under oath, that any facts provided to the Commission for consideration of the request for an advisory opinion is truthful.~~

Sec. 38. NRS 281A.690 is hereby amended to read as follows:

281A.690 1. ~~Except as otherwise provided in this section, the~~ *The* provisions of chapter 241 of NRS do not apply to:

(a) Any meeting or hearing held by the Commission to receive information or evidence concerning a request for an advisory opinion; and

(b) Any deliberations or actions of the Commission on such information or evidence.

2. The ~~public officer or employee~~ *requester* who files the request for an advisory opinion may also file a request with the Commission to hold a public meeting or hearing regarding the request for an advisory opinion. *which request must confirm that requester is waiving the rights to confidentiality established in NRS 281A.685. If the Commission grants the request to hold a public meeting or*

hearing, the Commission shall provide public notice of the meeting or hearing, and the meeting or hearing must be open to the public and conducted in accordance with the regulations of the Commission, but the meeting or hearing is not subject to the provisions of chapter 241 of NRS.

Sec. 39. NRS 281A.700 is hereby amended to read as follows:

~~281A.700 The provisions of NRS 281A.700 to 281A.790, inclusive, and section 12 of this act apply to proceedings concerning an ethics complaint.~~

Sec. 40.

General Clean-up and Clarification – Complaint and Investigation

Sec. 41. NRS 281A.715 is hereby amended to read as follows:

281A.715 1. Based on the evidence submitted with an ethics complaint filed with the Commission ~~by a specialized or local ethics committee~~ or person pursuant to paragraph (a) or (b) of *subsection 1 of NRS 281A.710* ~~[] and any additional evidence~~ obtained by the Executive Director pursuant to *subsection 2*, the Commission shall determine whether it has jurisdiction in the matter and whether an investigation is warranted in the matter. The Commission shall make its determination within 45 days after receiving the ethics complaint, unless the ~~[public officer or employee who is the subject of the ethics complaint waives this time limit.]~~ *Commission determines that there is good cause to extend this time limit and sets a specific and reasonable time period for such an extension.*

2. To assist the Commission in making its determination pursuant to subsection 1 whether it has jurisdiction in the matter and whether an investigation is warranted in the matter, the Executive Director may conduct a preliminary investigation to obtain additional evidence concerning the allegations in the ethics complaint.

3. If the Commission determines pursuant to subsection 1 that it does not have jurisdiction in the matter, the Commission shall dismiss the matter.

~~[3.]~~ *4. If the Commission determines pursuant to subsection 1 that it has jurisdiction in the matter but the evidence [submitted with the ethics complaint] is not sufficient to warrant an investigation in the matter, the Commission shall dismiss the matter, with or without issuing a letter of caution or instruction to the public officer or employee pursuant to NRS 281A.780.*

~~[4.]~~ *5. If the Commission determines pursuant to subsection 1 that it has jurisdiction in the matter and the evidence [submitted with the ethics complaint] is sufficient to warrant an investigation in the matter, the Commission may direct the Executive Director to investigate the ethics complaint pursuant to NRS 281A.720.*

6. If the Commission initiates an ethics complaint on its own motion pursuant to paragraph (c) of subsection 1 of NRS 281A.710 and the Commission determines that the evidence:

(a) Is not sufficient to warrant an investigation in the matter, the Commission may dismiss the matter, with or without prejudice. If the Commission dismisses the matter, it shall may issue a letter of caution or instruction to the public officer or employee pursuant to NRS 281A.780.

(b) Is sufficient to warrant an investigation in the matter, the Commission may direct the Executive Director to investigate the ethics complaint pursuant to NRS 281A.720.

Notice of Investigation to Replace Copy of Complaint

Sec. 42. NRS 281A.720 is hereby amended to read as follows:

281A.720 1. If the Commission directs the Executive Director to investigate an ethics complaint pursuant to NRS 281A.715, ~~[or if the Commission initiates an ethics complaint on its own motion pursuant to NRS 281A.710,]~~ the Executive Director shall investigate the facts and circumstances relating to the ethics complaint to determine whether the Executive Director believes that there is just and sufficient cause for the Commission to render *a decision and issue* an opinion in the matter in order to present a written recommendation to the review panel pursuant to NRS 281A.725.

2. The Executive Director shall ~~[provide]~~ *prepare and serve a written* notice of the investigation *of the ethics complaint* pursuant to this section ~~[to]~~ *on* the public officer or employee who is the subject of the ethics complaint and provide the public officer or employee an opportunity to submit to the Executive Director a response to the ~~[allegations against the public officer or employee in the ethics complaint.]~~ *written notice of the investigation.* The response must be submitted within 30 days after the date on which the public officer or employee ~~[receives]~~ *is served with* the *written* notice of the investigation pursuant to this section, unless the *public officer or employee waives the time limit set*

forth in subsection 1 of NRS 281A.725 and the Executive Director grants one or more extensions for good cause shown and sets a specific and reasonable time period for such an extension.

5. Whether or not the public officer or employee submits a response pursuant to this section, the Executive Director may take action, in the manner authorized by NRS 281A.300, to secure the public officer's or employee's participation, attendance as a witness and production of any books and papers during the course of the investigation through records requests, subpoenas or other legal methods.

Sec. 43. NRS 281A.725 is hereby amended to read as follows:

281A.725 1. ~~[Except as otherwise provided in this subsection, the]~~ *The* Executive Director shall complete the investigation required by NRS 281A.720 and present a written recommendation to the review panel within 70 days after the Commission directs the Executive Director to investigate the ethics complaint ~~[or after the Commission initiates the ethics complaint on its own motion, as applicable.], except that:~~

(a) The public officer or employee who is the subject of the ethics complaint may waive this time limit [-]; or an extension is granted pursuant to Section XYZ of this bill. (b) Upon the request of the Executive Director, the presiding officer of the review panel may grant one or more extensions of this time limit for good cause shown. If the presiding officer grants such an extension, the presiding officer must set a specific and reasonable time period for such an extension.

2. The *written* recommendation *that the Executive Director* presents to the review panel must:

- (a) Set forth the factual and legal basis for the recommendation;
- (b) State whether the Executive Director believes that there is just and sufficient cause for the Commission to render *a decision and issue* an opinion in the matter; and
- (c) If the Executive Director believes that a disposition of the matter without an adjudicatory hearing is appropriate under the facts and circumstances, state any suggested disposition that is consistent with the provisions of this chapter, including, without limitation, whether the Executive Director believes that the conduct at issue may be appropriately addressed through additional training or other corrective action under the terms and conditions of a deferral agreement.

Sec. 44. NRS 281A.730 is hereby amended to read as follows:

281A.730 1. Except as otherwise provided in this section, the review panel shall determine whether there is just and sufficient cause for the Commission to render *a decision and issue* an opinion in the matter within *15* days after the Executive Director ~~[provides]~~ *presents to* the review panel ~~[with]~~ the recommendation required by NRS 281A.725. The public officer or employee who is the subject of the ethics complaint may waive this time limit. *The review panel shall serve on the public officer or employee who is the subject of the ethics complaint a written notice of its determination.*

2. The review panel shall cause a record of its proceedings to be kept.

3. The review panel shall not determine that there is just and sufficient cause for the Commission to render *a decision and issue* an opinion in the matter unless the Executive Director has provided the public officer or employee an opportunity to respond ~~[to the allegations]~~ as required by NRS 281A.720.

4. If the review panel determines that there is not just and sufficient cause for the Commission to render *a decision and issue* an opinion in the matter, it shall dismiss the matter, with or without prejudice, and with or without issuing a letter of caution or instruction to the public officer or employee pursuant to NRS 281A.780.

5. If the review panel determines that there is just and sufficient cause for the Commission to render *a decision and issue* an opinion in the matter but reasonably believes that the conduct at issue may be appropriately addressed through additional training or other corrective action under the terms and conditions of a deferral agreement, the review panel may:

- (a) Approve a deferral agreement proposed by the Executive Director and the public officer or employee instead of referring the ethics complaint to the Commission for further proceedings in the matter; or
- (b) Authorize the Executive Director and the public officer or employee to develop such a deferral agreement and may thereafter approve such a deferral agreement instead of referring the ethics complaint to the Commission for further proceedings in the matter.

6. If the review panel does not approve a deferral agreement pursuant to subsection 5 or if the public officer or employee declines to enter into such a deferral agreement, the review panel shall refer the ethics complaint to the Commission for further proceedings in the matter.

7. If the review panel determines that there is just and sufficient cause for the Commission to render *a decision and issue* an opinion in the matter and reasonably believes that the conduct at issue may not be appropriately addressed through additional training or other corrective action under the terms and conditions of a deferral agreement, the review panel shall refer the ethics complaint to the Commission for further proceedings in the matter.

General Clean-up and Clarification – Panel and Commission Proceedings

Sec. 45. NRS 281A.745 is hereby amended to read as follows:

281A.745 1. If the review panel refers an ethics complaint to the Commission for further proceedings in the matter pursuant to NRS 281A.730 or if the Commission vacates a deferral agreement and conducts further proceedings in the matter pursuant to NRS 281A.740 ~~[, the]:~~:

(a) *The Executive Director shall issue a formal notice of charges to the public officer or employee who is the subject of the ethics complaint regarding the allegations to be presented at an adjudicatory hearing; and*

(b) *The Commission shall hold an adjudicatory hearing and render ~~[an opinion in the matter]~~ a decision concerning the ethics complaint within 60 days after the date on which the review panel refers the ethics complaint to the Commission or the Commission vacates the deferral agreement, as appropriate, unless the public officer or employee who is the subject of the ethics complaint waives this time limit ~~[.] or the Commission determines that there is good cause to extend this time limit and sets a specific and reasonable time period for such an extension.~~*

2. ~~[H]~~ *Before* the Commission holds an adjudicatory hearing ~~[to receive evidence]~~ concerning an ethics complaint, the Commission shall:

(a) ~~[Notify]~~ *Provide* the public officer or employee who is the subject of the ethics complaint *with a written notice* of the date, time and place of the hearing; *and*

(b) *Provide the parties with a written schedule for discovery relating to the hearing.*

3. *At the adjudicatory hearing:*

(a) *The Executive Director or his or her designee shall present the case to the Commission; and*
(b) *The Commission shall:*

(1) Allow the public officer or employee to be represented by legal counsel; and

~~[(e)]~~ (2) Allow the public officer or employee to hear the ~~[evidence]~~ *case* presented to the Commission *by the Executive Director or his or her designee* and to ~~[respond and]~~ present ~~[evidence on]~~ his or her own ~~[behalf.]~~ *case to the Commission.*

~~[3.]~~ 4. Unless the public officer or employee agrees to a shorter time, an adjudicatory hearing may not be held less than 10 days after the date on which the *written* notice of the hearing is ~~[given]~~ *provided* to the public officer or employee.

~~[4.]~~ 5. For good cause shown, the Commission may take testimony from a person by telephone or video conference at an adjudicatory hearing or at any other proceedings concerning the ethics complaint.

6. *After the Commission renders a decision concerning the ethics complaint, the Commission shall issue a written opinion on or before the date of the next meeting of the Commission that is held after the date on which the decision is rendered, ~~unless the Chair determines that there is good cause to extend this time limit and sets a specific and reasonable time period for such an extension.~~*

7. *The written opinion issued by the Commission must include findings of fact and conclusions of law and otherwise comply with the requirements for a final decision set forth in NRS 233B.125.*

Requester Confidentiality

Sec. 46. NRS 281A.750 is hereby amended to read as follows:

281A.750 1. Except as otherwise provided in this section and NRS 281A.755, all information, communications, records, documents or other materials in the possession of the Commission, the review panel or their staff that are related to an ethics complaint are confidential and are not public records pursuant to chapter 239 of NRS until:

(a) The review panel determines whether there is just and sufficient cause for the Commission to render *a decision and issue* an opinion in the matter and serves *the* written notice of its determination on the public officer or employee who is the subject of the ethics complaint ~~[.]~~ *pursuant to NRS 281A.730; or*

(b) The public officer or employee who is the subject of the ethics complaint authorizes the Commission, in writing, to make the information, communications, records, documents or other materials that are related to the ethics complaint publicly available,

→ whichever occurs first.

2. Except as otherwise provided in subsection ~~3.5~~, if a person who files an ethics complaint asks that his or her identity as the requester be kept confidential, the Commission:

(a) Shall keep the identity of the requester confidential if he or she is a public officer or employee who works for the same public body, agency or employer as the public officer or employee who is the subject of the ethics complaint ~~1.1~~, *worked for the same public body, agency or employer during the time of the alleged conduct at issue or if revealing the identity of the requester would reveal the identity of witnesses who work for the same public body, agency or employer.*

(b) May keep the identity of the requester confidential if he or she offers sufficient facts and circumstances showing a reasonable likelihood that disclosure of his or her identity will subject the requester or a member of his or her household to a bona fide threat of physical force or violence.

3. *If the Commission keeps the identity of the requester of an ethics complaint confidential pursuant to this section, the following materials are confidential and are not public records pursuant to chapter 239 of NRS:*

(a) *All information, communications, records, documents or other materials in the possession of the Commission that, if disclosed by the Commission, would reveal that the requester filed the ethics complaint. Notwithstanding the provisions of chapter 239 of NRS, in denying a request for public records based on the confidentiality provided by this paragraph, the Commission is not required to provide any information that, if disclosed by the Commission in denying the request for public records, would reveal that the requester filed the ethics complaint.*

(b) *All information, communications, records, documents or other materials in the possession of the requester of the ethics complaint or his or her public body, agency or employer that, if disclosed by either of them, would reveal that the requester filed the ethics complaint. Notwithstanding the provisions of chapter 239 of NRS, in denying a request for public records based on the confidentiality provided by this paragraph, the requester of the ethics complaint or his or her public body, agency or employer is not required to provide any information that, if disclosed by either of them in denying the request for public records, would reveal that the requester filed the ethics complaint.*

4. If the Commission keeps the identity of the requester of an ethics complaint confidential ~~1.1~~ pursuant to this section and the Executive Director does not intend to present the testimony of the requester as evidence for consideration by the Commission at the adjudicatory hearing or in rendering a decision and issuing an opinion in the matter, the Commission shall not render a decision and issue an opinion in the matter unless there is sufficient evidence without the testimony of the requester to consider the propriety of the conduct of the public officer or employee who is the subject of the ethics complaint. *The provisions of this subsection do not abrogate or otherwise alter or affect the confidentiality of the identity of the requester of the ethics complaint.*

5. *If the Commission keeps the identity of the requester of an ethics complaint confidential pursuant to this section and the Executive Director intends to present the testimony of the requester as evidence for consideration by the Commission at the adjudicatory hearing or in rendering a decision and issuing an opinion in the matter and the public officer or employee who is the subject of the ethics complaint submits a written discovery request to the Commission pursuant to NRS 281A.755, the [Commission] Executive Director shall disclose the name of the requester only as a proposed witness [within a reasonable time before the adjudicatory hearing on the matter.] in accordance with the schedule for discovery provided to the parties pursuant to NRS 281A.745*

General Clean-up and Clarification – Investigative File

Sec. 47. NRS 281A.755 is hereby amended to read as follows:

281A.755 1. Except as otherwise provided in this section, the investigative file related to an ethics complaint is confidential and is not a public record pursuant to chapter 239 of NRS.

2. ~~[At any time after being served with written notice of the determination of the review panel regarding the existence of just and sufficient cause for the Commission to render an opinion in the matter,]~~ *In accordance with the schedule for discovery provided to the parties pursuant to NRS 281A.745, the public officer or employee who is the subject of the ethics complaint may submit a written discovery request to the Commission for a list of proposed witnesses and a copy of any portion of the investigative file that the Executive Director intends to present as evidence for consideration by the Commission at the adjudicatory hearing or in rendering a decision and issuing an opinion in the matter.*

3. ~~[Any]~~ *Unless otherwise declared confidential by law, any portion of the investigative file which the Executive Director presents as evidence for consideration by the Commission at the adjudicatory hearing or in rendering a decision and issuing an opinion in the matter becomes a public record and must be open for inspection pursuant to chapter 239 of NRS ~~[]~~ after the Commission takes final action concerning the ethics complaint in a public meeting or hearing pursuant to subsection 2 of NRS 281A.760.*

4. For the purposes of this section:

(a) The investigative file includes, without limitation:

- (1) Any response concerning the ethics complaint prepared by the public officer or employee pursuant to NRS 281A.720 and submitted to the Executive Director and the review panel during the course of the investigation and any proceedings before the review panel;
- (2) Any recommendation concerning the ethics complaint prepared by the Executive Director pursuant to NRS 281A.725 and ~~[submitted]~~ *presented* to the review panel during the course of the investigation and any proceedings before the review panel; and
- (3) Any other information provided to or obtained by or on behalf of the Executive Director through any form of communication during the course of the investigation, *including, without limitation, information, records and documentation obtained pursuant to subsection 3 of NRS 281A.300,* and any proceedings before the review panel and any records, documents or other materials created or maintained during the course of the investigation and any proceedings before the review panel which relate to the public officer or employee who is the subject of the ethics complaint, including, without limitation, a transcript, regardless of whether such information, records, documents or other materials are obtained pursuant to a subpoena.

(b) The investigative file does not include any deferral agreement.

Sec. 48. NRS 281A.760 is hereby amended to read as follows:

281A.760 *1. The provisions of chapter 241 of NRS do not apply to:*

~~[1.]~~ *(a) Any meeting or hearing held by the Commission to receive information or evidence concerning an ethics complaint; and*

~~[2.]~~ *(b) Any deliberations or actions of the Commission on such information or evidence.*

2. The Commission shall take final action concerning an ethics complaint in a public meeting or hearing. The Commission shall provide public notice of the meeting or hearing, and the meeting or hearing must be open to the public and conducted in accordance with the regulations of the Commission, but the meeting or hearing is not subject to the provisions of chapter 241 of NRS.

General Clean-up and Clarification – Disposition

Sec. 49. NRS 281A.765 is hereby amended to read as follows:

281A.765 ~~[1. If the Commission renders an opinion in proceedings concerning an ethics complaint, the opinion must include findings of fact and conclusions of law.~~

~~2. If, in]~~ *In proceedings concerning an ethics complaint, if the Commission determines that a violation of this chapter:*

~~[(a)]~~ *1. Has not been proven, the Commission shall dismiss the matter, with or without prejudice, and with or without issuing a letter of caution or instruction to the public officer or employee pursuant to NRS 281A.780.*

~~[(b)]~~ *2. Has been proven, the Commission may take any action authorized by this chapter.*

Sec. 50. NRS 281A.770 is hereby amended to read as follows:

281A.770 In any matter in which the Commission disposes of an ethics complaint by stipulation, agreed settlement, *deferral agreement*, or consent order or in which the review panel approves a deferral agreement, the Commission or the review panel, as appropriate, shall :

1. To the extent practicable based on the given set of facts and circumstances, treat comparable situations in a comparable manner; and ~~[shall ensure]~~

2. Ensure that the disposition of the matter bears a reasonable relationship to the severity of the violation or alleged violation.

Sec. 51. NRS 281A.775 is hereby amended to read as follows:

281A.775 1. The Commission, in determining whether a violation of this chapter is a willful violation and, if so, the penalty to be imposed on a ~~[public officer or employee]~~ *current* or former public officer

or employee pursuant to NRS 281A.785 or 281A.790, or the review panel, in determining whether to approve a deferral agreement regarding an alleged violation, shall consider, without limitation:

3. In applying the factors set forth in this section, the Commission or the review panel, as appropriate, shall:

- (a) *To the extent practicable based on the given set of facts and circumstances*, treat comparable situations in a comparable manner; and ~~[shall ensure]~~
- (b) *Ensure* that the disposition of the matter bears a reasonable relationship to the severity of the violation or alleged violation.

Sec. 52. NRS 281A.780 is hereby amended to read as follows:

281A.780 1. In proceedings concerning an ethics complaint, the Commission or the review panel, as appropriate, may issue a letter of caution or instruction to the public officer or employee who is the subject of the ethics complaint to caution or instruct the public officer or employee regarding the propriety of his or her conduct under the statutory ethical standards. ~~[set forth in this chapter.]~~

Sec. 53 NRS 281A.785 is hereby amended to read as follows:

281A.785 1. ~~[Except as otherwise provided in this section, in]~~ *In* proceedings concerning an ethics complaint, the Commission, based on a finding that a violation of this chapter has been proven, or the review panel, as part of the terms and conditions of a deferral agreement, may, in addition to any other ~~[penalty]~~ *penalties* provided by law and in accordance with the provisions of NRS 281A.775:

- (a) Require the public officer or employee who is the subject of the ethics complaint to:
 - (1) Comply in all respects with the provisions of this chapter for a specified period without being the subject of another ethics complaint arising from an alleged violation of this chapter by the public officer or employee which occurs during the specified period and for which the review panel determines that there is just and sufficient cause for the Commission to render *a decision and issue* an opinion in the matter.
 - (2) Attend and complete training.
 - (3) Follow a remedial course of action.
 - (4) Issue a public apology.
 - (5) Comply with conditions or limitations on future conduct.
- (b) Publicly admonish, reprimand or censure the public officer or employee.
- (c) Take any combination of such actions or any other reasonable action that the Commission or the review panel, as appropriate, determines will remedy the violation or alleged violation or deter similar violations or conduct.

2. In carrying out the provisions of subsection 1, the Commission, based on a finding that a violation of this chapter has been proven *may issue an opinion or resolve the case by any method available in this chapter, including, without limitation, approval of a stipulation, consent order, agreed settlement, or deferral agreement*, or the review panel, as part of the terms and conditions of a deferral agreement, may publicly:

- (a) Admonish a public officer or employee if it is determined that the public officer or employee has violated any provision of this chapter, but the violation is not willful, or if such an admonishment is imposed as part of the terms and conditions of a deferral agreement. An admonishment is a written expression of disapproval of the conduct of the public officer or employee.
- (b) Reprimand a public officer or employee if it is determined that the public officer or employee has willfully violated any provision of this chapter, but there is no evidence that the willful violation involved bad faith, malicious intent or knowing or reckless disregard of the law, or if such a reprimand is imposed as part of the terms and conditions of a deferral agreement. A reprimand is a severe written reproof for the conduct of the public officer or employee.
- (c) Censure a public officer or employee if it is determined that the public officer or employee has willfully violated any provision of this chapter and there is evidence that the willful violation involved bad faith, malicious intent or knowing or reckless disregard of the law or there are no substantial mitigating factors pursuant to NRS 281A.775 for the willful violation, or if such a censure is imposed as part of the terms and conditions of a deferral agreement. A censure is a formal written condemnation of the conduct of the public officer or employee.

~~*Sec. 55. NRS 239.010 is hereby amended to read as follows:*~~

~~*239.010 1. Except as otherwise provided in this section..... and section 12 of this act*~~

Sec. 56. NRS 241.016 is hereby amended to read as follows:

241.016 3. Any provision of law, including, without limitation, NRS 91.270, 219A.210, 228.495, 239C.140, 239C.420, 281A.350, 281A.690, 281A.735, 281A.760, 284.3629, 286.150, 287.0415, 287.04345, 287.338, 288.220, 288.590, 289.387, 295.121, 360.247, 388.261, 388A.495, 388C.150, 388D.355, 388G.710, 388G.730, 392.147, 392.467, 394.1699, 396.3295, 414.270, 422.405, 433.534, 435.610, 442.774, 463.110, 480.545, 622.320, 622.340, 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170, 696B.550, 703.196 and 706.1725, *and section 9 of this act*, which:

- (a) Provides that any meeting, hearing or other proceeding is not subject to the provisions of this chapter; or
- (b) Otherwise authorizes or requires a closed meeting, hearing or proceeding,
→ prevails over the general provisions of this chapter.

Sec. 57. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 58. 1. Except as otherwise provided in this section, the Commission on Ethics:

(a) Shall apply the amendatory provisions of this act which govern the procedures applicable to administrative proceedings arising under chapter 281A of NRS to any such proceedings that are within the jurisdiction of the Commission and are commenced on or after *October 1, 2023 ~~July 1, 2021~~*, whether or not the conduct at issue in such proceedings occurred before *October 1, 2023 ~~July 1, 2021~~*.

(b) May apply the amendatory provisions of this act which govern the procedures applicable to administrative proceedings arising under chapter 281A of NRS to any such proceedings that were commenced before *October 1, 2023 ~~July 1, 2021~~*, and are still within the jurisdiction of the Commission and pending before the Commission on *October 1, 2023 ~~July 1, 2021~~*, unless the Commission determines that such an application would be impracticable, unreasonable or unconstitutional under the circumstances, in which case the Commission shall apply the procedures in effect before *October 1, 2023 ~~July 1, 2021~~*.

2. The amendatory provisions of sections 10, 16, 29, 30, 31 and 33 of this act do not apply to any conduct occurring before *October 1, 2023 ~~July 1, 2021~~*.

Effective Date

Sec. 59. This act becomes effective on *October 1, 2023*.

Time Extensions

New Section – Extension Language

Upon the request of the Executive Director, the Chair may issue one extension of procedural time limits in this Chapter for good cause shown.

Agenda Item 7



STATE OF NEVADA COMMISSION ON ETHICS

Executive Director Report - May 2022

Education and Outreach

Social Media

The Commission's social media platforms have seen continued growth in the number of followers. We posted a longer form article on gift restrictions to the Commission's LinkedIn account. It received 81 impressions and 24 article views as of May 10, 2022. Going forward we will target one longer form article a month. A Star Wars theme thread on May the 4th received almost 900 impressions and 83 engagements.



Training and Technical Assistance

- Clark County reported training of 28 staff in February
- Carson City Executive Team – May 3 – 12 Agency Directors in attendance
- Inns of Court in Reno – May 10 - 22 attendees
- Nevada Silver State Health Exchange – June 22/27 (virtual)
- Humboldt County General Hospital – June 28 (in-person)
- Southern Nevada Regional Housing Authority – July 11/12 (in-person)
- Nevada Public Civil Attorneys Conference – September (in-person & broadcast)

Online Learning System

The work program has been completed and submitted to the Governor's Finance Office for processing. Next steps include completing a Cloud Notification form and initial development of curriculum.

FY22/23 Budget Update

We have developed a work program to transfer funds from Category 1 (Personnel) to Category 30 (Training) to cover travel expenses to a training which the Administrative Services Division deemed could not be billed to the in-state travel category.

The June meeting will include year-end projections to wrap up the first fiscal year of the biennium.

Commission Meeting Status

The Commission is set to meet on June 15 and plan to have no Commission meeting in July. The fall through winter is busy with adjudicatory hearings which will have motions hearings prior to the actual contested cases.

Scheduled Adjudicatory Hearings

20-064C (S. Alford)¹ - August 2022

19-088C (B. Ramos) - September 2022

19-126C (Q. Liu)² - November 2022

21-100C (O. Czyz) - March 2023

20-081C/20-085C (L. Blundo) - April 2023

20-062C/20-082C (J. Lombardo) - May 2023

Administrative Tasks

June – Budget Building, Agency Branding

August – Legislative and Budget Updates, Agency Branding, Draft Annual Report

September – Final Annual Report, Agency Branding

Website Updates

Commission staff have organized the website updates in to 3 phases for implementation throughout May and June. Phase 1 has been completed with the replacement of the Twitter window, updated Opinions page and Training Request Form developed. Phase 2 includes changes to the Resource and Forms tabs and front page “side buttons.”

Submitted: Ross E. Armstrong, Executive Director

Date: 5/11/2022

¹ Tentative agreement on resolution likely to be presented at June Commission meeting.

² Hearing on Subject’s Motion to Dismiss scheduled for May 2022 meeting

Agenda Item 8

NEVADA COMMISSION ON ETHICS



ANNUAL REPORT FISCAL YEAR 2021

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Commission and Commissioner Information

Nevada Commission on Ethics

Commissioners

Chair Kim Wallin, CPA (D)**
(06/26/18 – 06/25/22)

Vice Chair - Brian Duffrin (NP)*
(1st Term: 10/01/16 – 10/31/19)
(2nd Term: 11/01/19 – 10/31/23)

Barbara Gruenewald, Esq. (D)**
(1st Term: 11/01/15 - 10/31/19)
(2nd Term: 11/01/19 - 10/31/23)

Damian R. Sheets, Esq. (D)*
(10/01/19 – 9/30/23)

Teresa Lowry, Esq. (D)**
(05/16/18 - 05/15/22)

Thorán Towler, Esq. (NP)*
(07/01/2020 – 06/30/24)

James Oscarson (NP)**
(04/06/21 – 06/30/23)

Amanda Yen, Esq. (R)**
(1st Term: 12/21/16 – 12/20/20)
(2nd Term: 04/14/21 – 12/20/24)

***Appointed by Governor**

****Appointed by Legislative Commission**

Staff

Vacant
Executive Director

Tracy L. Chase, Esq.
Acting Executive Director
Commission Counsel

Elizabeth J. Bassett, Esq.
Associate Counsel

Darci L. Hayden
Senior Legal Researcher

Kari Pedroza
Executive Assistant

Erron Terry
Investigator

ANNUAL REPORT TO THE COMMISSION ON ETHICS REGARDING FISCAL YEAR 2021

Pursuant to Nevada Administrative Code 281A.180(2), the Executive Director provides an Annual Report to the Commission on Ethics (“Commission”) regarding the fiscal, legislative, regulatory, and other business processed by and on behalf of the Commission in the past fiscal year. This report details the Commission’s actions and accomplishments between July 1, 2020 and June 30, 2021 (FY21) and includes goals for the coming fiscal year.

In part, the information presented is based upon public records of the Commission. The Commission’s website at ethics.nv.gov provides public access to the Commission’s database of opinions, meeting minutes and agendas, press releases and general information about the Commission. It also has instructions and forms for filing Ethics Complaints and requesting Advisory Opinions. The Commission meeting agendas are also posted on the Nevada Public Notice statewide website at notice.nv.gov.

Dear Commissioners:

This Annual Report summarizes the Commission's activities and accomplishments during FY21 and its goals for the next fiscal year. FY21 was a year of considerable change for the Commission. Nearly all Nevada State Offices, including the Commission's, were closed to direct public access for eleven of the twelve months due to the global Pandemic. Nevertheless, the Commission deftly maintained its continuity of operations during these turbulent times by increasing its virtual presence and instituting measures to assure the public's accessibility to educational resources through the website, telephone, electronic mail, Zoom, and other virtual training opportunities. In addition, the Commission received and processed many requests for advisory opinions from public officers and employees and issued preventative guidance on applying the Nevada Ethics in Government Law to their circumstances. The advisory opinion process is an essential part of the Commission's mission because it educates and increases compliance with the Ethics Law by public officers and employees.

In FY21, the number of complaints decreased by 23%, yet the Commission initiated investigations on 38% of the cases, up over the previous fiscal years by 4% and 7%, respectively. Complaint matters were processed virtually for the most part to assure the safety of those appearing before the Commission. The Commission reviews every complaint filed to determine whether it should be investigated. The investigation and processing of Ethics complaints traverse fiscal years.

Despite the altered working conditions, the Commission was able to resolve 62% more cases over FY19. Total active investigations in FY21 were 44, of which 21 complaints were resolved. During the FY21 Pandemic, many subjects requested additional time to respond to their complaints based upon good cause considerations. The accommodation of these requests resulted in a backlog of complaint cases to be processed, which the Commission is addressing through prioritizing staff resources to focus on Ethics complaints, including holding multiple hearings each month to resolve cases and issue opinions related to violations of the Ethics Law. Focused resources will

continue to serve as a platform to bring complaint cases current during the next fiscal year.

The Commission began the fiscal year by appointing prior Vice-Chair Wallin to serve as its Chair and Commissioner Duffrin to serve as its Vice-Chair. As the former Nevada State Controller, Chair Wallin brought her fiscal and leadership experience to establish the Commission's vision into the future. Vice-Chair Duffrin's experience as the former Chief of the Administrative Division of the Nevada Gaming Control Board and his mediation talents assisted the Commission in navigating the changing environment. Their combined leadership sustained services during the Pandemic and introduced improvements to the Commission's education, outreach, and internal procedures.

Further, a team of Commissioners and staff led by the Chair and Vice-Chair prepared Assembly Bill 65 ("AB 65") and presented the bill's purpose and context to the public and legislative committees throughout the 81st (2021) Session of the Nevada Legislature. All serving Commission members supported AB 65. Special recognition is provided to the following current and former Commissioners for their outreach and support during the Legislative Session: Chair Wallin, Vice-Chair Duffrin, Commissioners Gruenewald, Lowry and Oscarson, and former Commissioner O'Neill.

AB 65 was a culmination of several years of extensive planning by the Commission who sought to amend the Ethics Law by streamlining and improving the processes for complaint cases and advisory opinions and adding additional identity protection for complainants. Although the procedural and regulatory aspects of AB 65, as presented by the Commission, received the Governor's full support, he vetoed it because of a late-session committee amendment. The Commission anticipates revisiting the bill's critical procedural components during the next legislative session.

At the end of the fiscal year, the Commission completed its planning and vision for the biennium. The Commission's biennium budget was approved by the Legislature as presented. In addition, a Personnel Subcommittee was formed to update the job duties and priorities for the leadership positions of Executive Director and Commission Counsel to better reflect the Commission's mission and guiding principles. This will place the Commission in a prime position to maintain the successful navigation of educating and

enforcing the Ethics Law in an ever-changing environment. The Subcommittee members were Chair Wallin, Vice Chare Duffrin, and Commissioner Oscarson.

The Commission maintained its presence on Social Media via its Twitter account to post news of its meetings, training, and case/opinion determinations. Ethics Commissions throughout the Country share data on Twitter and reflect on the issues and decisions made by similar agencies. Many state and local government agencies, public officers, and employees follow the Commission on Twitter and receive additional outreach and education. Our social media focus is to increase the general public's awareness and involvement in the coming year. Other media outreach in the next fiscal year will be through traditional media platforms via press releases, public statements, and interviews. The Commission continued its formal training and education programs with 13 in-person or virtual training sessions throughout Nevada to educate public officers and employees. The Commission also had 1,376 "views" of its website training. The number trained could be higher because the number of views does not take into account a group watching the video.

This report would not be complete without appreciating the incredible contributions of the members of the Commission. They volunteer their time, experience, and expertise to the interpretation and enforcement of the Ethics Law. Likewise, the endeavors of the full Commission are so appreciated, including their willingness to hold additional meetings to process complaints, availability for prompt consideration and issuance of advisory opinions, promotion of education on ethics, and their efforts in establishing and presenting AB 65.

Chair Wallin is recognized for being an energetic ambassador to promote governmental ethics and accountability. Vice-Chair Duffrin is greatly appreciated for his mentorship, knowledgeable advice, and always volunteering to support the endeavors of the Commission. Commissioner Gruenewald continues to raise the bar with her legal preparation of complaint and advisory cases before the Commission and her insightful questions to address the legal implications of the Ethics Law. Commissioner Lowry demonstrates her legal expertise by challenging and applying evidence at various stages

of complaint proceedings and analyzing legal precedent in advisory and complaint matters. Commissioner Sheets provided significant experience and contributions to Review Panels and Commission meetings, resolving complaints with well-reasoned opinions. Despite her private legal practice demands, Commissioner Yen continues to provide the Commission with her expert legal analysis and insightful questions on applying the Ethics Law. Finally, the Commission's newest members, Commissioners Oscarson and Towler, brought new policy perspectives to the Commission.

The fiscal year brought change to the Commission's membership and staff. Chair Cheryl Lau completed two terms of public service for the Commission, serving as the Chair for the last five years of her term with distinction. Chair Lau's intelligence, kindness, and professionalism in promoting the public trust in government and her skills in presiding over meetings set the bar for the Commission for future years. Commissioner O'Neill was elected to the Nevada State Assembly, which meant that he could no longer serve as a member of the Commission. Commissioner O'Neill's sense of humor, practical approach to applying the Ethics Law, and commitment to doing what is right will be greatly missed.

The Commission welcomed two new members, Thoran Towler and James Oscarson. Commissioner Towler is the CEO for the Nevada Association of Employees and former State of Nevada Labor Commissioner, who contributed his legal expertise and emphasis on public service integrity to the Commission. Commissioner Oscarson served three terms with the Nevada Legislature and brought to the Commission his legislative experience and private business and marketing skills as Senior Vice President of the Ready Responders and former Director of Community Relations for the Desert View Hospital.

A transition occurred in two of the six staff positions. Executive Director Yvonne Nevarez-Goodson, Esq. left after 12 years of exceptional service. This position will be filled in the next fiscal year. The Commission also welcomed Elizabeth "Liz" Bassett, Esq., formerly with the private law firm of Fennmore Craig, to serve as Associate Counsel in May 2021. It has been my distinct pleasure to serve with the Commission's excellent former and current staff, including former Executive Director Nevarez-Goodson, Associate Counsel Liz Bassett, Investigator Erron Terry, Senior Legal Researcher Darci

Hayden, and Executive Assistant Kari Pedroza. The individual talents, incredible dedication, and positive attitudes of each staff member are invaluable in supporting the mission of the Commission.

In reflection, throughout the changes and associated challenges of FY21, the Commission skillfully navigated the Pandemic by focusing its efforts on education and accountability. It was highly successful in maintaining its mission, educational endeavors, and overall services provided to the public. I am exceedingly proud of the accomplishments of the Commission and staff. They serve as a committed team to increase public awareness for Nevada's Ethics in Government Law, at a time during which Ethics continues to be a part of the critical issues faced by all governmental entities.

Sincerely,

/s/ Tracy L. Chase

Tracy L. Chase, Esq.
Acting Executive Director/
Commission Counsel

MISSION STATEMENT

By the authority granted under Chapter 281A of NRS, the Commission strives to enhance the public's faith and confidence in government by ensuring that public officers and public employees uphold the public trust by committing themselves to avoid conflicts between their private interests their public duties.

GUIDING PRINCIPLES

1. Our highest priority is to protect the citizens of Nevada by interpreting and enforcing the provisions of the Ethics Law in a fair, consistent, and impartial manner.
2. We act with a high degree of integrity, honesty, and respect when investigating and adjudicating public complaints alleging ethics violations by public officers and employees.
3. We are committed to providing outreach and education to our Stakeholders (the public and public officers and employees) to enhance their awareness and understanding of ethics requirements and prohibitions under the Nevada Ethics law.
4. Our objectivity, independence, and impartiality are beyond reproach. We avoid all personal or professional circumstances or conflicts calling these into question.
5. Our processes ensure all actions, decisions and policies are consistently applied and do not result in advantages or disadvantages to any party to the detriment of another.
6. Our confidential advisory opinions are thoroughly researched and written with the needs of the requestor in mind and consistent with opinion precedent and applicable statutes, including legislative intent.
7. We carry out our duties in a rigorous and detailed manner and utilize the resources provided to us wisely and only for the legitimate purposes of the agency.
8. We continuously challenge ourselves to improve the practices and processes of the agency to keep pace with the needs of the individuals we serve and to comply with legislative mandates.
9. We continuously improve our public communication and public access to provide guidance and assistance to those we hold accountable for compliance.
10. We value and respect the opinions and recommendations of our Stakeholders, Staff, and Commission Members who guide us in our decision-making.

I. About the Nevada Commission on Ethics

A. Nevada Commission on Ethics - Ethics in Government Law

The Commission is an independent public body appointed by the Governor and Legislative Commission to interpret and enforce the provisions of Nevada's Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law"). The Ethics Law preserves the public's trust in government. It ensures that elected and appointed public officers and employees avoid conflicts between their private interests and the interests of the public in carrying out their public duties. The Ethics Law sets forth various standards of conduct to guide public officers and employees to avoid such conflicts and maintain integrity in public service. The Commission's primary mission includes:

- Providing outreach and training to Nevada's public officers, employees, and attorneys regarding conflicts of interest and the provisions of the Ethics Law.
- Providing advisory opinions to public officers and employees to guide them in compliance with the Ethics Law.
- Enforcing the provisions of the Ethics Law by investigating and adjudicating alleged misconduct of public officers and employees that violates the Ethics Law ("Ethics Complaints").

In FY21, the Commission had jurisdiction over 137,000 public officers and public employees.

B. Membership

The Commission consists of eight members, appointed equally (four each) by the Governor and the Nevada Legislative Commission. The Governor and Legislative Commission must appoint at least two former public officers or employees and one attorney licensed in Nevada each. No members may be actively involved in any political activity or campaign or conduct lobbying activities for compensation on behalf of private parties. Finally, no more than half of the total Commissioners may be members of the same political party or residents of the same county in the State. The appointment criteria

help to ensure independence and objectivity in addressing Requests for Advisory Opinions and Ethics Complaints as applicable to all State and local government elected and appointed public officers and employees.

C. Requests for Advisory Opinions and Ethics Complaints

The Legislature established the Commission to interpret and enforce the provisions of the Ethics Law. In particular, the Legislature has emphasized the public policy behind the Ethics Law is to ensure the public's trust in government against conflicts between private interests and public duties while balancing Nevada's form of citizen-based, representative government. The Commission renders guidance to public officers and employees about their compliance obligations under the Ethics Law pursuant to confidential Requests for Advisory Opinion. In addition, the Commission enforces the Ethics Law by rendering opinions and holding proceedings to consider Ethics Complaint cases involving the conduct of public officers and public employees under its jurisdiction. The Commission staff is responsible for reviewing and preparing all advisory opinion and ethics complaint matters, including jurisdictional recommendations, legal research and analysis, and preparing and presenting evidence for hearings and determinations. In consideration of these matters, the Commission sets the standard for objectivity and political independence while balancing the best interests of the public and the public officers and employees who serve the public.

1. Confidential Requests for Advisory Opinions

A public officer or employee may request a confidential advisory opinion from the Commission regarding their compliance obligations under the Ethics Law by utilizing the Commission's online forms and filing system or sending the request to the Commission's offices. All advisory proceedings are confidential unless the requester waives confidentiality. In addition, the Commission may consider issuing advisory opinions to the public officer or public employee either by submission or by holding a closed hearing.

To assist the Commission in this process, the Commission Counsel and staff work directly with the requester to identify the supporting facts and circumstances. Commission Counsel researches the Commission's opinion precedent, prepares proposed findings of

fact, and presents a legal recommendation to the Commission for its review. Once the Commission renders its decision, it is delivered to the requester. If the requester waives confidentiality of the written opinion, it will be published on the Commission's website, the Legislative Law Library, and LexisNexis. If the requester retains the confidentiality of the opinion, the Commission may publish an abstract opinion, which redacts or sanitizes information that could reveal the requester's identity. The Commission's advice is binding with respect to future conduct. Certain advice related to present or future conduct may be subject to judicial review for errors of law or abuses of discretion.

2. Ethics Complaints

With certain exceptions, any person may file an ethics complaint, or the Commission may initiate a complaint on its own motion against a public officer or employee alleging a violation of the Ethics Law. The Commission has instituted an online filing system to permit the filing of ethics complaints by members of the public. Under certain circumstances, including that the requester is employed by the same agency as the subject of an Ethics Complaint, the requester may request identity protection in the proceedings.

For each complaint, the Commission determines whether it has jurisdiction. Accordingly, it may direct the Executive Director to investigate the alleged violations of the Ethics Law, or instead of investigating the case, the Commission may issue instructive letters to the subject. Conversely, the Commission may dismiss the complaint if it determines the complaint is not filed on the proper form, it does not have jurisdiction over the subject, or the allegations are not supported by sufficient evidence demonstrating a violation of the Ethics Law.

For ethics complaints that are investigated, the Executive Director's investigation is preliminary and serves to assist a Review Panel, comprised of three Commissioners, to consider a "just and sufficient cause" determination, meaning whether the investigation confirmed there to be a minimal level of evidence for the Commission to hold additional proceedings. The proceedings before the Review Panel are confidential; however, the Review Panel's determination becomes public and is published on the Commission's website.

In addition, the Review Panel may resolve the case by dismissal with or without the issuance of instructive letters or approval of a deferral agreement between the Executive Director and the subject of the ethics complaint. A deferral agreement is an agreement between the Executive Director and the subject of the complaint acknowledging sufficient evidence of a violation but deferring any finding of a violation through the imposition of various terms and conditions, including corrective action and education. Once the terms and conditions are satisfied, the complaint is dismissed. .

Suppose the ethics complaint is referred to the Commission for additional proceedings. In that case, the Executive Director and subject become parties for purposes of presenting the case and associated adjudication proceedings before the Commission. The Ethics Law provides authority for the Commission to resolve ethics complaint cases based upon the merits through several appropriate means, including dismissal, confidential letters of caution or instruction, stipulated settlements, deferral agreements, or holding an adjudicatory hearing and issuance of a decision. In addition, the Commission has the authority to impose monetary sanctions and other statutory penalties provided it makes a finding in its issued opinion that conduct of the public officer or employee constituted a “willful” violation of the Ethics Law. For non-willful conduct and willful conduct that may not warrant monetary penalties, the Commission may impose administrative penalties in the form of appropriate corrective action, referrals for disciplinary action, and requirements for education and public apologies.

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II. Fiscal Report – FY21

The Commission's biennial funding is divided between the State General Fund and certain of Nevada's local governments (cities and counties). The proportions for the State Fund and local governments are based on the number of public officers and employees who serve the State compared to local governments. Labor data from the Nevada Department of Employment, Training and Rehabilitation provides that 28 percent of Nevada's public officers and employees serve the State and 72 percent serve local governments for FY21.

A. Commission Budget

The Commission's budget for FY21 is \$942,937. The Commission closed the fiscal year well within budget. The Commission implemented stringent measures to maintain operations and expenditures within the budgetary authority, given the forecasted revenue shortfall that trailed the Pandemic. The Commission reduced its budget as requested by the Governor's staff while maintaining its statutory duties, mission directives, and service to the public. Even under State closure directives, the Commission and its staff were accessible and continued to meet all operational and procedural deadlines timely.

III. Legislative and Regulatory Matters

Although there were no regulatory amendments to NAC Chapter 281A during FY21, the Commission actively participated in the 81st (2021) Legislative session, presenting its next biennium budget and providing bill review for fiscal and operational effects. The Commission also introduced Assembly Bill 65 ("AB 65") seeking procedural amendments to the Ethics Law, which bill was sponsored by the Governor as one of his bill-draft requests. AB 65 was an omnibus bill that would have improved and streamlined the Commission's processes to: (1) increase opportunities to obtain education on the Ethics Law, (2) improve confidentiality protections for public officers/employees submitting complaints; and (3) improve the administrative process for both advisory opinions and ethics complaint cases.

Through Chair Wallin, Vice-Chair Duffrin, and staff, the Commission presented and provided to the Legislature detailed background and reasons why the passage of AB 65 would improve Commission operations to the benefit of those subject to its jurisdiction or who otherwise utilize its services. Towards the end of the session, the Committee on Ways and Means sponsored an amendment to the bill (Amendment 777) that sought to establish three new legislative committees to address ethics violations by members of the Legislature and staff of the Legislative Counsel Bureau. The bill, as amended, passed the Assembly on May 29, 2021, with a vote of 31 yeas, 9 nays, and 2 excused. The bill, as amended, passed the Senate on May 31, 2021, with a vote of 17 yeas and 4 nays.

AB 65 passed both houses of the Legislature and sent it to the Governor for signature; the Governor vetoed the bill on June 11, 2021. In the veto letter, the Governor was very clear in confirming his support of the work of the Commission and the portion of the bill that streamlined the Commission's processes and clarified its powers and duties. In support of his veto, the Governor's identified Amendment 777, "which converted AB 65 from a mostly housekeeping measure into a significant policy change: creating new legislative ethics commissions within the legislative branch." The letter concludes by indicating that "Nevadans hold their public officials to high ethical standards, and they rightly expect that those standards will be effectively and efficiently enforced. However, particularly because the separate legislative and executive ethics commissions were consolidated more than thirty years ago, I firmly believe that a more robust examination of the costs and benefits of returning to that structure should be conducted." Before the next legislative session, the Commission will consider its options, including resubmitting a portion of the bill and regulatory amendments.

IV. Case Statistics – FY21 (7/2020 – 6/20/21)

A. Advisory Opinions

During the Pandemic that spanned FY21, the Commission continued to timely render advisory opinions and preventative advice to public officers and employees. The Commission in the prior fiscal year generated a record number of advisory opinions (41 opinions). However, FY21 requests had a downward trend. The Commission received 15 Requests for Advisory Opinion, 8 were withdrawn or dismissed before issuing a written

opinion, 7 written opinions were issued, and 5 abstracts of opinion were issued for opinions that did not receive a waiver of confidentiality to protect the identity of the requester.

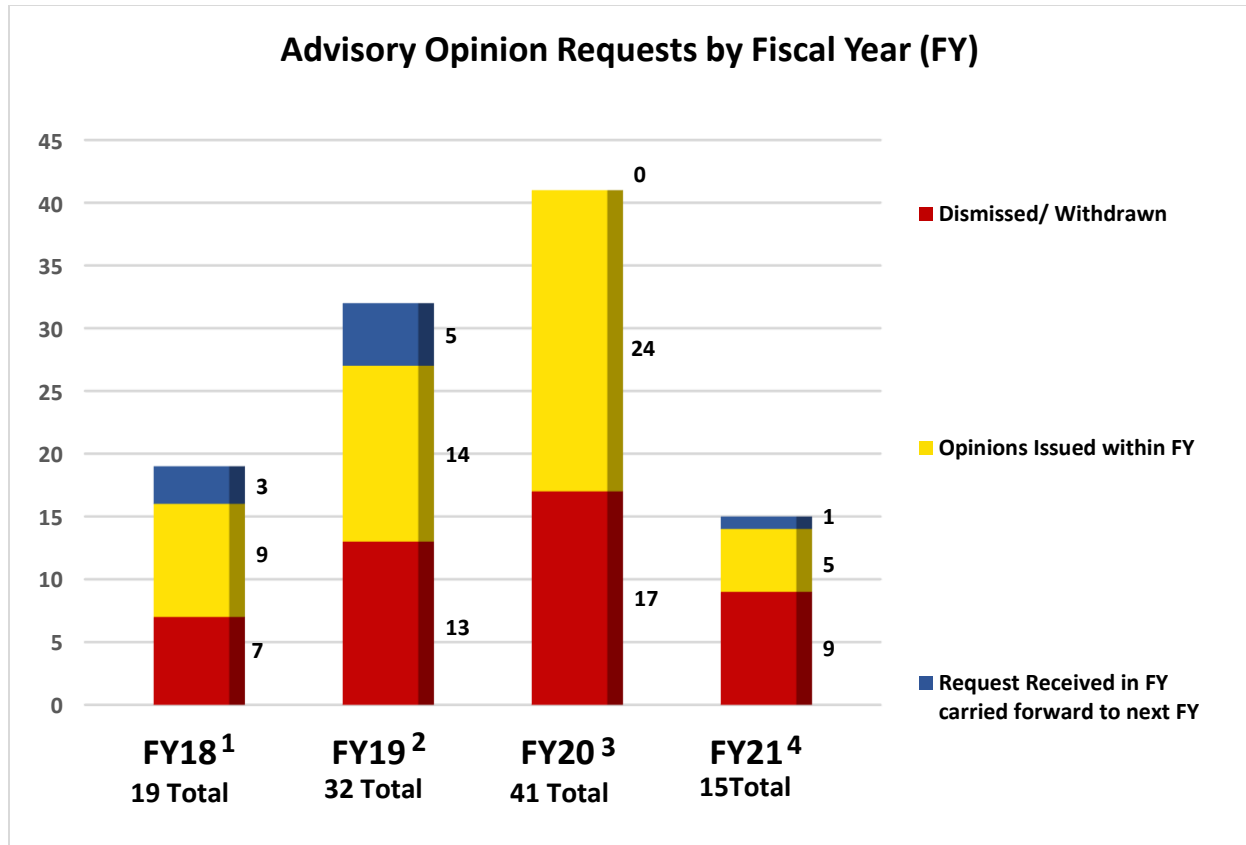
The substantive issues presented in the advisory opinions issued during FY21 primarily dealt with proper use of public position in conflict situations, disclosure and abstention and cooling-off requirements of the Ethics Law. The cooling-off provisions of the Ethics Law prohibit former public officers and employees from seeking or accepting employment with private persons/entities who were awarded contracts worth more than \$25,000 from their agencies within the immediately preceding year, and regarding which they had influence or control in the awarding of the contract. These opinions served to provide meaningful guidance on the compliance aspects of the Ethics Law to assist public officers and employees with the performance of their public duties.

FY 2021: Requests for Advisory Opinions Received: 15

<u>No Jurisdiction Withdrawn/Dismissed or Duplicate</u>	<u>Processed by Commission</u>	<u>Written Opinions Issued</u>	<u>Written Opinions Issued (Confidentiality Waived)</u>	<u>Abstract Opinions Issued from Written Opinions (No Waiver of Confidentiality)</u>
9	6	5	1	4

FY 2020: Requests for Advisory Opinions Received: 41

<u>No Jurisdiction Withdrawn/Dismissed or Duplicate</u>	<u>Processed by Commission</u>	<u>Written Opinions Issued</u>	<u>Written Opinions Issued (Confidentiality Waived)</u>	<u>Abstract Opinions Issued from Written Opinions (No Waiver of Confidentiality)</u>
17	24	24	5	19



¹ **FY18 – Advisory Opinions:** The Commission received 19 Advisory Opinion Requests in FY18, 7 of which were dismissed or withdrawn. In the 12 remaining cases, the Commission issued 9 Opinions in FY18 and 3 in FY19.

Abstract Opinions: Of the 12 cases, 11 remained confidential and required 11 additional Abstract Opinions. The Commission completed 6 of the 11 Abstract Opinions in FY18 and 5 Abstract Opinions in FY19.

² **FY19 -** The Commission received 32 Advisory Opinion Requests in FY19, 13 of which were dismissed or withdrawn. In the 19 remaining cases, the Commission issued 14 Opinions in FY19 and 5 Opinions in FY20.

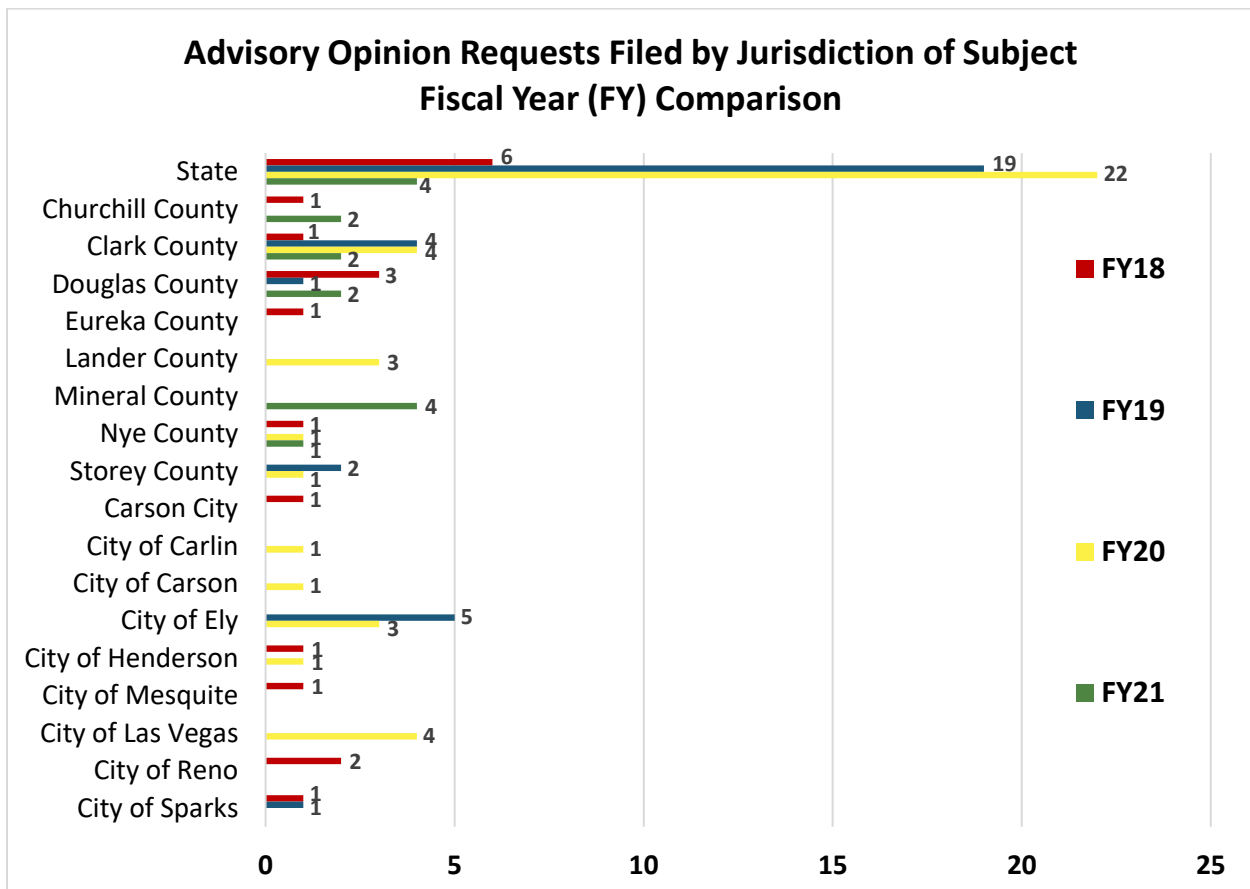
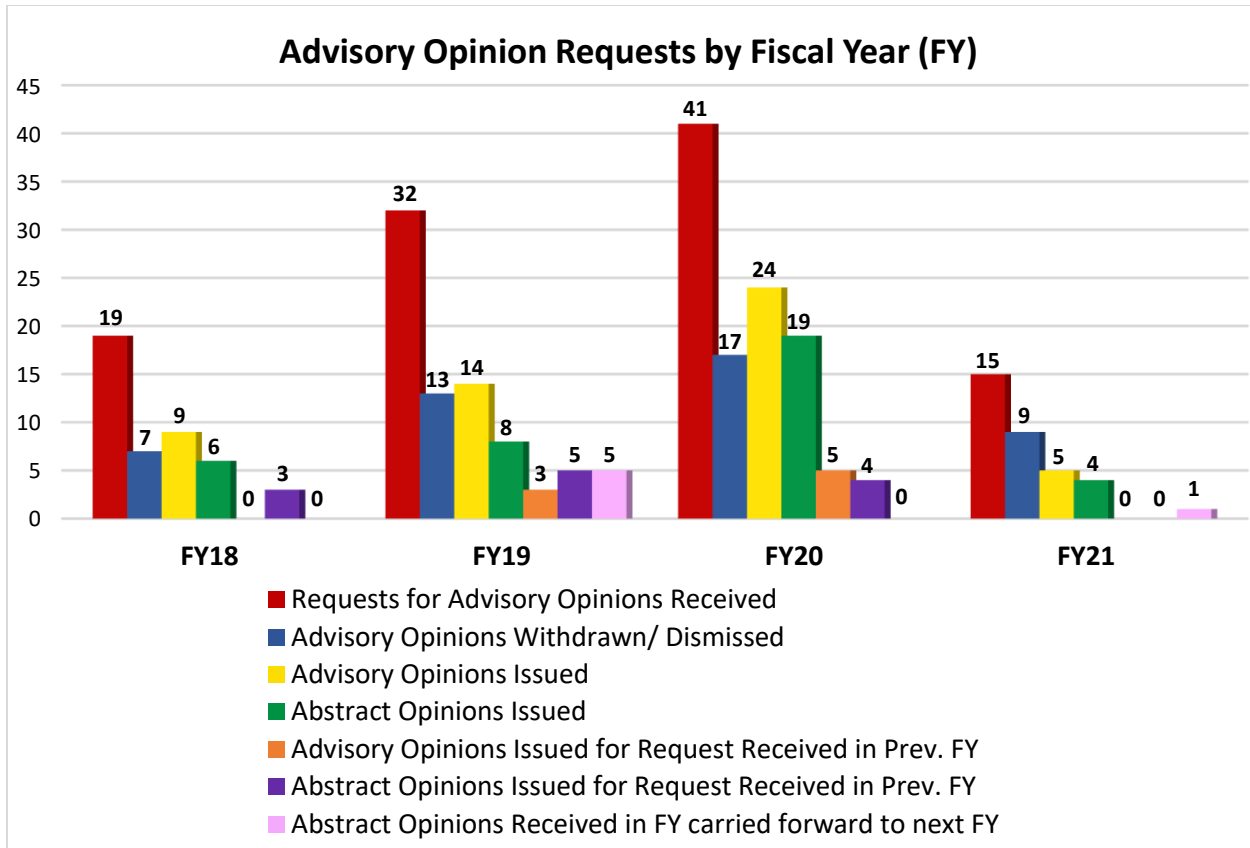
Abstract Opinions: Of the 19 cases, 12 remained confidential and required an additional 12 Abstract Opinions. The Commission completed 8 Abstract Opinions in FY19, and 4 Abstract Opinions in FY20.

³ **FY20 -** The Commission received 41 Advisory Opinion Requests in FY20, 17 of which were dismissed or withdrawn. In the remaining 24 Requests, the Commission issued 24 Opinions in FY20. 5 additional Opinions were issued in FY20 for requests received in FY19.

Abstract Opinions: Of the 24 cases, 19 remained confidential and required an additional 19 Abstract Opinions, all of which were completed within the FY.

⁴ **FY21 -** The Commission received 15 Advisory Opinion Requests in FY21, 9 of which were dismissed or withdrawn. In the remaining 6 Requests, the Commission issued 5 Opinions in FY21 and 1 Opinion in FY22.

Abstract Opinions: Of the 6 cases, 1 remained confidential and required an additional 5 Abstract Opinions. The Commission completed 4 Abstract Opinions in FY21 and 1 Abstract Opinion in FY22.



B. Ethics Complaints

The Commission received 69 complaints in FY 21 compared to 89 in FY20. The COVID-19 Pandemic decreased the number of complaints filed between FY 20 and FY21, but the number of cases investigated and resolved in FY21 was only four less than FY20, even with fewer filings. In addition, most cases received waivers of statutory deadlines by the subjects of the complaints, which has resulted in a temporary case backlog. The Commission has proactively established operational priorities to focus available resources to reduce the backlog of complaint cases, which will continue to be implemented and reviewed by the Commission in the future. The subjects of complaints who did not waive the 70-day deadline for investigation were given investigatory priority.

The Commission does not control the number of ethics complaints that may be filed in any particular year. However, as people begin to return to the office, it is reasonable to assume we will see an increased number of complaints and public concerns regarding the ethical conduct of public officers and employees.

FY21 Cases - Ethics Complaints Received in FY21: 69

<u>Dismissed, without a Letter of Caution or Instruction</u>	<u>Withdrawn</u>	<u>Investigated</u>
42	1	26

Ethics Complaints Received in FY21, Resolved in FY21: 8

<u>Dismissed, with a Letter of Instruction</u>	<u>Dismissed, with a Letter of Caution</u>	<u>Dismissed by Panel without a Letter</u>	<u>Dismissed by Panel with a Letter of Instruction</u>	<u>Dismissed by Panel with a Letter of Caution</u>	<u>Stipulations/ Opinions</u>
4	2	1	1	0	0

Ethics Complaints Received in FY21, Pending Resolution in FY22: 18

FY20 Cases - Ethics Complaints Received in FY20 carried forward to FY21: 22¹

Ethics Complaints Received in FY20; Investigated/ Resolved in FY21: 9²

¹ Complaint No. 19-081C was consolidated with 19-082C & 19-105C, counted as 3 cases herein.

² 7 of the 20 cases carried forward from FY20 were resolved in FY21: Complaint Nos. **1)** 19-065C - panel dismissal with letter of instruction, **2)** 19-067C - panel dismissal, **3)** 19-081C - stipulation (consolidated with

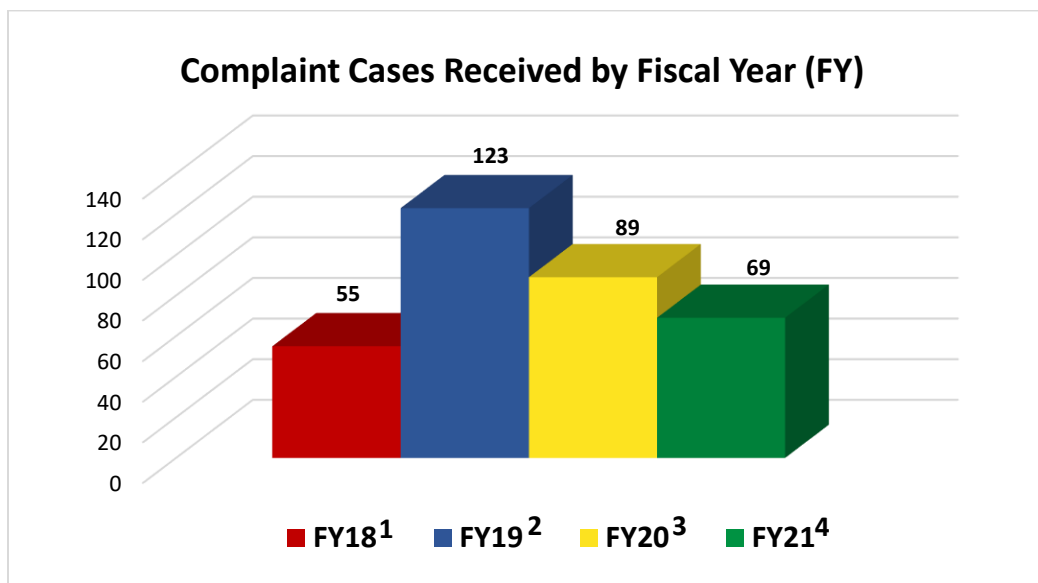
<u>Dismissed by Panel without a Letter</u>	<u>Dismissed by Panel with a Letter of Instruction</u>	<u>Dismissed by Panel with a Letter of Caution</u>	<u>Panel Deferral Agreements</u>	<u>Stipulations/Opinions</u>
4	2	0	0	3

Ethics Complaints Received in FY20; Pending Resolution in FY22: 13³

<u>Cases Pending Adjudicatory Hearing in FY22</u>	<u>Investigations Remain in Progress for FY22</u>
5	8

FY19 Cases - Ethics Complaints Received in FY19; Investigated/Resolved in FY21: 4⁴

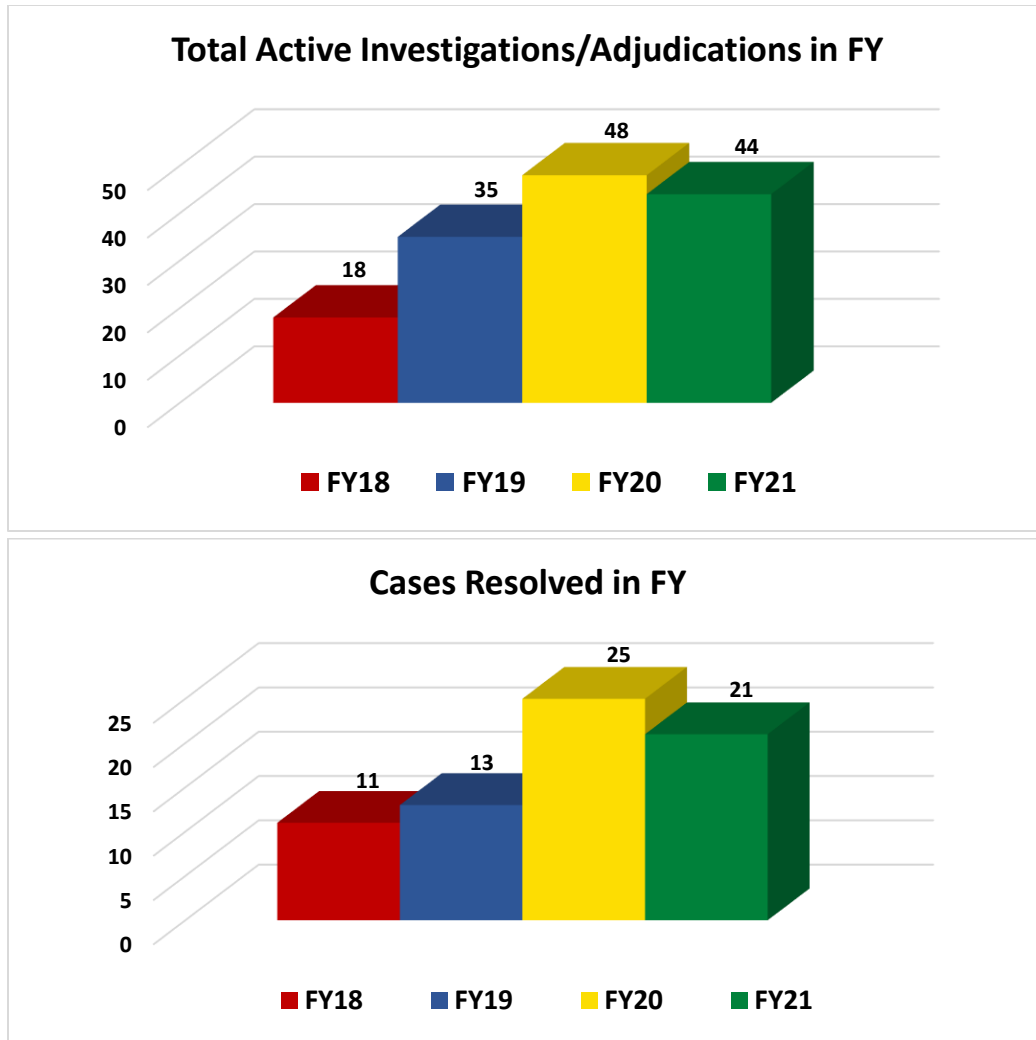
<u>Dismissed, with or without a Letter of Caution or Instruction</u>	<u>Panel Deferral Agreements</u>	<u>Commission Motion Hearings/Adjudicatory Hearings</u>	<u>Stipulations/Opinions</u>
1	0	0	3



19-082C & 19-105C, counts as 3 cases and 3 stipulations herein), **4)** 19-093C - panel dismissal, **5)** 19-113C - panel dismissal, **6)** 19-128C - panel dismissal with letter of instruction, and **7)** 19-129C - panel dismissal.

³ 5 of the 13 outstanding cases from FY20 are pending adjudicatory hearing in FY22: Complaint Nos. **1)** 19-088C, **2)** 19-095C, **3)** 19-102C, **4)** 20-007C, and **5)** 20-010C, the remaining 8 cases are pending investigation in FY22: Complaint Nos. **1)** 19-111C, **2)** 19-126C, **3)** 20-001C, **4)** 20-018C, **5)** 20-023C, **6)** 20-027C, **7)** 20-043C, and **8)** 20-048C.

⁴ All 4 cases carried forward from FY19 were resolved in FY21: Complaint Nos. **1)** 18-060C - stipulation, **2)** 18-061C - stipulation (consolidated with 18-139C, counted as 2 cases herein), and **3)** 19-035C - panel dismissal with letter of instruction.



Complaint Case Statistics by Fiscal Year (FY) Footnotes

¹ **FY18**

13 Active Investigations of Complaints received in FY18; 5 additional Active Investigations from prior Fiscal Years.

- Total Active Investigations = 18
- Total Cases Resolved in FY18 = 11

² **FY19**

28 Active Investigations of Complaints received in FY19; 7 additional Active Investigations from prior Fiscal Years.

- Total Active Investigations = 35
- Total Cases Resolved in FY19 = 13

³ **FY20**

25 Active Investigations of Complaints received in FY20; 23 additional Active Investigations from prior Fiscal Years (including 1 from FY18).

- Total Active Investigations = 48
- Total Investigations Resolved = 25

⁴ FY21

18 Active Investigations of Complaints received in FY21; 26 additional Active Investigations from prior Fiscal Years (including 4 from FY19).

-Total Active Investigations = 44

-Total Investigations Resolved = 21

Dismissed/ Withdrawn Cases – No Investigation

In FY18, 25 of the 39 Complaints were dismissed/ withdrawn.

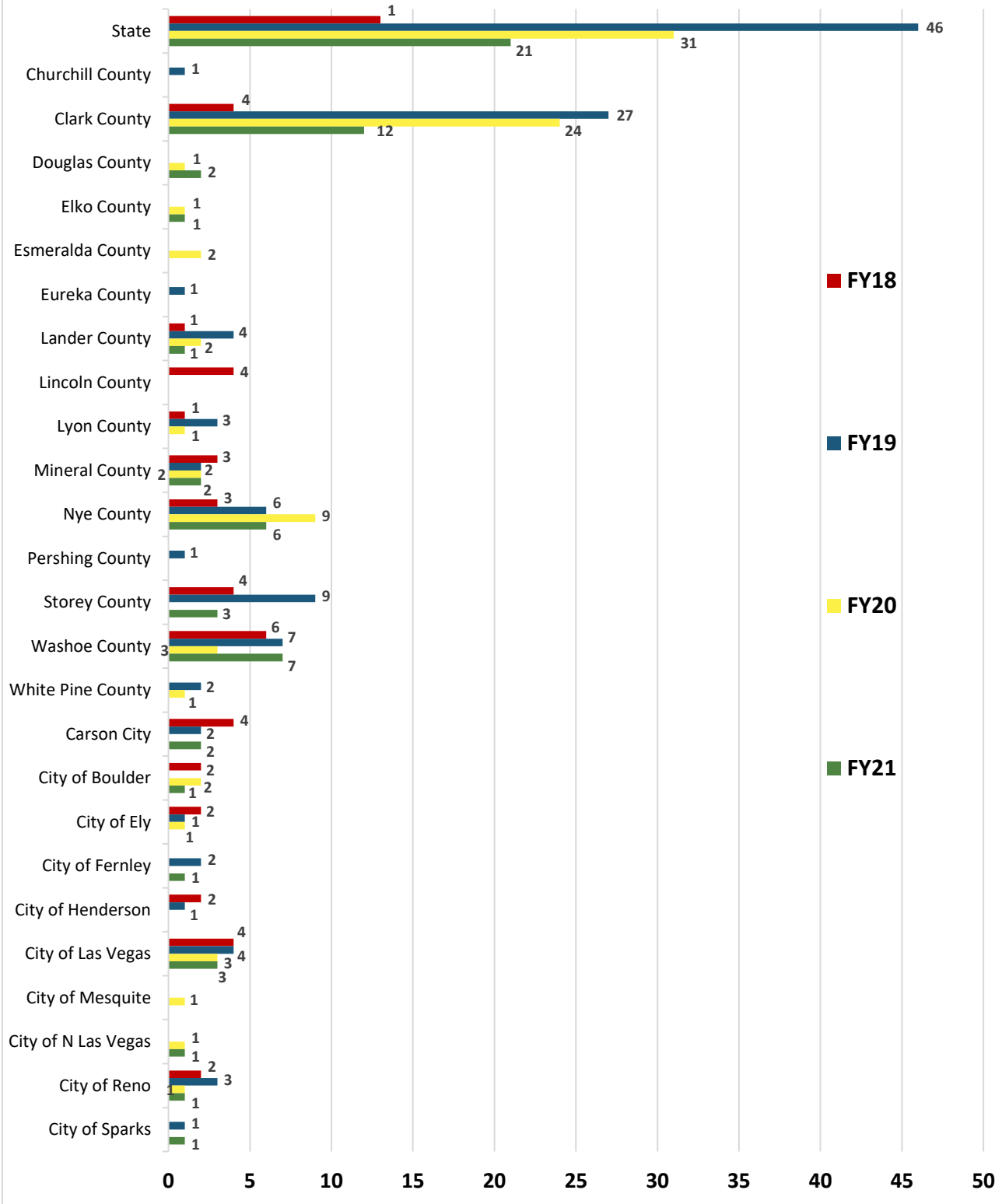
In FY19, 81 of the 123 Complaints were dismissed/ withdrawn.

In FY20, 64 of the 89 Complaints were dismissed/ withdrawn.

In FY21, 47 of the 69 Complaints were dismissed/ withdrawn.

The Commission reviews every complaint and issues a Formal Order in each case regarding its jurisdiction and determination whether to formally investigate the allegations. The staff prepares a written recommendation in every case regarding whether the Commission has jurisdiction in the matter and whether the complaint is filed with sufficient evidence supporting the allegations to warrant an investigation. The recommendation includes preliminary investigation, legal research, and legal analysis with 4-5 staff members working on each case. Many cases are dismissed with a separate Letter of Caution or Instruction.

Complaints Filed by Jurisdiction of Subject Fiscal Year (FY) Comparison



C. Penalties/Sanctions Imposed

In ethics complaints in which the Commission finds a willful violation, the Commission has the authority to impose certain fines and penalties. Payment schedules were established in some cases to permit installment payments for amounts due, with some installment payments extending into future fiscal years, depending on the amount of the penalty imposed. Under State law, the Commission collects and deposits all funds received from the imposition of sanctions into the State General Fund. Thus, the Commission does not receive any associated benefit to its budget. Subjects who fail to remit payment of a civil sanction their debt is submitted to the State Controller for collection.

In FY21, the Commission imposed \$44,788 in civil penalties, representing a significant upward trend from the previous year's \$5,000. As a result, total collections during FY21 amount to \$36,999, and the remaining receivables are on payment plans.

<u>FY 2020 Sanctions Imposed</u>	<u>Date Imposed</u>	<u>Statute(s) violated</u>	<u>Civil Penalty Amount Imposed</u>	<u>Civil Penalty Amount Received</u>
Joel Dunn, Former Executive Director, Carson City Culture & Tourism Authority	11/13/2019	<u>NRS 281A.420(1)</u>	\$5,000	\$5,000
<u>FY 2021 Sanctions Imposed</u>	<u>Date Imposed</u>	<u>Statute(s) Violated</u>	<u>Civil Penalty Amount Imposed</u>	<u>Civil Penalty Amount Received</u>
Donald Smith, Clinical Social Worker II, Department of Health & Human Services	8/19/2020	<u>NRS 281A.400(1), (2), and (7)</u>	\$6,500	\$4,567
Rossi Ralenkotter, Former Chief Executive Officer, Las Vegas Convention & Visitors Authority	8/19/2020	<u>NRS 281A.400(1), (2), (7) and (9)</u>	\$24,407	\$24,407
John Brig Lawson, Former Senior Director of Business Partnerships, Las Vegas Convention & Visitors Authority	11/18/2020	<u>NRS 281A.400(1), (2), (7) and (9)</u>	\$13,881	\$2,239
<u>FY 2022 Outstanding Sanctions Owed</u>	<u>Date Imposed</u>	<u>Statute(s) violated</u>	<u>Civil Penalty Amount Imposed</u>	<u>Civil Penalty Amount Owed in FY22</u>
Cathy Tull, Chief Marketing Director, Las Vegas Convention & Visitors Authority	6/17/2019	<u>NRS 281A.400(1), (2), (7) and (9)</u>	\$8,700	\$643
Donald Smith, Clinical Social Worker II, Department of Health & Human Services	8/19/2020	<u>NRS 281A.400(1), (2), and (7)</u>	\$6,500	\$1,933
John Brig Lawson, Former Senior Director of Business Partnerships, Las Vegas Convention & Visitors Authority	11/18/2020	<u>NRS 281A.400(1), (2), (7) and (9)</u>	\$13,881	\$11,642

D. Acknowledgment of Ethical Standards Forms

Under NRS 281A.500, certain public officers are required to file with the Commission an Acknowledgment of Ethical Standards Forms (“Acknowledgment Forms”) after their election or appointment to public office. Accordingly, elected and appointed public officers are encouraged to visit the Commission’s website or contact Commission offices to determine their filing requirements. In furtherance of transparency to the public, the Commission also published filed Acknowledgment Forms on the Commission’s website. In FY21, the Commission received 625 filings, which was slightly lower than FY20. Delays in hiring to meet anticipated budgetary shortfalls associated with the Pandemic at the State and local levels may have been the reason for the decrease in filings.

V. Outreach and Education Program

In FY21, the Executive Director continued the outreach and training program to Nevada's public officers, employees, and the general public. To address the effects of budgetary reductions on in-person training, the Commission increased its virtual training and outreach programs and offered training materials on its website and via YouTube.

In FY21, the Commission provided 13 in-person or virtual trainings. The number of attendees at these trainings is challenging to compile based upon the virtual environment and technology issues. The Commission's website training is available for viewing at any time and could include multiple viewers. The Commission receives data on the number of "views" received, confirming 1,376 views during FY21.

Virtual and alternative training methods that are easily accessible are the trend of the future. In addition to the Commission's training programs, the Commission engages in other outreach efforts via staff communications and correspondence with the public. The Commission staff provides regular, often daily, feedback for the general public, public officers and employees, and government attorneys regarding the provisions of Nevada's Ethics in Government Law set forth in NRS Chapter 281A, the ability for public officers and employees to obtain guidance on their compliance obligations and processes to file ethics complaints, including the statutory requirement that the requester provide sufficient evidence to support the alleged violation of the Ethics Law.

The Commission will evaluate and determine where best to focus its training and outreach efforts to fulfill its essential mission of providing outreach and education about Nevada's Ethics in Government Law requirements.

Ethics Training – FY21

Training Provided to:	Number of Ethics in Government Law Trainings Presented:
State Government Entities	5
Local Government Entities	8
Private Entities	0
Total	13

VI. Litigation and Appellate Review

During FY21, the Commission defended its decisions in proceedings including judicial review in State and other courts, some of which related to assertion of the statutory confidentiality protections established for advisory opinions issued by the Commission.

Smith v. Review Panel of the Nevada Commission on Ethics Eighth Judicial District Court, Case No. A-20-812778-J

Donald Smith is the subject of three ethics complaints administratively identified as complaint numbers 19-081C, 19-082C, and 19-105C (“Complaints”). On March 24, 2020, Smith filed the petition to challenge the three-member Review Panel’s determination referring certain allegations set forth in the Complaints to the Commission for adjudicatory proceedings pursuant to NRS 281A.730, and he also filed an Application to Stay the administrative proceedings before the Commission.

On April 22, 2020, the Review Panel filed a motion to dismiss, asserting the District Court lacked jurisdiction to consider the petition due to non-compliance with the mandatory requirements of Nevada’s Administrative Procedures Act set forth in NRS Chapter 233B and provisions of NRS Chapter 281A that asserted the Review Panel’s determination was not a final decision, but is an interlocutory order. Therefore, the Commission’s final decision and related rights of judicial review provide the petitioner with an adequate remedy at law. Further, the motion asserted that the petitioner did not properly name all parties and comply with other statutory requirements.

On April 22, 2020, the Review Panel also filed an opposition to the petitioner’s Application for Stay and a Motion to Stay the briefing schedule related to the merits of the judicial review until the Court ruled upon the motion to dismiss and whether it had jurisdiction to consider the petition. The parties after that stipulated to the Review Panel’s requested stay of proceedings, which stipulation was confirmed by a court order issued on June 3, 2020.

The issues set forth in the motion to dismiss were fully briefed, and oral arguments were presented to the District Court on June 10, 2020. The District Court issued a minute

order dated June 16, 2020, granting the motion to dismiss in favor of the Commission, instructing that judicial review of the Commission's final decision will provide the petitioner with an adequate remedy at law. Therefore, the Court did not have subject matter jurisdiction under NRS 281A.130 to review the interlocutory order issued by the Review Panel. The District Court directed the preparation of a proposed order consistent with the minute order, and the final order was issued on July 6, 2020.

Petitioner had thirty days and associated statutory rights to pursue an appeal to the Nevada Supreme Court. However, the petitioner did not request to appeal, and the Commission proceeded with adjudication of the merits of allegations set forth in the Ethics Complaints in administrative proceedings. Accordingly, the case was resolved by a stipulation dated August 3, 2020, and approved by the Commission.

In re Gypsum Resources Materials, LLC
United States Bankruptcy Court, District of Nevada
Case No.: 19-14796-MKN, Adv. Proc. No. 19-01105-MKN

On August 3, 2020, the Commission received a subpoena issued in an adversary proceeding filed in the In re Gypsum Resources Materials, LLC, Chapter 11 bankruptcy case, which sought certain records pertaining to confidential advisory opinion number 19-003A. The Commission pursuant to the confidential advisory opinion process established in NRS Chapter 281A ("Ethics Law") may provide guidance on their own circumstances to public officers and public employees about their compliance obligations under the Ethics Law.

The records related to an advisory opinion are confidential under the Ethics Law unless the requester waives confidentiality, with the exception of an Abstract Opinion that removes identifying characteristics of the requester. The federal subpoena sought confidential information protected by the Ethics Law and privileged information protected by the Nevada Revised Statutes.

The Commission prepared a privilege log and objected to the subpoena asserting challenges of relevance under Federal Rule of Civil Procedure 26(b), NRS Chapter 281A confidentiality protections established by the Nevada Legislature to protect the confidential advisory opinions process and records, qualified (deliberative process)

privilege, attorney-client privilege, and attorney work-product privilege. Upon review of a motion for a protective order filed by a party in the adversary proceeding seeking protection of the records of the Commission, the Court determined that certain records were relevant to the adversary proceeding based upon a finding that requester, by his own conduct, had waived the right to confidentiality.

The Court applied all privilege protections unique to the Commission. The Court further ordered that those records that were to be produced based upon the finding of waiver by the requester would nevertheless remain confidential under NRS 281A.685 and not be subject to public dissemination. The Court directed that such records would be subject to a stipulated confidentiality and protective order entered by the Court on October 5, 2020.

VII. Closing Remarks

In summary, FY21 was a year of telecommuting, finding new ways to do the work, and adding virtual training opportunities to increase education about Nevada's Ethics in Government Law. Despite the many challenges the Commission faced during the year, it continued to carry out the mission of the Commission. The Commission and its staff were available to assist the public, provided timely advice to public officers and employees, and switched to working in a virtual environment to process ethics complaints in a timely manner while protecting the health and safety of everyone involved.

The Commission remained steadfast in its commitments to improve its educational programs and advisory opinion and ethics complaint processes by preparing and presenting AB 65 to the 81st Legislative session. The Commission is effectively poised to consider the available avenues to address the essential procedural changes covered by AB 65 in the upcoming biennium through a future bill draft request or regulations.

The Commission and its staff will continue to utilize virtual opportunities and developing technology to improve their processes. In addition, they will focus on available resources to improve services to the public to ensure the public's trust in government oversight is maintained.

A photograph of a man with a mustache, wearing a black leather jacket and a red and white plaid scarf, speaking at a podium. He is gesturing with his right hand. Behind him, another man with glasses is partially visible. They are in front of a large, classical-style building with stone columns. An American flag is flying on the left. The image has a semi-transparent overlay with the BGA logo and text.

BGA

Shining a Light on Government | 2016 ANNUAL REPORT

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Dear supporters,



This year's BGA Luncheon theme was "Elections Matter." Little did we know that afternoon that less than two months later we would see an election for the history books: a political neophyte and businessman shocked the pollsters and pundits by upsetting the first female candidate to be nominated for the office.

Though that race stole the headlines, important elections aren't just at the top of the ticket.

A growing BGA priority has been to fight the rampant civic disengagement we see in our municipalities and across Illinois.

I believe the fight for better government has to be waged on two fronts:

First: watchdogs holding officials accountable and advocating reforms.

Too often the election system protects incumbents by making it unnecessarily difficult for people to register, vote, get on the ballot and even think about running for office. And the BGA is working with our good government coalition and state lawmakers to fix that.

Second: (here's where you come in) the public supporting candidates who want to serve the public—not themselves.

The BGA shines a light on government and holds public officials accountable, but then it's up to you—the voters—to decide what to do next. The BGA doesn't have subpoena power, and we can't tell you who to vote for.

As 2016 comes to a close, we hope you resolve to take action in 2017. Become educated about the issues and players, perhaps by attending BGA events and reading our investigations. Register to vote and head to the polls on Election Day. And talk to your family, friends and neighbors about the better government you deserve and want to see in Illinois.

Democracy is a verb. Let's get moving.

Andy Shaw

Your watchdog,
Andy Shaw

MISSION: The BGA's mission is to promote integrity, transparency and accountability in government by exposing waste, fraud and corruption, advocating effective public policy and informing and engaging the community.

The BGA works within **FIVE PILLARS OF ACTION** — to investigate, litigate, educate, advocate and communicate — in an effort to bring better government to Illinois. We go beyond exposing problems to proposing solutions and advocating good government reforms.

BGA'S FIVE PILLARS OF ACTION

INVESTIGATE

The BGA's Investigative Unit examines allegations of waste, fraud, corruption and mismanagement in city, county, suburban and state government.

LITIGATE

We are entitled to access certain public records under the Freedom of Information Act (FOIA). When the BGA is denied access to public documents, we take legal action to force government agencies to comply with the law.

EDUCATE

The BGA's Idea Forums, Candid Conversations and Watchdog Trainings are free events that inform, engage and empower the public.

ADVOCATE

The BGA's Policy Unit advocates for a more open, accountable and efficient government through public policy reforms.

COMMUNICATE

The BGA communicates through hundreds of media stories and appearances with dozens of media partners around the state.

575 investigations

154 results

35 awards

50 legal actions

16,000 people engaged



INVESTIGATIONS AND RESULTS

Since 2009, the BGA has produced 575 investigations of waste, fraud, corruption and mismanagement of government in Illinois. In recent years, the BGA's watchdog work has prompted more than 154 results and reforms that will save taxpayers an estimated \$50 million.

Top Ten Investigations

*Criminal Justice,
Taxes & Spending*

Trump's 'Sanctuary City' Plan Could Cost Chicago \$3.6 Billion

DECEMBER 9, 2016

Despite a clear lack of specific details from the president-elect, a BGA analysis shows that Chicago could lose billions in federal aid in 2017 if Donald Trump follows through on his campaign threat.



*THE PUBLIC EYE
Criminal Justice, Ethics &
Accountability, Taxes & Spending*

Chicago Police Misconduct – Rising Financial Toll

JANUARY 31, 2016

BGA analysis shows how much police misconduct costs taxpayers: \$106 million in 2014 and 2015 alone, covering misconduct-related settlements, judgments, legal fees and other costs.



*Criminal Justice, Education,
Ethics & Accountability, Taxes &
Spending*

How CPS Failed Laquan McDonald

JANUARY 31, 2016

Teen gunned down by a Chicago cop had rough road through deeply flawed Chicago Public Schools, child-welfare systems.



*Criminal Justice, Taxes & Spending,
Environment & Health, Ethics &
Accountability, Environment & Health,
Campaign Finance*

Beyond the Rubble: Life After CHA Upheaval

MARCH-SEPTEMBER 2016

In a series of stories with the Chicago Sun-Times, we examine the human and economic effects of the Chicago Housing Authority's "Plan for Transformation" – a multi-year effort to move tens of thousands of low-income residents from crime-ridden, high-rise public housing in Chicago.

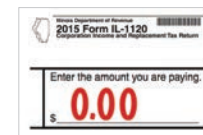


Taxes & Spending

Illinois Awash In Tax Breaks

OCTOBER 19, 2016

A BGA investigation finds Illinois has 257 separate categories of breaks that cost the state \$9.4 billion in fiscal 2015. That's more than the gaping \$8 billion budget hole the state is now struggling to fill.



Top Ten Investigations

Taxes & Spending

Rauner Reprieve On Costly Credit Swap Solution May Have Political Timetable

OCTOBER 23, 2016

Deal to spare the state potentially costly penalties expires the day after the next election for governor in 2018.



THE PUBLIC EYE
Taxes & Spending

Trump Towers With Huge Tax Savings

JUNE 18, 2016

President-elect Donald Trump saved a whopping \$800,000 in property taxes on his unoccupied penthouse because of a unique Cook County tax policy.



Pensions & Salaries

Chicago Payroll Packed With Six-Figure Salaries

AUGUST 4, 2016

Adding to the city's financial burdens, the number of high-paid workers has ballooned by 92 percent since 2013.



Criminal Justice, Ethics & Accountability

Blagojevich's Inner Circle: Where Are They Now?

JULY 30, 2016

The BGA takes a look at where his former aides landed. One worked for U2's Bono and Jill Biden, another served New York Mayor Bloomberg, while others dropped out of sight.



Environment & Health, Taxes & Spending

Chicago Bag Tax Is About Green, But What Kind?

NOVEMBER 16, 2016

Mayor Rahm Emanuel says bag tax is about the environment, but critics say it's about cash.



Top Ten Results

NEW LAWS:

Illinois Adopts 22 Good Government Laws Supported By BGA

Yes, reform is possible! In 2016, the BGA policy team advocated for the adoption of 22 good government laws including: 9 accountability laws, 5 transparency laws, 4 government streamlining laws, 3 ethics and 1 criminal justice reform law. That's progress!



LEGAL ACTION:

BGA Lawsuit Prompts Release of CPD Shooting Videos

Judge orders CPD to release all files and videotapes of fatal Chicago Police Department shootings over the last five years in response to a BGA lawsuit.



LEGAL ACTION:

Forced Release of Emanuel Emails, New Policy Change

As a result of a BGA investigation and legal action, the City of Chicago and Mayor Rahm Emanuel release more than 3,200 pages of Emanuel's private emails related to city business—subject to any applicable legal exemptions—and institute a new policy that will ban city employees and officials from using their private email accounts to conduct city business.



LEGAL ACTION:

Court Overturns Injunction Blocking Release Of Police Misconduct Records

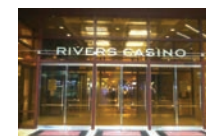
Chalk up a win for transparency and accountability as the Illinois Appellate Court lifts an injunction blocking the release of police misconduct complaint records.



FINE:

Casino Pays \$1.65 Million

Rivers Casino in Des Plaines pays a \$1.65 million fine following an Illinois gaming board investigation spurred in part by the BGA.



Top Ten Results

NEW LAWS:

Local Governments Told To Rein In Travel Spending

A new state law inspired by BGA investigations means meals, hotels and other travel expenses will get tougher scrutiny.



FIRING:

Rauner Housing Appointee Out Amid Allegations

After inquiries from the BGA, the Rauner administration forces out a housing official amid pay-to-play allegations.



DONATIONS PROMISED:

Elected Officials Agree To Pay It Back

Following questions from the BGA about nonprofits donating money to Illinois politicians, a number of elected officials agree to refund money.



RESIGNATION:

Accused Of Perjury, Chicago Cop Quits

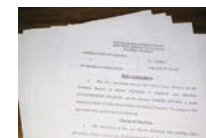
Several months after the BGA and CBS2 highlight the case of a Chicago cop who allegedly lied in court in an attempted murder case, the Chicago Police Department moves to fire her, and she resigns.



ADMISSION OF GUILT:

Cook County Circuit Court Employee Pleads Guilty

Dorothy Brown worker admits to lying to grand jury as part of probe of alleged pay-to-play in the agency.





AWARDS

The BGA is proud to report that its investigations and watchdog efforts have been honored with dozens of national and local awards in recent years. In 2015 the BGA won 8 journalism awards.

Awards



Lisagor Awards May 2017

The Chicago Headline Club, the largest Society of Professional Journalists chapter in the country, presents awards that recognize the best of Chicago journalism and are named for Peter Lisagor, the Chicago Daily News' Washington bureau chief from 1959 to 1976.

*BEST POLITICAL AND
GOVERNMENT REPORTING
(circulation more than 100,000)*

**Series: Beyond the
Rubble: Life after
the CHA Upheaval
with the Chicago
Sun-Times**



*BEST INVESTIGATIVE/PUBLIC
SERVICE REPORTING*

**Series: Pension and
Payroll in Illinois
with the Chicago
Sun-Times**



*BEST CONTINUING BLOG
(AFFILIATED)*

**Investigator's
Notebook**



Kogan Media Awards May 2017


Two BGA stories were recognized by the Chicago Bar Association, which sponsors the awards contest.

**Series: Beyond the
Rubble: Life after
the CHA Upheaval
with the Chicago
Sun-Times**



**BGA Forces Release
of Mayor Rahm
Emanuel Private
Emails, Garners
Landmark Policy
Shift**





POLICY

The BGA Policy Unit advocates for a more open, accountable and efficient government through public policy reforms. The Policy Unit works to protect and strengthen open government in Illinois and to propose policy solutions to prevent corruption, inefficiency and waste in government.

Policy

In many ways, 2016 felt like the peak of governmental dysfunction. After a dramatic and contentious election cycle and ongoing Congressional gridlock, the country felt as divided as it had ever been. The state of Illinois ended the year still without a budget, while individuals and communities continued to suffer. Chicago was still reeling from the late 2015 video release of a white police officer shooting teenaged Laquan McDonald 16 times.

But in spite of the gridlock and division, some good government reforms were underway in Illinois and Chicago. The BGA policy team played a role in pushing them over the finish line.

22 good government bills supported by the Better Government Association passed in the Illinois General Assembly and were signed into law in 2016.

- These 22 bills included streamlining, transparency, accountability, ethics and criminal justice bills backed by the Better Government Association and other reform groups.

City Council is now subject to meaningful, independent Inspector General oversight.

- The Chicago City Council took a historic step in abolishing the ineffective Office of the Legislative Inspector General - the City Council's separate, toothless watchdog - and expanding the Office of the Inspector General's jurisdiction to include aldermen. The

BGA Policy Unit lobbied aldermen, testified before City Council committees and published columns and blogs advocating for this change.

The BGA policy team moved the ball forward regarding the retention of police misconduct complaint records.

- Organizations and individuals interested in police transparency, armed with information, alerts and updates from BGA, wrote letters, contacted their legislators and spoke out stating their support for preserving Chicago police misconduct complaint records. While a bill in the Illinois General Assembly to guarantee preservation did not reach adoption, arbitrators interpreting the police union contract changed their initial

position saying they could not agree that "civic developments since issuance of (an) Award should be summarily discounted" mentioning the "climate of the times...". The Illinois Appellate Court upheld public access to thousands of Chicago police misconduct complaint records--those dating back more than five years that the Fraternal Order of Police (FOP) sought to have destroyed. Since then, the Illinois Supreme Court has denied appeals from the FOP. These records should continue to be available to the public in electronic form once scanned and produced in response to pending FOIA requests.

Policy

Throughout 2016, the Policy Unit monitored and commented on local and state legislation. Our policy team kept an eye on proposed amendments to the Freedom of Information Act, smart streamlining legislation, the City of Chicago and Cook County budgets, proposed restrictions on public testimony at city and county meetings, and whether novel initiatives (such as quasi-public bodies and innovative investment funds) have adequate oversight and are subject to transparency laws. We will continue to weigh in when we see areas of concern.

The Policy Unit also contributes to the public education and civic engagement mission of the Better Government Association by monitoring and commenting on local and state legislation, periodically publishing in-depth analysis on pending legislative and policy issues, and contributing to civic engagement programming.

Publishing

- The BGA policy team maintains a blog on issues of note in local government. In 2016, we published articles on municipal bankruptcy, the selection processes for chiefs of police in major American cities, a recently implemented city debt transparency law, the recent history of non-binding ballot questions in Chicago, automatic voter registration, and the statewide transportation funding “lockbox” amendment, among others.

Civic Engagement

- The policy team helped plan a panel discussion on the use of Tax Increment Financing in the City of Chicago and contributed questions to three BGA Candid Conversations with local and state officials. The team also produced two candidate questionnaires and two voters’ guides to help educate readers on local and state elections.

Highlights

2,291 messages

were sent to legislators in 2016 in response to BGA-initiated action alerts

BGA policy staff produced

30 blog posts

providing in-depth analysis of local and state current events

BGA policy staff testified before city and state committees

5 times



CIVIC ENGAGEMENT

The BGA's Civic Engagement Program encourages meaningful participation in civic activities. Programs are designed to allow discourse about civic issues and provide the public with the knowledge and know-how they need to access public information and effectively express their concerns about government.

Civic Engagement

Watchdog Training:

February 18, 2016

Watchdog Training: Governors State University

March 2, 2016

Watchdog Training: University of Illinois at Springfield

October 13, 2016

Watchdog Training: Urbana

November 18, 2016

Watchdog Training: Northwestern University

December 5, 2016

Watchdog Training: Chicago Urban League

Idea Forums:

April 14, 2016

**Tracking TIFs
University of Illinois at Chicago**

June 20, 2016

**Impact of the Impasse: The Ripple Effect On
Our Community and Economy
The Sangamo Club, Springfield**

November 21, 2016

**Laquan's Legacy: Police Reform in Chicago
Columbia College**



CANDID CONVERSATIONS

In 2016, BGA President and CEO Andy Shaw sat down for exclusive interviews with Dan Cronin—DuPage County Board Chairman, Kurt Summers—Chicago’s City Treasurer and Illinois Realtors in Springfield to discuss good government issues. The conversations are broadcast live online and available as videos at bettergov.org.

Candid Conversations | Dan on Downsizing in DuPage



April 20, 2016 Inland Real Estate Group, Oakbrook

Dan Cronin, DuPage County Board Chairman, and Andy Shaw, BGA President and CEO, discussed the future of government streamlining and consolidation during a BGA “Candid Conversation.”

The conversation, which was streamed online, centered on Cronin’s three-year-plus effort to streamline government operations throughout DuPage County and how that effort fits with the BGA’s statewide government consolidation effort, “Smart Streamlining.” Cronin reflected on the complicated nature of consolidating units of government. Resistance from local government leaders and employees

remains a major hurdle, he said. But support is growing among government reform groups, local leaders and members of the Illinois General Assembly, as evidenced by the nearly two dozen bills addressing streamlining in some fashion that have been considered by the legislature this session.

Cronin and Shaw also touched on the increasingly partisan tension between Republicans and Democrats in state government and the debate over school funding.

Shaw also asked what’s next politically for Cronin: Right now, he’s focused on his job, but Cronin added, “never say never.”

Candid Conversations | Kurt Summers, Chicago's City Treasurer



Oct. 26, 2016
Union League Club of Chicago

Though the office of city treasurer is not as high-profile as others, the treasurer still is given significant responsibility and has great potential to benefit Chicago communities. On October 26, the Better Government Association hosted Chicago Treasurer Kurt Summers for a Candid Conversation with Andy Shaw, and they spoke about the activities of his office thus far.

Upon taking office, Summers undertook a major initiative to pool the costs of investment counseling firms for the various pension funds in order to reap savings. Through these arrangements, according to Summers they have “an ability to save \$25-50 million a year... \$1-2

billion over the life of the plans.” So far, eight out of the 11 funds have signed on, and several million in savings have been actualized even without all the plans signed on.

Summers also has required banks to disclose where they’re lending. He worked with the City Council on a Municipal Depository ordinance, which gave the treasurer’s office more leverage over the banks to invest in local communities. As he sees it, it’s the people’s money, and that money should be leveraged to benefit the people.

Summers spoke of how this year alone they generated \$100 million from the portfolio their office manages, doubling the amount generated last year. In his words, that’s “less

money we would have to get from taxes... more money for [the people].”

Under Summers, the treasurer’s office offered its support to a lawsuit which alleges major banks are engaging in collusion, anti-competitive behavior and rigging the markets to cost taxpayers money on their investments. According to Summers, the banks “closed out anyone else who wanted to be in the market. If the market was poised to move against them, they could control that, and no one would know.” Summers’ view is that this is criminal activity worthy of being investigated by the Department of Justice. Although the police and Chicago Teachers pension funds have joined in the suit, the City of Chicago has not yet done so.

Candid Conversations | After the 8th—Time for Action



Nov. 30, 2016
Illinois REALTORS,
Springfield

With the election season behind us and chronic fiscal challenges before us, BGA President and CEO Andy Shaw sat down with the state's two chief fiscal officers for a BGA Candid Conversation. State Treasurer Michael Frerichs and then-Comptroller-elect Susana Mendoza spoke before an audience of about 90 people at the Illinois REALTORS.

While both officers agreed that the political fog shrouding Springfield may not, at the moment, show signs of lifting, each offered hope for how they can communicate and work together to keep Illinois' tax dollars flowing. Illinois is missing out on millions of

dollars, Frerichs said, without a state operating budget in place.

He emphasized the need to invest directly in Illinois through revenue-generating programs, such as Ag Invest, which seeks to lower the cost of improving farms and expanding agriculture businesses through low-interest loans to farmers. His office also utilizes an Illinois Growth and Innovation Fund that invests up to 2 percent of the state's assets into Illinois-based technology companies.

Comptroller-elect Mendoza drew on her experience as Chicago City Clerk to ensure a sense of fiscal and political independence in the office and to focus on the long-term financial impact on peoples' lives. The former six-term state representative said she understands that

local economies throughout the state count on a budget to sustain small businesses and state universities, which she called the lifeblood of many of communities. Using conversations with voters during her campaign season as motivation, the comptroller-elect said she is determined to inject a resourceful, fresh voice into the political gridlock.

Mendoza said she will look at all options at her disposal to help find a budget solution, including using her newfound power as keeper of the state's financial accounts to explore court orders and lawsuits currently dictating state spending. She also said she would continue former Comptroller Leslie Munger's practice of not paying state legislators until a state budget is in place as part of a "shared sacrifice."

BGA EVENTS

The BGA hosted three fundraising events this year. In the spring we honored the Midwest's best government-related investigative reporting with the Richard H. Driehaus Foundation Awards for Investigative Reporting. And in the fall we celebrated another year of BGA progress with a Chicago luncheon for hundreds of guests plus our first-ever Springfield luncheon.



Events | The Driehaus Foundation Awards for Investigative Reporting: Spotlight



May 16, 2016
Union League Club of
Chicago

Special Guests
The Boston Globe Spotlight
Team, subject of the
Academy Award-winner
for Best Picture, "Spotlight"

Walter V. Robinson
Played by Michael Keaton

Sacha Pfeiffer
Played by Rachel McAdams

Michael Rezendes
Played by Mark Ruffalo

Winners

First Place - \$10,000

"Sixteen Shots"

Slate, Jamie Kalven,
Chicago

Second Place - \$5,000

"Violation of Trust"

Belleville News-Democrat,
George Pawlaczyk and Beth
Hundsorfer, Belleville, IL

Third Place - \$3,000

"Inside IPRA"

WBEZ, Chip Mitchell and
Derek John, Chicago



FIRST PLACE



SECOND PLACE



THIRD PLACE

Events | Annual Luncheon: Elections Matter



Sept. 13, 2016
Sheraton Chicago

Featured Speaker:
Chuck Todd NBC News
Watchdog Honoree:
Daniel L. Goodwin

BGA President and CEO Andy Shaw welcomed a crowd of 800 to our Annual Luncheon on Sept. 13 with a message that stressed the importance of increased citizen participation in elections—one of the keys to good government. He talked about election reforms that can increase voter registration and turnout, and offered an overview of the BGA's watchdog work, including the 22 BGA-backed good government bills approved by the state legislature this year. But he emphasized that there is still a lot more work to do be done, especially on election reform, because

the Independent Map Amendment was struck down by the Illinois Supreme Court and Automatic Voter Registration was vetoed by Gov. Rauner.

BGA Board Chair Mark Rust honored Daniel L. Goodwin, chairman & CEO of The Inland Real Estate Group of Companies, Inc., with the annual BGA Watchdog Award. Goodwin was recognized for his lifetime contributions to economic development, philanthropy and civic engagement. As chairman of the DuPage Airport Authority, he led the push to reform a corrupt and inefficient public airport.

After lunch, Shaw turned the tables by interviewing NBC political director Chuck Todd, who has moderated Meet the Press since 2014. He has a daily show on MSNBC

and serves as on-air political analyst for TODAY and Nightly News with Lester Holt.

Todd discussed the shifting and unpredictable media landscape in this presidential campaign season, the importance of the upcoming debates, and the challenges facing Trump and Clinton. Ultimately, he said, whoever wins—he calls Clinton a slight favorite at this point—will have a hard time governing and uniting a divided and polarized country. But he offered a message of hope—Millennials—at least the ones who haven't given up on government and public service.



Events | Springfield Luncheon: Elections 2016: Candidates, Chaos and Consequences



Sept. 27, 2016 The President Abraham Lincoln Springfield – A Doubletree by Hilton

In the midst of a chaotic, surreal campaign season and one day following the first presidential debate, civility and public discourse set the tone for the conversation between two political titans at the BGA's Springfield luncheon.

Featured guests former Governor Jim Edgar, a Republican, and former University of Illinois Board Chair Chris Kennedy, a Democrat and potential gubernatorial candidate in 2018, offered a breakdown of the current state of politics in Illinois and the nation. From the race for the White House to reform here at home, they analyzed it all in a conversation with Andy

Shaw, BGA President and CEO, before an audience of about 185 in Springfield's President Abraham Lincoln Doubletree hotel.

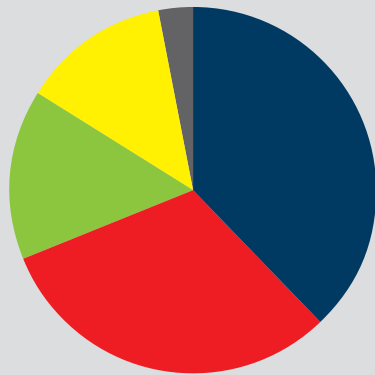
The thought-provoking examination by both Edgar and Kennedy found common ground on a range of issues, including that neither would vote for Republican presidential candidate Donald Trump. But, speaking directly to the Springfield audience, Kennedy said the well-informed, engaged individuals who represent the "establishment" of both political parties need to listen to those who are disengaged and "raging."

"The American dream of rising from rags to riches was the promise of our country—the place where anyone could make it," Kennedy said. "And people don't believe

that anymore. They're upset. They're angry. And they're willing to destroy everything we have if we don't fix that. That's the message of this election."

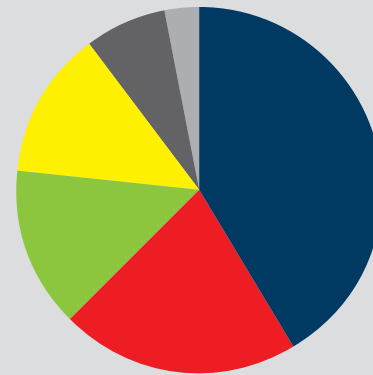


Financials



INCOME: \$4.2 MILLION

● Events.....	38%
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2021

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Biennial Report

July 1, 2018 - June 30, 2020

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Honorable Steve Sisolak, Governor of the State of Nevada, and distinguished members of the Nevada State Legislature:

We are pleased to present the 2021 Biennial Report of the Public Utilities Commission of Nevada (PUCN). This report is published pursuant to Nevada Revised Statutes (NRS) 703.180 and captures the PUCN's progress in fulfilling its roles and responsibilities.

The PUCN continues to implement legislative directives making Nevada a national leader in a number of important policy areas for the industries we regulate. This report highlights the most significant activities, accomplishments, and functions during the period of July 1, 2018, through June 30, 2020 in regulating the State's energy, natural gas, gas pipeline, telecommunications, water, and rail industries during the reporting period.

Nevadans deserve safe, reliable utility service and infrastructure at reasonable rates, with a commitment to the economy and environmental quality. In light of the unprecedented challenges of the COVID-19 pandemic, the PUCN is proud of the work it has done this biennium in meeting its core mission.

During the biennium, the PUCN completed the processing of the first jointly filed integrated resource plan by the State's major electric utilities, a major Northern Nevada electric utility rate case and a major statewide natural gas utility rate case. The PUCN also started processing a major Southern Nevada electric utility rate case and a second major statewide natural gas utility rate case. Additionally, as directed by Senate Bill 329, the PUCN adopted regulations and began the review of a natural disaster protection plan that establishes comprehensive procedures and protocols for the state's largest electric utilities to prevent and respond to natural disasters, such as wildfires. The PUCN has also drafted regulations pursuant to Senate Bill 358 (Renewable Portfolio Standard), Senate Bill 547 (updating NRS 704B) and began the rulemaking for Assembly Bill 465 (Expanded Solar Access). Senate Bill 300 requires the PUCN to adopt regulations for an electric utility to apply for approval of an alternative ratemaking plan, which may include performance-based rates tied to performance and desired outcomes such as increased renewable energy or lower administrative costs. As part of the process to determine if and whether alternative ratemaking is right for Nevada, the PUCN began solicitation of stakeholder comments and oversaw the facilitation of multiple workshops during the biennium.

The PUCN also actively monitored intrastate gas pipelines, promoted underground damage prevention, improved railroad safety, resolved consumer complaints, and was committed to educating Nevadans about the purpose and functions of the PUCN. The PUCN will continue to focus on its mission to protect the public interest, ensure fair and reasonable utility rates, and regulate the delivery of utility service to benefit the economy, the environment, and all Nevadans.

Sincerely,

Hayley Williamson
Chair

CJ Manthe
Commissioner

Tammy Cordova
Commissioner

Stephanie Mullen
Executive Director

NORTHERN NEVADA OFFICE

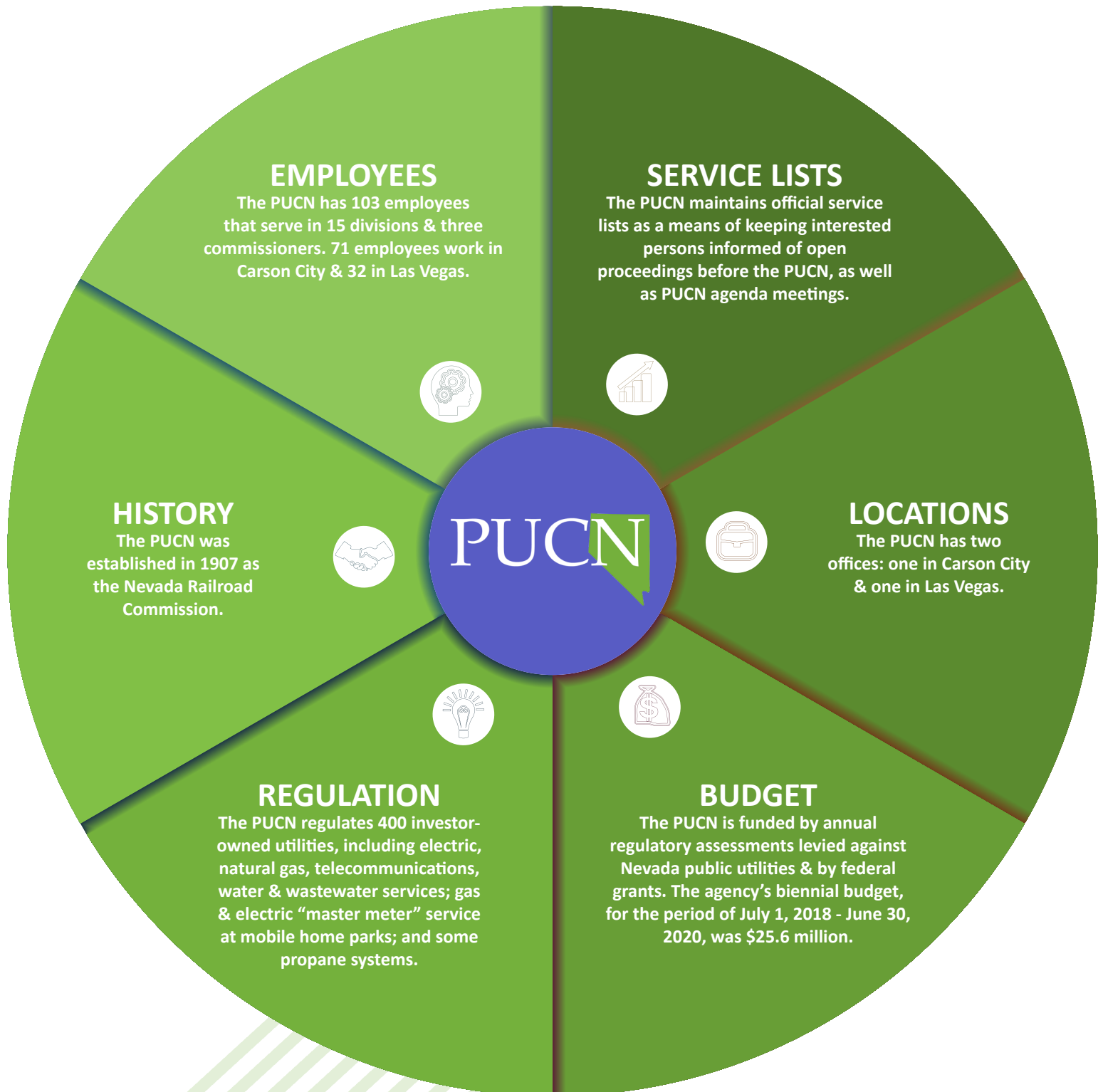
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Who We Are



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nevadapuc



NevadaPUC

puc.nv.gov

Performance Metrics

	Total
Full Commission Agenda Meetings	
Agenda Meetings Held.....	49
Certificates, Licenses & Permits	
Utility Environmental Protection Act (UEPA) Permits Issued.....	26
Certificates of Public Convenience & Commercial Mobile Radio Service Certificates.....	54
Complaints	
Consumer Complaints & Questions Received.....	6,213
Consumer Sessions	
Consumer Sessions & Community Meetings Held.....	22
Dockets Opened	
Dockets Opened - ALL.....	784
Rulemakings Opened to Address Legislative Directives from the 2019 Legislative Session.....	8
Electric & Water Resource Planning.....	5
Dockets Closed - ALL.....	795
Fines & Penalties Collected and Transferred to State's General Fund	
Compliances Ordered.....	378
Total Civil Penalties Assessed - One Call Violations.....	\$205,250
Total Civil Penalties Assessed - Gas Violations.....	\$518,000
Fines & Penalties Collected.....	\$983,750
General Counsel Representation	
Court Cases.....	14
Federal Energy Regulatory Commission (FERC) Cases.....	8
Federal Communication Commission (FCC) Cases.....	2
Investigations	
Gas Incidents Investigated.....	4
Railroad & Rail Transit Incidents Investigated.....	81
Inspections	
Number of Gas Pipeline Inspection Field Days Per Inspector (6 Inspectors).....	210
Rail Units Inspected (Motive Power & Equipment, Track, Hazmat & Operating Practices) (4 Inspectors).....	30,264
Outreach	
Community Events Attended.....	56
Information Pieces Distributed to Consumers.....	8,739
Public Information	
Number of Media Requests for Information.....	230
Number of Non-Media Requests for Information.....	166
Number of Press Releases Distributed.....	45

Accomplishments

PUCN-REGULATED UTILITIES SERVE:

Data from the U.S. Energy Information Administration lists Nevada as the top state for the smallest-percentage increase in rates between 2002 & 2019 at

27.6776%



1,335,164

Electric customers



951,055

Natural Gas customers



22,100

Water/
Wastewater customers

4.6% below

PUCN expenditures were 4.6% below the biennium budget. This helped keep the regulatory assessment rate low, benefitting Nevada utility customers.

The PUCN joined 4 other Western public utility commissions in signing a joint action framework addressing



climate change

through cooperation to reduce greenhouse gas pollution.

The PUCN directed Nevada Power Company to return

\$120 million

of overearnings to ratepayers through a bill credit. NPC single-family residential customers received a bill credit of approximately

\$107.25.

The PUCN approved Nevada's first

Natural Disaster Protection Plan

containing procedures & protocols relating to the efforts of electric utilities to prevent



or respond to natural disasters, such as wildfires.

The PUCN worked with stakeholders to

expand solar access

to low-income, disadvantaged businesses and nonprofit organizations, and to residential customers who are unable to install rooftop solar.

Nevada continues to decrease gas pipeline damages – a trend maintained since 2015. Approximately

121 fewer damages

and/or blowing natural gas pipelines occurred in 2019, resulting in

\$181,500

in first-responder cost savings.



The PUCN's Gas Pipeline Safety Program ranks #1 in the nation in transparency of online pipeline safety information.

Introduction

The PUCN regulates approximately 400 investor-owned utilities engaged in electric, natural gas, telecommunications, water, and wastewater services; gas and electric “master meter” service at mobile home parks; and some propane systems. The PUCN is also involved in monitoring gas pipeline safety, rail safety, and underground excavation near subsurface installations.



PUCN Office Carson City
Carson City, NV | Photo: PUCN

The Public Utilities Commission of Nevada (PUCN or Commission) is a regulatory agency that ensures investor-owned utilities comply with laws enacted by the Nevada Legislature. The PUCN's basic regulatory duties, powers, and scope of work are defined by the Legislature and codified in statute. The PUCN's duties include:

- To provide for fair and impartial regulation of public utilities.
- To provide for the safe, economic, efficient, prudent and reliable operation and service of public utilities.
- To balance the interests of customers and shareholders of public utilities by providing public utilities with the opportunity to earn a fair return on their investments while providing customers with just and reasonable rates.

The PUCN is made up of the Commission and the Regulatory Operations Staff. The Commission is a quasi-judicial, three-person panel, appointed by the Governor in staggered four-year terms, which presides over contested cases and makes decisions regarding the operations of public utilities. The Regulatory Operations Staff is an independent division that investigates/audits utility operations and participates as a party in all proceedings before the Commission and Utilities Hearing Officer.

Careful attention is given to ensuring the independence of the Regulatory Operations Staff, and the Commission is prohibited from communicating with the Regulatory Operations Staff in any manner that undermines the due process rights of other parties. Because the Commission and Regulatory Operations Staff are housed within the same state agency, they share certain administrative and other personnel for matters unrelated to their respective roles as decision-maker and litigant in contested cases.

The PUCN meets statutory functions and objectives as outlined in Nevada Revised Statutes (NRS), chapters 426, 455, 701, 701B, 702, 703, 704, 704A, 704B, 705, 707, 708, 709, and 710. Additionally, as a state agency, the PUCN is subject to the Nevada Administrative Procedures Act and the Nevada Open Meeting Law requirements as delineated in NRS Chapters 233B and 241, respectively, and performs its regulatory functions in accordance with these statutes.

The goal of the Biennial Report is to detail the activities and accomplishments of the PUCN for the public, stakeholders, decision makers, and other interested parties. This report captures the PUCN's progress in fulfilling its roles and responsibilities including significant regulatory decisions.

RESPONDING TO THE COVID-19 PANDEMIC

In mid-March 2020, the PUCN responded to the unprecedented challenges of the COVID-19 pandemic. Following emergency directives from Governor Steve Sisolak, the PUCN closed its offices in Carson City and Las Vegas to the public. To maintain the agency's commitment to providing vital public services and ensuring a viable utility regulation environment, the agency implemented new work schedules and remote working procedures.

The Commission opened a docket and approved an emergency order in late-March that provided direction to utilities regarding COVID-19 related expenses. Although PUCN offices were closed to the public, and remained closed into 2021, agency staff did not stop providing services. PUCN personnel seamlessly transitioned to working from home as the Commission adopted the use of virtual video conferencing and other remote technologies to conduct business, including prehearing conferences, hearings and workshops.

INTRODUCTION

In accordance with the Governor's emergency directives, public commenting requirements were maintained with the implementation of special telephone lines so the public could call in during Commission agenda meetings and consumer sessions. Main PUCN office phone lines also continued to be staffed, allowing the public to get needed information and assistance with services provided by PUCN divisions such as the Consumer Complaint Resolution and business offices.

Via its website, the PUCN continued to offer many additional services, including access to online forms, links to video and audio livestreaming of Commission meetings, timely docket filings and in-depth information related to PUCN utility regulation. Additionally, utilities across Nevada developed plans to assist consumers during the pandemic and a website section was created to feature comprehensive and up-to-date COVID-19 related information.

Electric

The PUCN has regulatory authority to implement the State's energy policies, including approval of the development of renewable energy resources and promotion of energy conservation, while ensuring safe and reliable service at just and reasonable rates.

The PUCN regulates the operations of two electric utilities, Nevada Power Company (NPC) in Southern Nevada, and Sierra Pacific Power Company (SPPC) in Northern Nevada. Both conduct business as NV Energy.



Transformer Serving Allegiant Stadium
Las Vegas, NV | Photo: NV Energy

The PUCN's primary electric utility regulatory activities include the following:

- **EVALUATE UTILITIES' SHORT-TERM AND LONG-TERM PLANS FOR GENERATION AND TRANSMISSION TO FULFILL OBLIGATIONS TO SERVE RETAIL CUSTOMERS.** The evaluation encompasses both conservation and supply options, with consideration of Nevada's renewable portfolio standard requirements. The evaluation takes place through the integrated resource planning process. The resource planning process is the mechanism through which the PUCN implements many of the State's energy policy objectives. During the July 1, 2018 to June 30, 2020 biennium, the PUCN approved proposals that more than doubled the state's utility-scale solar capacity for a total of approximately 2,769 megawatts of solar photovoltaic capacity and added approximately 1,028 megawatts of battery energy storage, further increasing Nevada's per-capita solar energy generation.
- **ESTABLISH THE RATES CHARGED BY AN ELECTRIC UTILITY FOR SERVICE.** The rates charged to customers consist of various components intended to recover a particular cost (e.g., fuel and purchased power, energy efficiency and conservation programs). The two largest costs in rates are purchased power and general costs (general costs include all other costs of operating a utility not specifically collected by another rate and includes the costs of major capital projects like power plants or transmission lines). The PUCN only allows recovery of reasonably incurred costs for prudent projects. Notably, utilities are not entitled to recover costs associated with political or charitable contributions. The PUCN does not allow electric utilities to earn a profit on fuel and purchased power costs (such as renewable energy power purchase agreements) or on operations and maintenance expenses (such as employee salaries). The PUCN's prudent oversight has contributed to Nevada having among the most stable electricity rates in the country over the past two decades. The rate chart on page 11, prepared with data from the U.S. Energy Information Administration, lists Nevada as the top state for the smallest-percentage increase in rates between 2002 and 2019.
- **ISSUE PERMITS FOR THE CONSTRUCTION OF UTILITY FACILITIES IN CERTAIN CIRCUMSTANCES AS PROVIDED BY THE NEVADA UTILITY ENVIRONMENTAL PROTECTION ACT (UEPA).**

UEPA PERMITS ISSUED DURING BIENNIUM	
Entity	Number
Renewable Energy Plant or Transmission Facilities	30
Electric Facilities	0
Water Facilities	0
Natural Gas Facilities	0
Total	30

- **EVALUATE UTILITIES' PLANS FOR COMPLIANCE WITH NEVADA'S DISTRIBUTED RENEWABLE ENERGY INCENTIVE PROGRAMS.** During the biennium, the PUCN implemented rates based on Legislative programs and policies which incent renewable energy.

Biennium Highlights (July 1, 2018 - June 30, 2020)

ELECTRIC GENERAL RATE CASES

The basic purpose of utility rate regulation, as established by the Nevada Legislature, is to balance the needs of the public and of the utility, and to ensure reliable and safe utility service at the lowest possible rates.

Nevada Power Company, d/b/a NV Energy Docket No. 20-06003

This proceeding determined the amount of revenue (excluding revenue related to fuel and purchased power) needed to operate the utility. NPC filed an application to implement rates reflecting a decrease of total revenues by \$120 million, of which approximately \$60 million resulted from the earning sharing mechanism implemented in NPC's prior general rate case.

On October 7, 2020, the PUCN issued an interim order, accepting the parties' stipulation, which allowed NPC to return \$120 million of overearnings to ratepayers immediately through a one-time bill credit to provide relief to its ratepayers during the COVID-19 pandemic. NPC customers in the single-family residential class received a one-time bill credit of approximately \$107.25. The parties' stipulation, which the PUCN approved in a final order on December 19, 2020, set NPC's return on equity to 9.4 percent and total revenue requirement of \$1.0702 billion.

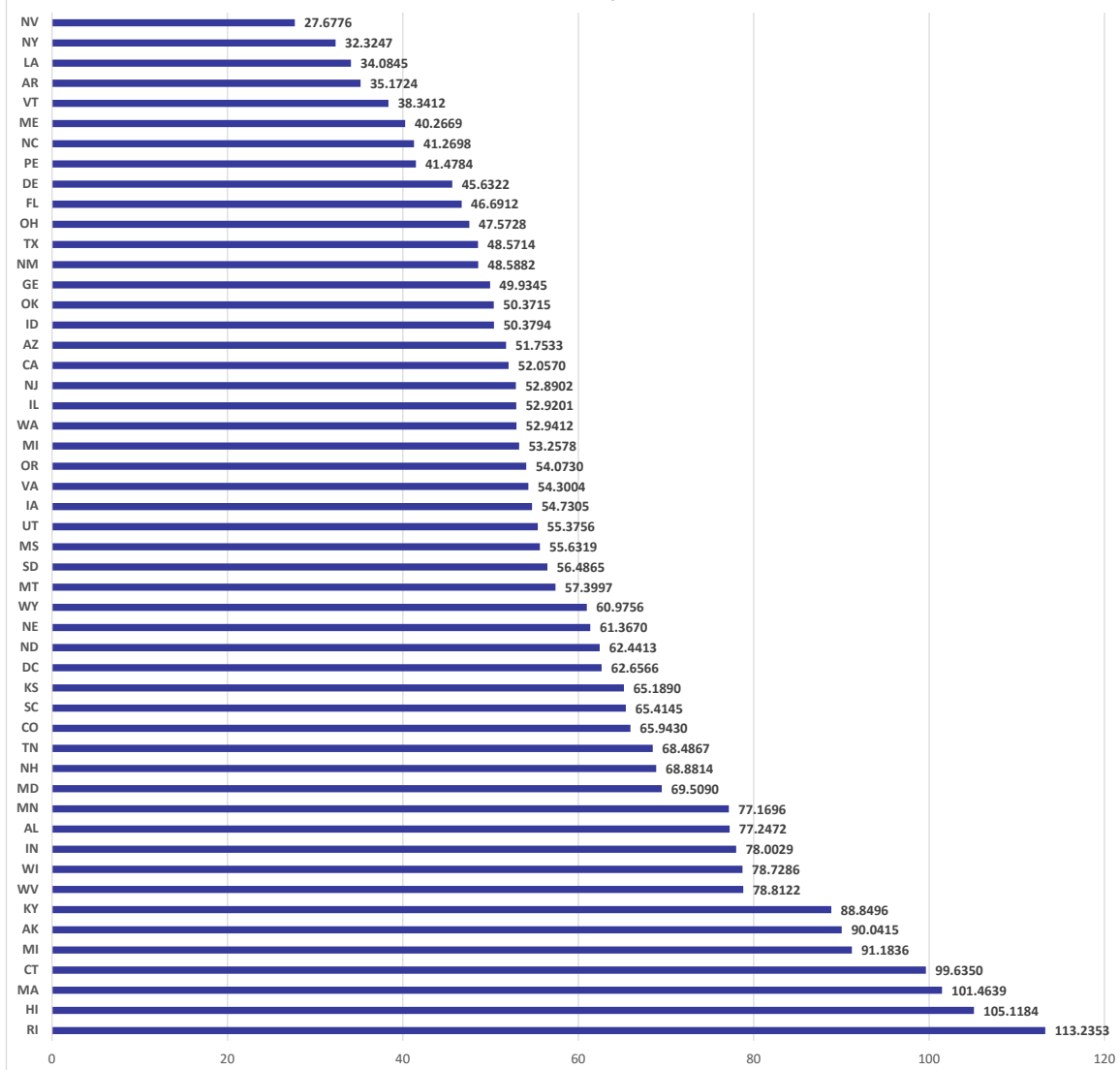
Sierra Pacific Power Company d/b/a/ NV Energy – Docket No. 19-06002

This proceeding determined the amount of revenue (excluding revenue related to fuel and purchased power) needed to operate the utility's electric operations. (SPPC operates an electric division and a gas division. The gas division will be addressed in the gas section of this report.) SPPC filed an application that supported an increase in revenue of \$6 million, but requested that the PUCN reduce its revenue requirement by \$5 million, going from \$417 million in Docket No. 16-06006 to \$377 million in Docket No. 19-06002.

On April 2, 2020, the PUCN issued a modified final order accepting a stipulation by the parties that reduced the amount of revenue needed to operate the utility by \$5 million. The rates from this case became effective July 1, 2020, and will remain in place until January 1, 2023.

Additionally, the PUCN approved an earnings-sharing mechanism, stipulated by the parties, between SPPC and its ratepayers.

Residential Electricity Prices
Percent Increase | 2002 - 2019



(Source: US. Energy Information Administration, Electricity Data, <https://www.eia.gov/electricity/>.)

That mechanism requires that any return on equity received by SPPC in excess of 9.7 percent be shared equally (50/50 split) between SPPC and its ratepayers.

The graphs to the right show the average customer bills from NPC and SPPC from 2009 to 2020. Rates have predominately remained stable since 2009, and have declined since 2015.

RESOURCE PLANNING

Pursuant to statute, the PUCN conducts hearings on the adequacy of a utility's Integrated Resource Plan (IRP). NRS 704.741 requires a utility to file an IRP every three years to identify the utility's plan to increase its supply of electricity or decrease its demand. The PUCN must give preference to a plan that provides the greatest economic and environmental benefits to the state and that also provides levels of service that are adequate and reliable.

During the biennium, the PUCN heard the following IRP cases:

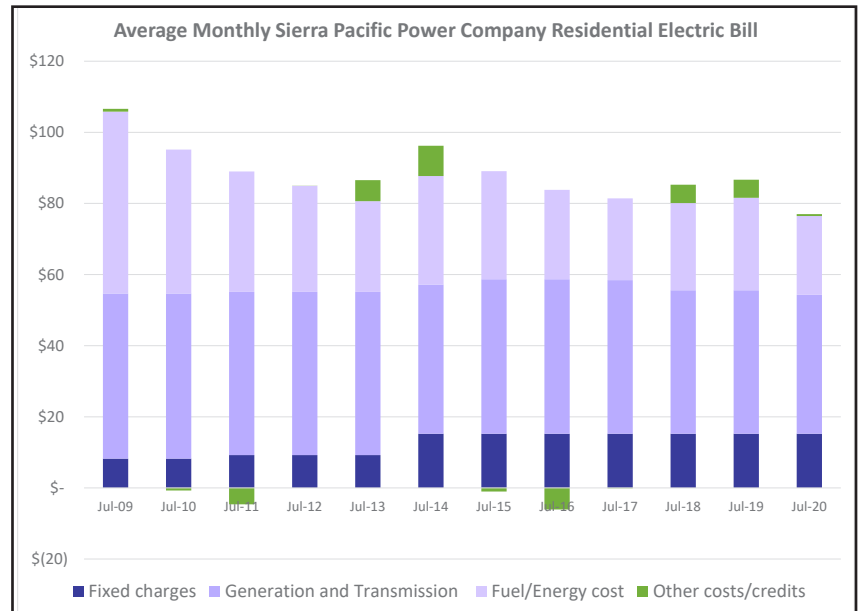
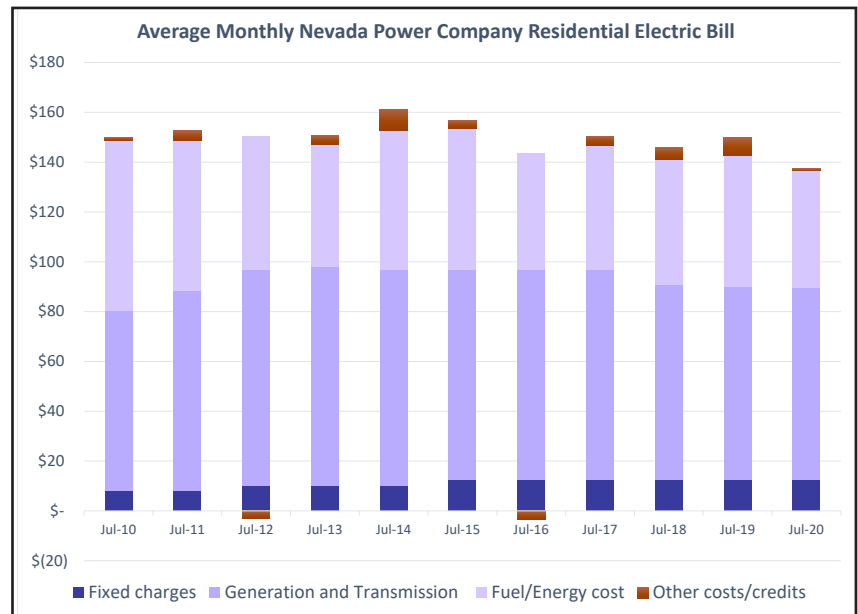
***Nevada Power Company & Sierra Pacific Power Company d/b/a NV Energy
Docket No. 18-06003***

***Nevada Power Company & Sierra Pacific Power Company d/b/a NV Energy
Docket No. 19-04003***

***Nevada Power Company & Sierra Pacific Power Company d/b/a NV Energy
Docket No. 19-06039***

NPC and SPPC jointly filed an IRP on June 1, 2018 (2018 IRP) in Docket No. 18-06003. In that docket, the PUCN approved 1,001 megawatts (MWs) of solar energy power purchase agreements (PPAs). Three of the PPAs, all located in northern Nevada, include battery storage systems, which will provide capacity and flexibility to the northern Nevada system. The approved PPAs are as follows:

- **Dodge Flat Solar** – a PPA for a 200 MW solar photovoltaic (PV) facility with a 50 MW, 200 megawatt-hour (MWh) battery energy storage system located in Washoe County, Nevada. The project is on schedule to be in service by August 2021.
- **Fish Springs Ranch Solar** – a PPA for a 100 MW solar PV facility with a 25 MW, 100 MWh battery energy storage system located in Washoe County, Nevada. This project is on schedule to be in service by December 1, 2021.
- **Battle Mountain Solar** – a PPA for a 101 MW solar PV facility with a 25 MW, 100 MWh battery energy storage system located in Humboldt County, Nevada. The project remains on schedule to meet the July 1, 2021, commercial operation date.
- **Eagle Shadow Mountain Solar Farm** – a PPA for a 300 MW solar PV facility located in Clark County, Nevada. This project remains on schedule to meet the December 31, 2021, commercial operation date.
- **Copper Mountain Solar 5** – a PPA for a 250 MW solar PV facility located in Clark County, Nevada. The project is on schedule to meet the January 1, 2022, commercial operation date.
- **Techren Solar V** – a PPA for a 50 MW solar PV facility located in Clark County, Nevada.



In addition to approval of the above-referenced PPAs, the PUCN also adopted NV Energy's conditional early retirement of Valmy Unit 1 as of December 31, 2021. Valmy Unit 1 is a coal-fired generating unit. The conditions for retirement of the unit relate to reliability and cost concerns.

NPC and SPPC filed their first Distributed Resource Plan (DRP) in 2019 as an amendment to their 2018 IRP in Docket No. 19-04003, and the PUCN approved a joint stipulation to accept the plan. The approved stipulation identified several commitments for NPC and SPPC as follows:

- Provide users the ability to download data from the publicly accessible DRP web portal as of December 31, 2019.
- Develop a DRP web portal user guide.
- Continue to work with stakeholders to clarify "real-time" hosting capacity analysis.
- Continue to complete Non-Wires Alternative analysis for transmission projects.
- Provide a status update on the use of Volt-VAR optimization/conservation voltage reduction technologies in the SPPC's and NPC's Non-Wires Alternative analyses.
- Provide a status update on the demand response demonstration project for Village Substation.
- Investigate and implement where possible or practicable several recommended improvements to the publicly accessible DRP web portal by June 30, 2020.
- Perform Non-Wires Alternative analysis for substations and feeders that are forecasted to have constraints in years four through six of the forecast for those facilities, ensuring that geo-targeted demand-side management and demand response programs are considered in developing Non-Wires Alternative solutions. Although the timing required that the first joint DRP be filed as an amendment to the IRP, the statute anticipates that the DRP will be filed as part of their IRP for all future filings. NPC and SPPC are expected to jointly file their next IRP in June 2021.

NPC and SPPC filed an amendment to their 2018 IRP on June 24, 2019 in Docket No. 19-06039. The parties to that proceeding filed a stipulation that was accepted by the PUCN. The stipulation permitted NV Energy to enter into three renewable PPAs:

- A PPA between NPC and Southern Bighorn Solar Farm for 300 MW of solar PV. The PPA also will provide an additional 135 MW of capacity from co-located battery storage. Forty percent of the portfolio energy credits, energy, capacity and costs will be allocated to SPPC, and the remaining 60 percent will be allocated to NPC. The expected commercial operation of the Southern Bighorn Solar Farm is September 1, 2023.
- A PPA between NPC and Moapa Solar for 200 MW of solar PV generation. The PPA also will provide an additional 75 MW of capacity of co-located battery storage. Seventy percent of the portfolio energy credits, energy, capacity and costs will be allocated to SPPC, and the remaining 30 percent will be allocated to NPC. The expected commercial operation of the Moapa Solar project is December 1, 2022.
- A PPA between NPC and Gemini Solar for 690 MW of solar PV generation. The PPA also will provide an additional 380 MW of capacity from co-located battery storage. Forty percent of the portfolio energy credits will be credited to SPPC, and the remaining 60 percent will be allocated to NPC. The expected commercial operation of the Gemini Solar project is December 1, 2023.

NPC and SPPC filed its fourth amendment to their 2018 IRP on July 20, 2020, in Docket No. 20-07023. NPC and SPPC are requesting PUCN approval:

- Of a PPA between NPC and Chuckwalla Solar for 200 MW solar PV generation. The PPA also will provide an additional 180 MW of capacity from co-located battery storage.
- Of a PPA between NPC and Boulder Solar III for 128 MW of solar PV generation. The PPA also will provide an additional 58 MW of capacity from co-located battery storage.
- To set a just and reasonable price for the energy produced by the Dry Lake Solar Facility, a renewable energy facility to be owned by NPC under the provisions of NRS 704.752. The Dry Lake Solar Facility is a 150 MW solar PV facility with an additional 100 MW of capacity from co-located battery storage.
- To construct and own the Mojave High School solar project, a 0.35 community scale solar facility.
- To permit, acquire land, and construct Greenlink North, a 525 kV transmission line from the Fort Churchill to Robinson Summit substations for approximately \$674.6 million.

ELECTRIC

- To permit, acquire land, and construct the 345 kV Miro Loma transmission, from the Fort Churchill to Mira Loma substations for approximately \$71 million.
- To permit, acquire land, and construct Comstock #1, a 345 kV transmission line from the Fort Churchill to Comstock Meadows substations for approximately \$56.5 million.
- To construct a new 525/345/230/120 kV substation just west of the existing Fort Churchill Substation to accommodate Greenlink Nevada Phase I for approximately \$166.5 million.
- To permit and acquire land for Greenlink West, a 525 kV transmission line from the Fort Churchill to Comstock Meadows substations for approximately \$116.4 million.
- To permit and acquire land for Comstock#2, a 345 kV transmission line from the Fort Churchill to Comstock Meadows substations for approximately \$10.6 million.

The Commission divided Docket No. 20-07023 into two phases; phase one encompassed the solar energy projects and their corresponding transmission network upgrades, while phase two encompasses the transmission projects. On November 25, 2020, the Commission accepted a stipulation between the parties approving the solar energy projects. Phase two is scheduled to go to hearing in the first quarter of 2021.

NRS 704B APPLICATIONS

In 2001, the Nevada Legislature created NRS Chapter 704B, which allows eligible customers of existing electric utilities, who qualify under a specific set of requirements, to request the right to purchase power from a provider of new electric resources instead of the incumbent utility. An eligible customer is one that is an end-use commercial or industrial customer that has an average annual load of one megawatt or more.

Transactions proposed by eligible customers must be reviewed by the PUCN to ensure that the electric utilities and their remaining customers are not subject to increased costs as a result of the proposed transaction and that the proposed transaction is not contrary to the public interest.

Under the standard that existed prior to the adoption of SB 547 in 2019, to find that an eligible customer's exit was "not contrary to the public interest," the PUCN had to weigh whether the electric utility would be burdened by increased costs as a result of the proposed exit or whether any remaining customers of the electric utility will be burdened by increased costs. The PUCN also considered whether the proposed exit would impair system reliability, and whether the proposed exit would add energy, capacity, or ancillary services to the State.

Upon obtaining PUCN approval to purchase power from a provider of new electric resources, the eligible customer must pay an "impact fee" of its "load-share portion" to the electric utility it is currently obtaining power from.

The PUCN received applications for the following NRS Chapter 704B filings over the biennium:

Golden Road Motor Inn, Inc. d/b/a Atlantis Casino Resort Spa - Docket No. 18-08007
LV Stadium Events Company, LLC - Docket No. 18-09003
Georgia-Pacific Gypsum, LLC - Docket No. 18-09015
MSG Las Vegas, LLC - Docket No. 18-10034
Boyd Gaming Corporation - Docket No. 18-11039
Gaughan South LLC d/b/a South Point Hotel and Casino - Docket No. 18-12003
MEI-GSR Holdings LLC d/b/a/ Grand Sierra Resort - Docket No. 18-12018
Las Vegas Resort Holdings, LLC d/b/a SLS Las Vegas - Docket No. 18-12019
Air Liquide Hydrogen Energy U.S. LLC - Docket No. 19-02002
Las Vegas Convention and Visitors Authority - Docket No. 19-02008
Nevada Property 1 LLC d/b/a The Cosmopolitan of Las Vegas - Docket No. 19-02022
Two Blackbirds Hospitality Management LLC - Docket No. 19-04022

SB 547, adopted during the 2019 legislative session, requires future 704B applicants to demonstrate that their application is in the public interest.¹ SB 547 also provides clarity to the costs that exiting customers must pay in an impact fee to ensure that the

¹ As part of this public interest finding in SB 547, the PUCN is required to consider:

- Whether the electric utility that has been providing electric service to the eligible customer will experience increased costs as a result of the proposed transaction;
- Whether any remaining customer of the electric utility will pay increased costs for electric service or forgo the benefit of a reduction of costs for electric service as a result of the proposed transaction; and
- Whether the proposed transaction will impair system reliability or the ability of the electric utility to provide electric service to its remaining customers.

remaining fully bundled customers are not negatively impacted, in addition to other changes.

SB 547 requires the PUCN to set annual limits on the amount of energy and capacity that may exit NV Energy's system. To determine the appropriate annual limits pursuant to SB 547, the utility must present a sensitivity analysis that addresses load growth, import capacity, system constraints and the effect of eligible customers purchasing less energy and capacity. SB 547 clarified that the impact fee charged to the exiting customer must ensure that the customer pays their load-ratio share of the costs associated with the electric utility's obligations that were incurred as deviations from least-cost resource planning. SB 547 provides a list of statutes and legislative bills that are deemed to be deviations from least-cost planning.²

Docket No. 19-06029 is the rulemaking docket wherein the PUCN is considering new regulations to implement the requirements of SB 547. The regulations being considered in Docket No. 19-06029 provide additional detail regarding the impact fee calculation, determining certain charges that will be paid by those customers who are approved to exit NV Energy's system pursuant to NRS Chapter 704B. In particular, the regulations propose a means to calculate the impact of the customer leaving on both the base tariff general rate (BTGR) developed in a general rate case (GRC) and the Base Tariff Energy Rate (BTER) adjusted in a Deferred Energy Accounting Adjustment (DEAA) proceeding. Also, the proposed regulations state that the exiting customer must pay a non-bypassable charge monthly in an amount at least equal to the customer's share of the ongoing out-of-the money portion of the costs of long-term renewable energy contracts entered into by the utility, other public policy programs the utility was required to participate in while the customer was served by the utility, and decommissioning and remediation costs of any generation resource previously used to provide service to the customers.³

ALTERNATIVE RATEMAKING

SB 300, adopted during the 2019 Legislative Session, requires the PUCN to determine what alternative ratemaking mechanisms an electric utility may include in an alternative ratemaking plan. Alternative ratemaking mechanisms represent a shift from the traditional cost-of-service ratemaking that the PUCN and most other state utility commissions have applied to electric utilities for decades. The electric utility industry is changing rapidly, and as a result, regulators across the country are evaluating whether changes in ratemaking are required to align regulatory mechanisms with those industry changes. SB 300 includes a menu of possible alternative ratemaking mechanisms, including, but not limited to, performance-based rates, subscription-based pricing, formula rates, decoupling, earnings sharing mechanisms and multiyear rate plans. Although the PUCN has already implemented many of the alternative ratemaking mechanisms listed in SB 300 in some form, it has not undertaken a holistic review of how various alternative ratemaking mechanisms interact or of how traditional ratemaking may be improved by the application of such alternatives.

SB 300 also tasks the PUCN with determining the information that a utility must include in an alternative ratemaking application and establishing the criteria for the evaluation of such a plan; the legislation includes nine criteria that the PUCN may consider. Moreover, SB 300 gives the PUCN full flexibility in evaluating the appropriateness of alternative ratemaking for Nevada, stating that the Commission "is not required to accept applications to establish an alternative ratemaking plan if [it] determines, after a reasonable investigation, that the use ... is not consistent with the criteria" that the PUCN adopts.⁴

Docket No. 19-06008 was opened by the PUCN on June 6, 2019, in response to SB 300. SB 300 requires the PUCN to adopt regulations for an electric utility to apply for approval of an alternative ratemaking plan. Since Docket No. 19-06008 was opened, the PUCN has solicited multiple rounds of comments from stakeholders and held PUCN-led workshops and numerous informal workshops. During the biennium, the PUCN conducted a stakeholder-driven process supported by the Regulatory Assistance Project (RAP) and Rocky Mountain Institute (RMI). The PUCN, through RMI and RAP, released concept papers to set the stage for the stakeholder-driven process, and RMI and RAP have organized and lead a series of facilitated workshops, at which participants had the opportunity to collaboratively review issues and provide input on key questions to inform the PUCN's assessment of alternative ratemaking options. Subsequent to finishing the facilitated workshops, the SB 300 rulemaking is advancing to a strawman proposal to outline how alternative ratemaking could be implemented in Nevada, with the goal of developing draft regulations in the second quarter of 2021.

2 NRS 704B.310(6) - NRS 704B 310(7)(b)(4)

3 Letter to Legislative Counsel Bureau from the Utilities Hearing Officer, Docket No. 19-06029 (May 27, 2020).

4 NRS 702.762(2).

NATURAL DISASTER PLANNING

SB 329, adopted during the 2019 Legislative Session, requires electric utilities to submit natural disaster protection plans to the PUCN on or before June 1 of every third year. The bill requires the plans to contain procedures and protocols relating to the efforts of the utility to prevent or respond to natural disasters, such as wildfires. The bill authorizes electric utilities to recover all prudent and reasonable expenditures made by the public utility to develop and implement the plan as a separate monthly rate on customer bills. The PUCN adopted regulations that implement the requirements of SB 329 in Docket No. 19-06009. NPC and SPPC jointly filed their natural disaster protection plan in Docket No. 20-02031. The plan's effective period is from 2021-2023. In Docket No. 20-02032, NPC and SPPC jointly filed for approval of cost recovery of a regulatory asset account established in 2019 related to natural disaster protection.⁵

The natural disaster protection plan has important implications for regulation of Nevada utilities, as risk of natural disasters like wildfires are expected to play an ongoing and significant role in how NV Energy directs the focus of its capital spending. As such, much like an IRP, the natural disaster protection plans will determine significant investment decisions for NV Energy in the future. For example, in NV Energy's first natural disaster protection plan, NV Energy requested approval of 24 capital projects and 11 operations and management programs (including public safety outage management).

WILDFIRE DIALOGUE

Additional cooperation among West Coast public utility commissions included an August 2019 meeting with representatives of the PUCN joining utility commissioners from British Columbia, California, Oregon, and Washington at an all-day, public dialogue regarding wildfire risk.

The event, conducted in Portland, featured participants and experts who shared perspectives and evolving approaches to address rapidly changing wildfire risk aggravated by climate change and other factors. The dialogue focused on impacts to electric utilities, customers, and communities, as well as lessons learned by Western states to help manage and mitigate wildfire risk.

PUCN Chair Hayley Williamson moderated one of four panel sessions. Chair Williamson facilitated the "Expanding Public Safety Coordination" session that discussed what factors should be considered to ensure de-energization does not increase public safety risks now that transportation, communication, and other essential services are more reliant on electricity.

CLIMATE CHANGE

In 2019 the PUCN joined four other Western public utility commissions in signing a joint action framework addressing climate change through cooperation to reduce greenhouse gas pollution.

The PUCN unanimously agreed to become a signatory to the Western public utility commissions' Joint Action Framework on Climate Change in July 2019. The other signatories of the Joint Action Framework were the California Public Utilities Commission, Oregon Public Utilities Commission, and the Washington Utilities and Transportation Commission. Those three commissions originally signed the Joint Action Framework more than 10 years earlier, with the goal of sharing information and best practices to reduce carbon pollution and expand the development of low-carbon technologies in the energy industry. In the fall of 2019, the Colorado Public Utilities Commission also signed the Joint Action Framework.

The PUCN followed the lead of Nevada Gov. Steve Sisolak and the State Legislature in taking important steps to address climate change. In March 2019, Gov. Sisolak announced that Nevada joined the U.S. Climate Alliance, a bipartisan coalition committed to reducing greenhouse gas emissions. During the 2019 Legislative Session, the Legislature passed and the Governor signed Senate Bills (SB) 254 and 358, which both recognize the growing threat of climate change and the importance of investing in clean energy resources to reduce carbon emissions.

The Joint Action Framework contains a list of action items that include ways to ensure regional energy markets maximize benefits to taxpayers, review best practices to identify and secure cost-effective conservation, and explore increasing use of low-carbon energy capacity resources to lower customers' costs and improve system reliability.

Governor Sisolak's Executive Order 2019-22

On November 22, 2019, Governor Sisolak signed Executive Order 2019-22, directing the creation of an inter-agency team to develop a State Climate Strategy by December 2020. The inter-agency team is led by the Nevada Department of Conservation

5 NRS 704.762(2)

and Natural Resources and the Governor's Office of Energy, with participation from the PUCN, Department of Transportation, Department of Motor Vehicles, Department of Administration, and the Nevada System of Higher Education. The State Climate Strategy provides a framework designed to evaluate the alignment of policies with timeline and benchmarks necessary for Nevada to achieve the greenhouse gas emission reduction goals in SB 254. Chair Williamson is serving as a lead for the Energy and Power Mitigation Policy Analysis Working Group, which is evaluating policies that could achieve greenhouse gas emission reductions in the energy and power sector.

Renewable Projects

NEW & PROPOSED GENERATION & STORAGE FACILITIES IN NEVADA as of June 2020

OWNER	PLANT NAME	COUNTY	MAX CAPACITY	PRIME MOVER	ENERGY SOURCE	ACTUAL OR PROPOSED ONLINE DATE	POWER PURCHASE AGREEMENT	STATUS
ARES Nevada LLC	ARES REM Project	Clark/Nye	50 MW 12.5 MWH	N/A	Gravity/Shuttle Trains	Unknown	Unknown	Development
Sunshine Valley Solar LLC	Sunshine Valley Solar Project	Nye	110 MW	Photovoltaic Array	Sun	2020	Southern Calif. Edison	Under Construction
Invenenergy Solar Development LLC	Harry Allen Solar Energy Center	Clark	130 MW	Photovoltaic Array	Sun	Unknown	Unknown	Development
NPC d/b/a NV Energy	Dry Lake Solar Energy Center	Clark	150 MW	Photovoltaic Array	Sun	Unknown	Unknown	Development
Aiya Solar Project LLC	Aiya Solar Project	Clark	100 MW	Photovoltaic Array	Sun	Unknown	No	Development
Aurora Solar LLC	Iron Point Solar Project	Humboldt	100 MW	Photovoltaic Array	Sun	2020	No	Development
Hydrostor A-CAES USA Inc.	Gonder Terra A-CAES	White Pine	101 MW 1212 MWH	N/A	Compressed Air	2022	No	Development
Techren Solar LLC	Techren Solar I	Clark	100 MW	Photovoltaic Array	Sun	3-2019	NPC	In Operation
Techren Solar LLC	Techren Solar II	Clark	200 MW	Photovoltaic Array	Sun	10-2019	NV Energy	In Operation
Techren Solar LLC	Techren Solar III	Clark	25 MW	Photovoltaic Array	Sun	2020	NPC	Under Construction
Techren Solar LLC	Techren Solar IV	Clark	25MW	Photovoltaic Array	Sun	2020	SPPC	Under Construction
Techren Solar LLC	Techren Solar V	Clark	50 MW	Photovoltaic Array	Sun	2021	NPC	Under Construction
ORNI 41 LLC	McGinness Hills III	Lander	48 MW	Binary Turbine	Geothermal	12-2018	SCAPA	In Operation
Solar Partners XI, LLC (Arevia)	Gemini Solar Project: Array	Clark	690 MW	Photovoltaic Array	Sun	2023	NPC	Development
Solar Partners XI, LLC (Arevia)	Gemini Solar Project: Battery Storage	Clark	380 MW 1770 MWH (Note 4)	Gemini Solar Project Array	N/A	2023	NPC	Development
Battle Mountain SP, LLC	Battle Mountain Solar Project: Array	Humboldt	101 MW	Photovoltaic Array	Sun	2021	SPPC	Development
Battle Mountain SP, LLC	Battle Mountain Solar Project: Battery Storage	Humboldt	25 MW 100 MWH	Battle Mountain Solar Array	N/A	2021	SPPC	Development
South Ridge Solar, LLC	South Ridge Solar Project	Nye/Clark	200 MW	Photovoltaic Array	Sun	Unknown	No	Development
Yellow Pine Solar LLC	Yellow Pine Solar Project	Clark	250 MW	Photovoltaic Array	Sun	Unknown	No	Development
Solar Partners VII, LLC	Battle Born Solar Project: Array	Clark	850 MW	Photovoltaic Array	Sun	2023	2023	Development
Solar Partners VII, LLC	Battle Born Solar Project: Battery Storage	Clark	850 MW 3400 MWH (Note 3)	N/A	Unknown	2023	2023	Development
Pershing Solar, LLC	Pershing Solar Project: Array	Pershing	240 MW	Photovoltaic Array	Sun	2023-Q4	Unknown	Development
Pershing Solar, LLC	Pershing Solar Project: Battery Storage	Pershing	180 MW 720 MWH (Note 3)	N/A	Unknown	2023-Q4	Unknown	Development
Hamel Renewable, LLC	Rough Hat Clark County Solar Project	Clark	400 MW	Photovoltaic Array	Sun	6-2023	Unknown	Development
Hamel Renewables	Rough Hat Nye County Solar Project	Nye	500 MW	Photovoltaic Array	Sun	6-2023	Unknown	Development
Arrow Canyon Solar, LLC	Moapa Solar: Array	Clark	200 MW	Photovoltaic Array	Sun	12-2022	NPC	Development
Arrow Canyon Solar, LLC	Moapa Solar: Battery Storage	Clark	75 MW 375 MWH	N/A	Moapa Solar Array	12-2022	NPC	Development
Copper Mountain Solar V, LLC	Copper Mountain Solar V: Array	Clark	250 MW Array	Photovoltaic Array	Sun	12-2021	NPC	Under Construction

Renewable Projects cont . . .

OWNER	PLANT NAME	COUNTY	MAX CAPACITY	PRIME MOVER	ENERGY SOURCE	ACTUAL OR PROPOSED ONLINE DATE	POWER PURCHASE AGREEMENT	STATUS
Copper Mountain Solar V, LLC	Copper Mountain Solar V: Battery Storage	Clark	87.5 MW/ 350 MWH	N/A	Unknown	Unknown	Unknown	Development
EDF Renewables	Red House Solar	Humboldt	500 MW	Photovoltaic Array	Sun	Unknown	Unknown	Development
Crescent Valley Solar Energy LLC	Crescent Valley Solar	Lander	149 MW	Photovoltaic Array	Sun	Unknown	Unknown	Development
8minutenergy	Southern Bighorn Solar: Array	Clark	300 MW	Photovoltaic Array	Sun	9-2023	NPC	Development
8minutenergy	Southern Bighorn Solar: Battery Storage	Clark	135 MW 675 MWH (Note 4)	N/A	Southern Bighorn Solar Array	9-2023	NPC	Development
Lovelock Solar Energy LLC	Lovelock Solar Energy Project	Pershing	190 MW	Photovoltaic Array	Sun	Unknown	Unknown	Development
Dodge Flat Solar, LLC	Dodge Flat Solar Energy Center: Array	Washoe	200 MW	Photovoltaic Array	Sun	12-2021	Yes	Under Construction
Dodge Flat Solar, LLC	Dodge Flat Solar Energy Center: Battery Storage	Washoe	50 MW 200 MWH	N/A	Dodge Flat Solar Array	12-2021	Yes	Under Construction
Fish Springs Ranch Solar, LLC	Fish Springs Ranch Solar Energy Center: Array	Washoe	300 MW	Photovoltaic Array	Sun	2021-Q4	NPC	Development
Fish Springs Ranch Solar, LLC	Fish Springs Ranch Solar: Battery Storage	Washoe	25 MW 100 MWh	N/A	Fish Springs Ranch Solar Array	2021-Q4	NPC	Under Construction
Red Valley Lands, LLC	Red Valley Solar Project	Clark	200 MW	Photovoltaic Array	Sun	Unknown	Unknown	Development
Red Flats Lands, LLC	Red Flats Solar Project	Clark	500 MW	Photovoltaic Array	Sun	Unknown	Unknown	Development
Nevada Gold Energy, LLC	TS Solar	Eureka	200 MW	Photovoltaic Array	Sun	2022-Q1	Nevada Gold Mines, LLC	Development

TOTAL NEW & PROPOSED GENERATION AND STORAGE CAPACITY BY ENERGY SOURCE/STORAGE TYPE AND COMMERCIAL OPERATION DATE

GENERATION/ ENERGY STORAGE	TOTAL	COMMERCIAL OPERATION DATE					
		Commercial Operation Date Unspecified	2018-2019	2020	2021	2022	2023
Natural Gas	0 MW						
Geothermal	48 MW		48 MW				
Landfill Gas	0 MW						
Solar PV	7385 MW	3219 MW	300 MW	460 MW	876 MW	400 MW	2130 MW
Wind	0 MW						
Storage: Battery	1857.5 MW 7702.5 MWH	137.5 MW 362.5 MWH			100 MW 400 MWH	75 MW 375 MWH	1545 MW 6565 MWH
Storage: Compressed Air	101 MW 1212 MWH					101 MW 1212 MWH	
Storage: Gravity	50 MW 12.5 MWH	50 MW 12.5 MWH					
TOTAL: Generation Storage: Capacity Storage: Energy	7433 MW 2008.5 MW 8927 MWH						

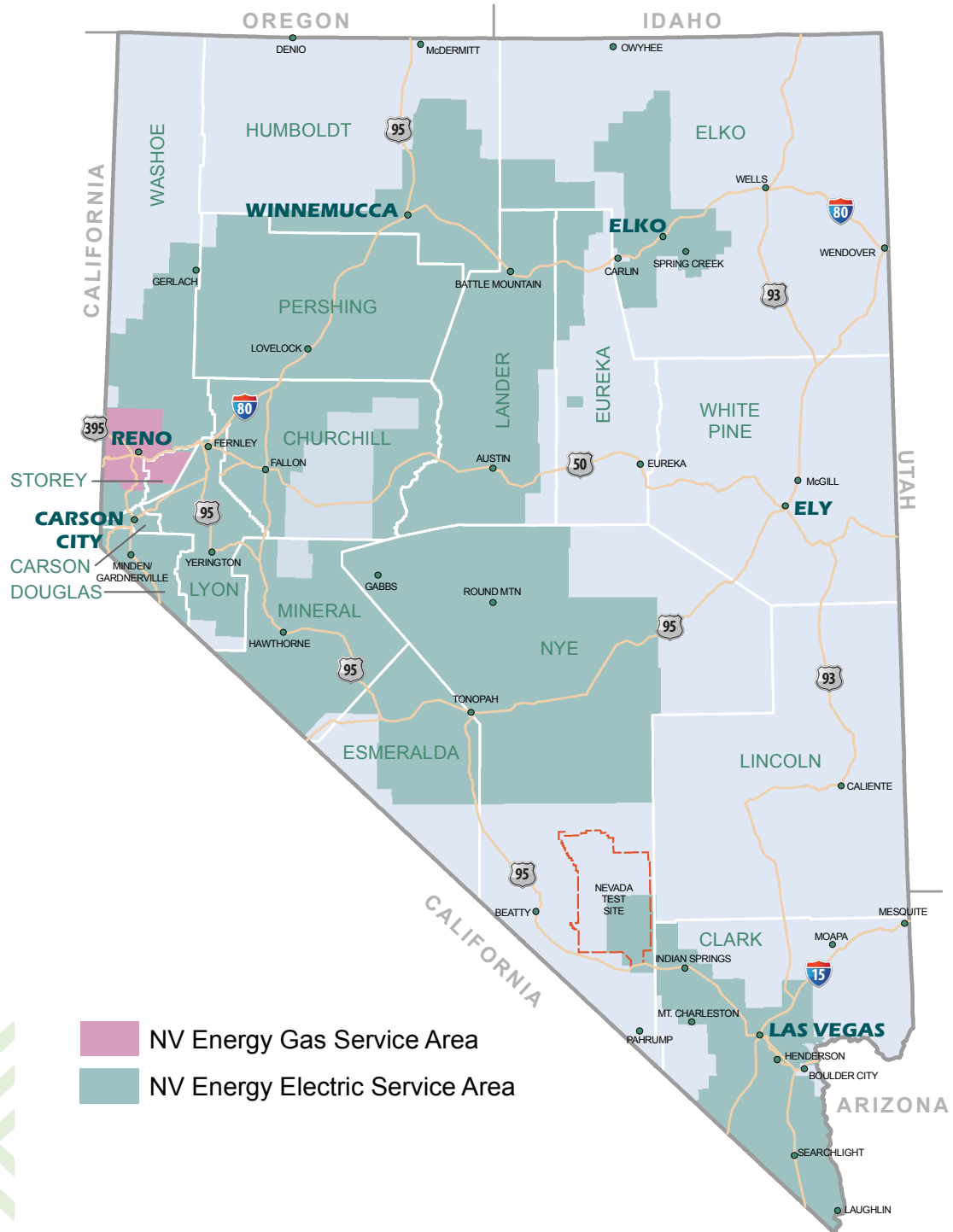
Notes:

1. Sources: PUCN Dockets; NV Energy; project developer websites; project developer representatives.
2. Projects with commercial operation dates before 2018 are not included in this list.
3. Battery energy storage capacity (MWH) for Pershing Solar and Solar Partners VII assumed to be 4 times capacity rating (MW) of battery.
4. Battery energy storage capacity for Gemini and Southern Bighorn is 5 times capacity rating of battery (Docket No. 19-06039).
5. Parameters of storage resources include nameplate capacity (MW) and energy storage capability (MWH).

Electric Service Providers

NV ENERGY (NPC & SPPC)

For more than a century, NV Energy, operating as separate utilities Nevada Power Company (NPC) and Sierra Pacific Power Company (SPPC), has provided Nevada homes and businesses with safe, reliable energy. These utility companies deliver electricity to more than 1.335 million customers and a state tourist population of more than 56 million annually through its nearly 46,000-square-mile service territory. SPPC also provides natural gas to more than 170,000 citizens in the Reno-Sparks area. (Source: <https://www.nvenergy.com/about-nvenergy/our-company/territory>.)



Electric Service Providers cont . . .

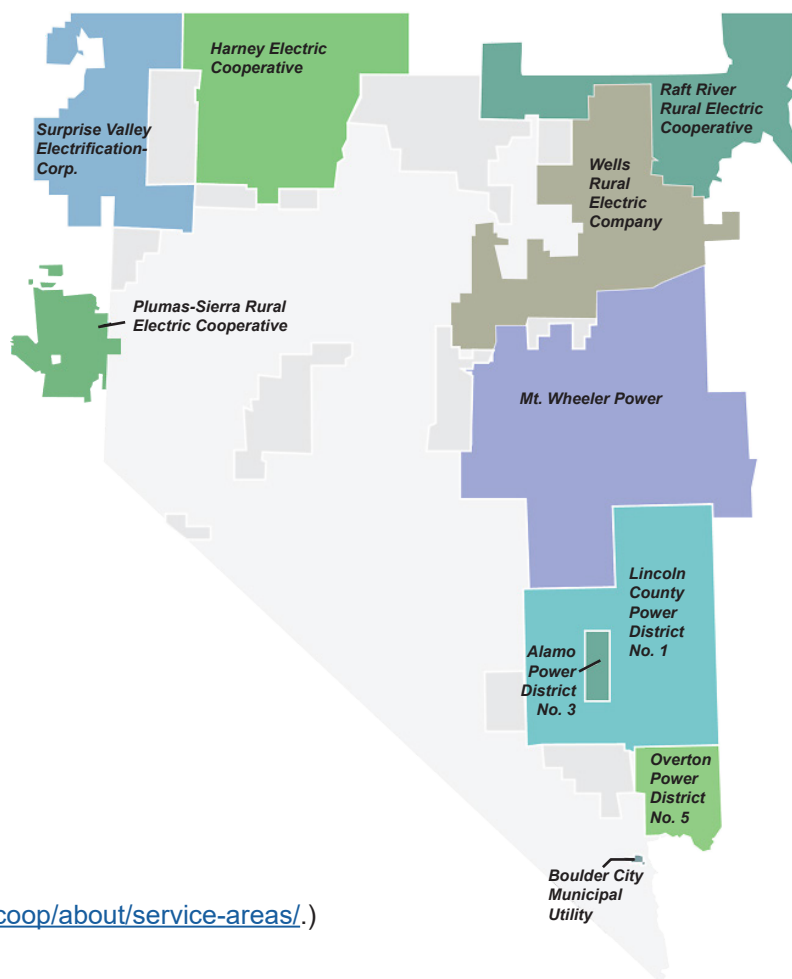
NEVADA RURAL ELECTRIC ASSOCIATION (NREA)

In addition to rate-regulated utilities in Nevada like NPC and SPPC, there are also other electric service providers. The PUCN does not rate-regulate Nevada's cooperatives, municipalities, or rural electric associations. NREA utilities are democratically organized and controlled by their members, who set policies and make decisions. Members of the Board of Directors are elected by and from local citizens who take service from the utility. Nevada's electric cooperatives, municipalities, and rural associations are cooperatively organized and governed, or are not-for-profit utilities. At right is a map of the Nevada Rural Electric Association's service territories.

NREA Members:

- Boulder City Municipal Utility, Boulder City, NV
- Desert Power (not shown), South Jordan, UT
- Harney Electric Cooperative, Hines, OR
- Lincoln County Power District No. 1, Pioche, NV
- Mount Wheeler Power, Ely, NV
- Overton Power District No. 5, Overton, NV
- Plumas-Sierra Rural Electric Cooperative, Portola, CA
- Raft River Rural Electric, Malta, ID
- Surprise Valley Electrification Corp., Alturas, CA
- Wells Rural Electric Company, Wells, NV

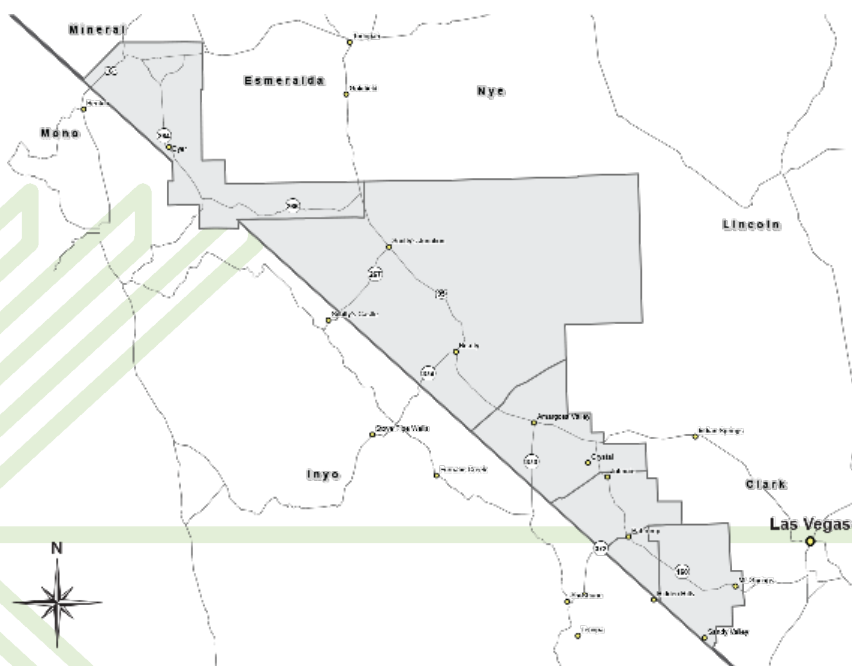
(Source: Nevada Rural Electric Association, <https://www.nrea.coop/about/service-areas/>.)



VALLEY ELECTRIC ASSOCIATION, INC. (VEA)

VEA is a member-owned electric cooperative headquartered in Pahrump, which provides service to more than 45,000 people within a 6,800-square-mile service area along the California-Nevada border.

(Source: Valley Electric Association, <https://vea.coop/about-us/service-territory-map/>.)



Renewable Energy & Energy Efficiency

The PUCN makes renewable energy- and energy efficiency-related determinations in a number of dockets. The PUCN has oversight authority regarding electric and gas utilities' administration of renewable energy incentive and demonstration programs, and administers the portfolio energy credit program.



Biennium Highlights (July 1, 2018 - June 30, 2020)

INVESTIGATIONS AND RULEMAKINGS

The PUCN conducted investigations and rulemakings into renewable energy issues from the 2017 and 2019 Legislative Sessions and adopted new regulations.

Senate Bill 204, Energy Storage Targets - Docket No. 17-07014

SB 204, a recommendation from the New Energy Task Force of 2016, required the PUCN to investigate and establish biennial targets by October 1, 2018 (if it is in the public interest) for certain electric utilities to procure energy storage systems. Among other items, SB 204 requires the PUCN to consider whether the procurement of energy storage systems will integrate intermittent renewable energy resources into the transmission and distribution grid, whether they provide increased use of renewable energy to generate electricity and whether they provide reductions in greenhouse gas emissions.

The PUCN opened an investigation and rulemaking to implement SB 204, Docket No. 17-07014. In 2018, various parties filed comments and the PUCN conducted workshops. The Brattle Group completed a third-party analysis and filed its study, "The Economic Potential for Energy Storage in Nevada," in October 2018. At the December 21, 2018, agenda meeting the PUCN approved continuing the process of creating new energy storage targets.

On March 12, 2020, the PUCN adopted regulations that reflect an energy storage deployment target of 1,000 megawatts (MWs) by 2030 and required the utilities to include energy storage in Integrated Resource Plans (IRPs). The biennial targets start at 100 MWs by December 31, 2020 and increase 100 MWs every two years until reaching the ultimate goal of 1,000 MWs by December 31, 2030. The targets can be reached by either centralized or distributed energy storage systems. Moreover, the energy storage systems can be connected to either the transmission or distribution system. The biennial storage targets are cumulative and include energy storage system resources approved by the PUCN and procured by the utilities via contract even before the effective date of the regulation.

Assembly Bill 465, Expanded Solar Access Program - Docket No. 19-06028

AB 465, which passed the Nevada Legislature in 2019, created an expanded solar access program that requires NV Energy to develop between 3 and 10 community-based solar resources in NV Energy's service territories to expand solar access to low-income, disadvantaged businesses and nonprofit organizations, and to residential customers who are unable to install rooftop solar. The expanded solar access program provides communities within the utility's service territories the ability to participate in the siting and naming of the community-based solar resources, as well as a workforce training program for the construction of the resources. An electric utility must consider and provide greater weight for a location sited in a disadvantaged or low-income community. AB 465 includes a requirement for a solar workforce innovations and opportunities program. The solar workforce innovations and opportunities program is to be developed by the Department of Employment, Training and Rehabilitation (DETR) in conjunction with potential employers and the International Brotherhood of Electrical Workers (IBEW), to provide workforce education, training and job placement.

On August 9, 2019, the PUCN opened a rulemaking in Docket No. 19-06028 to adopt regulations in accordance with AB 465. Interested stakeholders, such as Sierra Club, Faith Organizing Alliance, City Of Las Vegas, Renew Nevada, Senator Chris Brooks, Assemblywoman Daniele Monroe-Moreno, DETR, PUCN Regulatory Operations Staff, Nevada Bureau of Consumer Protection

(BCP), NV Energy, IBEW, Bombard Renewable Energy, and Chispa Nevada, conducted numerous informal workshops to develop draft regulations and identify areas of non-consensus. The PUCN subsequently conducted a formal workshop discussing the regulations drafted by the stakeholders and issued draft regulations for stakeholder comment. On July 8, 2020, the PUCN sent the proposed draft regulations to the Legislative Counsel Bureau (LCB). On November 4, 2020, LCB returned revised regulations to the PUCN. The PUCN continues its work through the rulemaking process to implement regulations to effectuate AB 465.

RENEWABLE PORTFOLIO STANDARD

Nevada's Renewable Portfolio Standard (RPS) was first adopted by the Nevada Legislature in 1997 and has been modified nearly every legislative session since. The RPS establishes the percentage of electricity sold by an electric utility to retail customers that must come from renewable sources. More specifically, electric utilities are required to generate, acquire or save with portfolio energy systems or energy efficiency measures, a certain percentage of electricity annually.

Each year, providers of electric service must submit a report to the PUCN providing evidence of their compliance with the RPS. The PUCN determines if the provider has met the requirements and, for a utility or provider of a new electric resource that fails to meet the RPS, the PUCN may impose a fine, provide an exemption or take other administrative action.

Senate Bill 358 - RPS Standard, Renewable PPA Pricing, and Ownership Options - Docket No. 19-06010

SB 358, which the Nevada Legislature passed in 2019, increased the renewable portfolio standard to 50 percent renewable energy by 2030. It also added provisions to statutes related to resource planning and ratemaking that authorize electric utilities to acquire an existing renewable facility without getting specific approval from the PUCN for such acquisition if specific terms have been met or, with PUCN approval, construct a new renewable facility without placing that facility within its rate base.

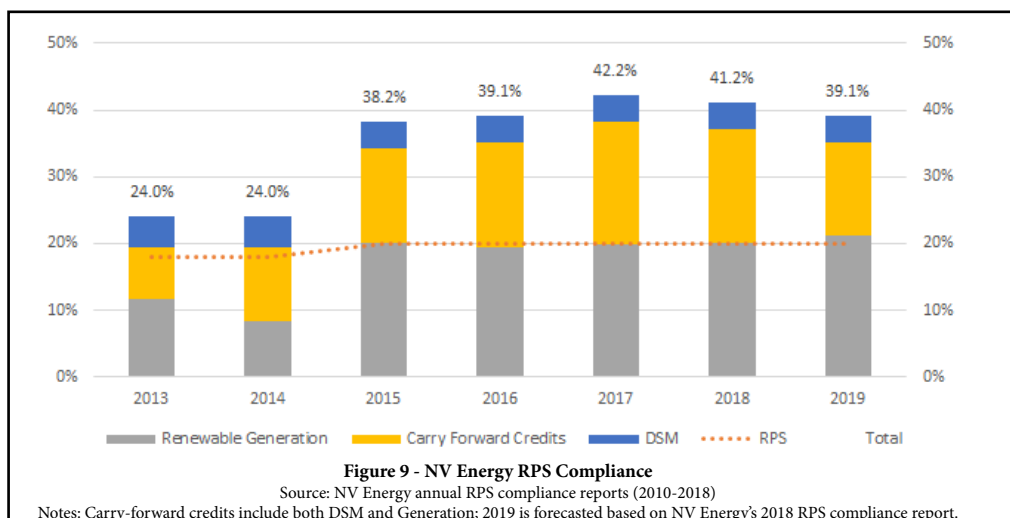
SB 358 permits a utility or utilities under common ownership in an IRP application or an amendment to the IRP application to file a request that the PUCN establish a just and reasonable price by means of reference to a competitive market rate for energy produced by a renewable energy facility owned by the utility or utilities. If the PUCN grants the request, any capital investment made by the utility or utilities on the renewable energy facility must be excluded from rate base and all expenses associated with the facility must be excluded from the revenue requirement of the utility or utilities. The just and reasonable price for the electricity generated by the renewable energy facility must be established by reference to a competitive market price for the electricity, without regard or reference to the principles of cost of service or rate of return price setting. The PUCN may determine a competitive market price based on the results of a reasonably contemporaneous competitive request for proposal (RFP) for a substantially similar product with substantially similar terms and conditions, including duration of the proposal. In other words, the utility or utilities would charge customers based on a competitive market price established by the PUCN, rather than recovering the costs through traditional ratemaking. Also, in an IRP or IRP amendment that includes a provision for acquisition by the utility of a renewable energy facility, the PUCN may establish reasonable performance terms and conditions for the generation and sale of the electricity.

If, pursuant to SB 358, the PUCN establishes a just and reasonable price for the electricity generated by a renewable energy facility by reference to a competitive market price for the electricity, the PUCN must establish regulations whereby a utility can recover that just and reasonable price through the deferred accounting mechanisms for fuel and purchased power set forth in NRS 704.187.

On June 6, 2019, the PUCN opened a rulemaking in Docket No. 19-06010 to adopt regulations in accordance with SB 358. Interested stakeholders, such as Nevada Conservation League, Western Resource Advocates, Vote Solar, Nevada Rural Electric Association, Mt. Wheeler Power, NV Energy, e-centricity, First Solar, Inc., PUCN Regulatory Operations Staff, and Nevada Bureau of Consumer Protection (BCP), participated in numerous informal workshops to develop draft regulations and identify areas of non-consensus. The PUCN subsequently held a formal workshop discussing the regulations drafted by the stakeholders and issued draft regulations for stakeholder comment. On February 24, 2020, the PUCN sent proposed draft regulations pertaining to the increased RPS standard and renewable power purchase agreement (PPA) pricing and ownership options to the LCB. On September 23, 2020, the PUCN sent proposed draft regulations pertaining to rural electric cooperative association compliance with the RPS standard when they exceed the one-million megawatt-hour threshold contained in SB 358 to the LCB. On November 6, 2020, the LCB returned the rural cooperative association revised regulations to the PUCN. The PUCN will continue the rulemaking process to implement SB 358. In addition to the draft regulations, the PUCN issued an order requiring NV Energy to submit a report containing planning information consistent with a net-zero carbon emissions goal by 2050. On November 13, 2020, NV Energy submitted its report.

The PUCN received the following reports related to Nevada's RPS over the biennium:

- **SPPC and NPC**, jointly d/b/a NV Energy, filed annual reports in 2019 and in 2020 indicating compliance with the 20 percent RPS threshold in effect for compliance years 2018 and 2019. The PUCN determined that SPPC and NPC were in compliance with the RPS for 2018 and 2019. The PUCN's orders addressing these reports included authorizations for the level of credits that could be carried forward to a subsequent calendar year.



(Source: Nevada Office of Energy, "2019 Status of Energy Report," <https://energy.nv.gov/uploadedFiles/energynvgov/content/Media/2019%20Status%20of%20Energy.pdf>.)

- **Shell Energy North America (US), L.P. (Shell)** filed annual reports in 2018 and 2019 indicating compliance with the 15 or 20 percent RPS threshold in effect for compliance years 2018 and 2019 for its customers. Shell is a Provider of Electric Service (as defined by NRS 704.7808) to three customers. For compliance years 2018 and 2019, the PUCN issued orders, finding that Shell was in compliance with the applicable RPS mandates, as well as determining the amount of portfolio energy credits authorized to be carried forward.
- **Exelon Generation Company, LLC (Exelon)** filed annual reports indicating compliance with the 20 percent RPS threshold in effect for compliance years 2018 and 2019. Exelon is a Provider of Electric Service (as defined by NRS 704.7808) to one customer. For compliance years 2018 and 2019, the PUCN issued orders, finding that Exelon was in compliance with the applicable RPS mandates, and determining the amount of portfolio energy credits authorized to be carried forward.
- **Tenaska Power Services Co. (Tenaska)** filed annual reports indicating compliance with the 20 percent RPS threshold in effect for compliance years 2018 and 2019. Tenaska is a Provider of Electric Service (as defined by NRS 704.7808) to two customers. For compliance years 2018 and 2019, the PUCN issued orders, finding that Tenaska was in compliance with the RPS mandates, and determining the amount of portfolio energy credits authorized to be carried forward.
- **Switch Ltd. (Switch)** filed annual reports on behalf of its Provider of Electric Service (as defined by NRS 704.7808), Morgan Stanley Capital Group (Morgan Stanley). Morgan Stanley was required to meet a 20 percent RPS compliance threshold for compliance years 2018 and 2019. For those compliance years, the PUCN issued orders, finding that Morgan Stanley, through Switch, was in compliance with the 20 percent RPS threshold. As requested by Switch, no amount of portfolio energy credits were authorized to be carried forward on behalf of Morgan Stanley and any remaining portfolio energy credits are in Switch's possession.

INCENTIVE PROGRAMS

NRS 701B pertains to several renewable energy programs the PUCN oversees. During the biennium, SPPC and NPC jointly filed annual plans and reports for the Solar, Wind, and Waterpower Energy Systems Incentive Programs (collectively known as the Renewable Generations Program).

Senate Bill 299, Electric School Bus Incentive Program - Docket No. 19-06007

The Electric School Bus Incentive program, brought about by SB 299 (2019), is a first-come, first-served incentive program that provides financial support to assist school districts in NV Energy's service area to replace diesel-engine school buses with battery-

RENEWABLE ENERGY & ENERGY EFFICIENCY

electric versions and to install related charging infrastructure. This program will provide incentives up to 75 percent of the expected costs to purchase the electric school bus and/or install the charging infrastructure necessary for the buses. The applicant must be a public school.

On January 31, 2020, the PUCN issued a report stating that new regulations are not required to implement SB 299 because the PUCN's regulations pertaining to electric vehicles are already included in the definition of electric vehicle infrastructure and systems, and already requires the annual Electric Vehicle Infrastructure Demonstration program plan to include incentives for electric school buses and/or install charging infrastructure necessary for the buses are contained in LCB File No. R011-18.

The chart below summarizes the status of Nevada's renewable energy projects incented through the Renewable Generations Program, from its inception in 2004 through August 2020:

Solar PV Incentives Program 2004 - August 2020						
	Incentives Paid		Completed kW		Completed Applications	
	North	South	North	South	North	South
Residential/Small Business	\$9,679,120	\$56,163,317	15,533	235,075	2,924	35,796
Large Commercial/Industrial	\$654,436	\$2,124,319	3,651	7,679	14	21
Low-Income/Nonprofit	\$2,331,254	\$3,572,542	818	2,831	47	84
School	\$60,832,710	\$49,297,179	14,458	13,019	133	171
Public Entity	\$237,235	\$192,866	332	938	4	5
Public and Other	\$37,963,190	\$34,911,442	9,034	9,466	192	160
Small Commercial	\$32,605	\$290,601	410	2,115	18	38
Total	\$111,730,550	\$146,552,266	44,237	271,123	3,332	36,275

(Source: NV Energy's Aug. 2020 Clean Energy Programs Monthly Report.)

SOLAR THERMAL SYSTEMS DEMONSTRATION PROGRAM

The Solar Thermal Systems Demonstration Program promotes the installation of at least 3,000 solar thermal systems in homes, businesses, schools, and other governmental buildings throughout Nevada by 2019. This program is offered by Nevada's natural gas utilities. Each year utilities must file plans with the PUCN detailing the efforts for the next year to achieve the goal of new solar thermal installations.

Year	NV Energy Approved Budgets	Southwest Gas Approved Budgets
2017	\$307,000	\$252,500
2018	\$66,000	\$315,000
2019	\$0.00 ⁶	\$200,000
2020	\$0.00 ⁶	\$100,000
2021	\$0.00 ⁶	\$100,000

ENERGY EFFICIENCY & CONSERVATION: ELECTRIC

NPC and SPPC jointly filed an IRP on June 1, 2018 (2018 IRP) in Docket No. 18-06003 for Demand Side Management programs for the three-year action plan period, January 2019 through December 2021 to meet the statewide energy savings target of 1.1 percent established in consolidated Docket Nos. 17-07011 and 17-08023. By July 1 of the year following the filing of a resource plan, utilities are required to file an updated analysis with the PUCN including results of the prior program year and any modifications requested to be made for the upcoming program year. For calendar year 2019, this information was filed in Docket No. 20-07004. NPC expended \$33,197,277 in program costs in 2019 and reported achieved savings of 232,653,028 kWh, 1.15% of weather normalized retail sales. SPPC expended \$11,360,730 in program costs and reported achieved savings of 94,562,194

⁶ Due to lack of consumer interest in the program, the PUCN and NVE stipulated to a \$0 budget for 2019 in Docket No. 18-07016. However, existing program marketing materials from previous budget years are still available if anyone wishes to participate in the program.

RENEWABLE ENERGY & ENERGY EFFICIENCY

kWh, 1.04% of weather normalized retail sales. For calendar year 2020, NPC and SPPC were approved to expend \$38,800,000 and \$13,100,000 to achieve an estimated savings of 265,015,843 kWh and 92,910,181 kWh, respectively. The results of NPC's and SPPC's DSM programs for 2020 will be reported to the PUCN in 2021. For program year 2021 the PUCN approved the following electric energy efficiency budgets:

Program	SPPC Budget	NPC Budget
Energy Education	\$475,000	\$600,000
Energy Reports	\$500,000	\$800,000
Energy Assessments	\$925,000	\$2,110,000
Program Development	\$100,000	\$200,000
<i>Outreach & Program Development</i>	\$2,000,000	\$3,710,000
Residential Lighting	\$600,000	\$1,040,000
Pool Pumps	\$0	\$750,000
Low Income	\$900,000	\$2,500,000
Residential Air Conditioning	N/A	\$3,300,000
Direct Install	\$150,000	\$500,000
Residential Demand Response - Manage	\$750,000	\$6,000,000
Residential Demand Response - Build	\$1,400,000	\$4,000,000
<i>Home Services</i>	\$3,800,000	\$18,090,000
School Program	\$800,000	\$1,500,000
Commercial Services	\$5,800,000	\$14,000,000
Commercial Demand Response - Manage	\$250,000	\$650,000
Commercial Demand Response - Build	\$450,000	\$850,000
<i>Business Services</i>	\$7,300,000	\$17,000,000
Total DSM Programs	\$13,100,000	\$38,800,000

ENERGY EFFICIENCY & CONSERVATION: NATURAL GAS

Pursuant to NAC 704.9702, natural gas utilities may choose between two alternative methods to remove disincentives to conserve natural gas. These are: 1) general revenue decoupling; or 2) an enhanced return on the equity portion of conservation costs in general rates. Regardless of the option elected, the natural gas utility must file a three-year energy efficiency and conservation (EEC) plan for PUCN approval. If the PUCN approves the EEC plan, the natural gas utility is required to file an annual update to the EEC plan in the first and second year of the three-year period.

Year	Southwest Gas Conservation and Energy Efficiency Approved Budgets	NV Energy Gas Conservation and Energy Efficiency Approved Budgets
2017	\$255,000	\$150,000
2018	\$550,000	\$150,000
2019	\$1,335,000	\$600,000
2020	\$1,335,000	\$309,000
2021	\$1,335,000	\$309,000

NET ENERGY METERING

Net energy metering allows customers to use energy generated by their leased or purchased solar system to offset their monthly power bill. If a customer's solar system produces more energy in a billing period than used, the excess energy will be pushed back onto the grid and used by other electricity customers. Customers earn credits for the excess energy. The credits are recorded on customers' electric bills. The credits will be automatically applied in the next billing period in which a customer consumes more energy than produced.

The PUCN approved a joint filing by NPC and SPPC (NV Energy) to address the implementation of AB 405's net energy metering requirements. The PUCN maintains on its website the current applied for and installed capacity of net energy metering in Nevada. As of January 21, 2021, the state is at 79.327 megawatts (MWs) for Tier 1, 80.003 MWs for Tier 2, 80.002 for Tier 3, and 65.253 MWs for Tier 4. (See "Net Metering Rate Tiers" below for more information.)

NET METERING RATE TIERS

Last Updated: January 21, 2021		
Tier 1 - 95% of the Retail Rate		
Applied Capacity 0.000 MW*	Installed Capacity 79.327 MW*	Total Capacity 79.327 MW*
Tier 2 - 88% of the Retail Rate		
Applied Capacity 0.099 MW*	Installed Capacity 79.904 MW*	Total Capacity 80.003 MW*
Tier 3 - 81% of the Retail Rate		
Applied Capacity 2.894 MW*	Installed Capacity 77.108 MW*	Total Capacity 80.002 MW*
Tier 4 - 75% of the Retail Rate		
Applied Capacity 27.363 MW*	Installed Capacity 37.890 MW*	Total Capacity 65.253 MW*

Tier 1 – 95 percent of the retail rate: Tier 1 was fully subscribed on August 6, 2018. Customers who sign up to net meter under this Tier will keep this rate for a period of 20 years at the location where the net metering system was originally installed. "Retail rate" is defined as the Base Tariff General Rate (BTGR), Base Tariff Energy Rate (BTER) and Deferred Energy Accounting Adjustment (DEAA) Rate combined.

Tier 2 – 88 percent of the retail rate: The net metering rate will decrease to 88 percent of the retail rate when the amount of electricity produced by net metering systems under the Tier 1 equals 80 megawatts. Tier 2 was fully subscribed on June 26, 2019. Customers who sign up to net meter under this Tier will keep this rate for a period of 20 years at the location where the net metering system was originally installed.

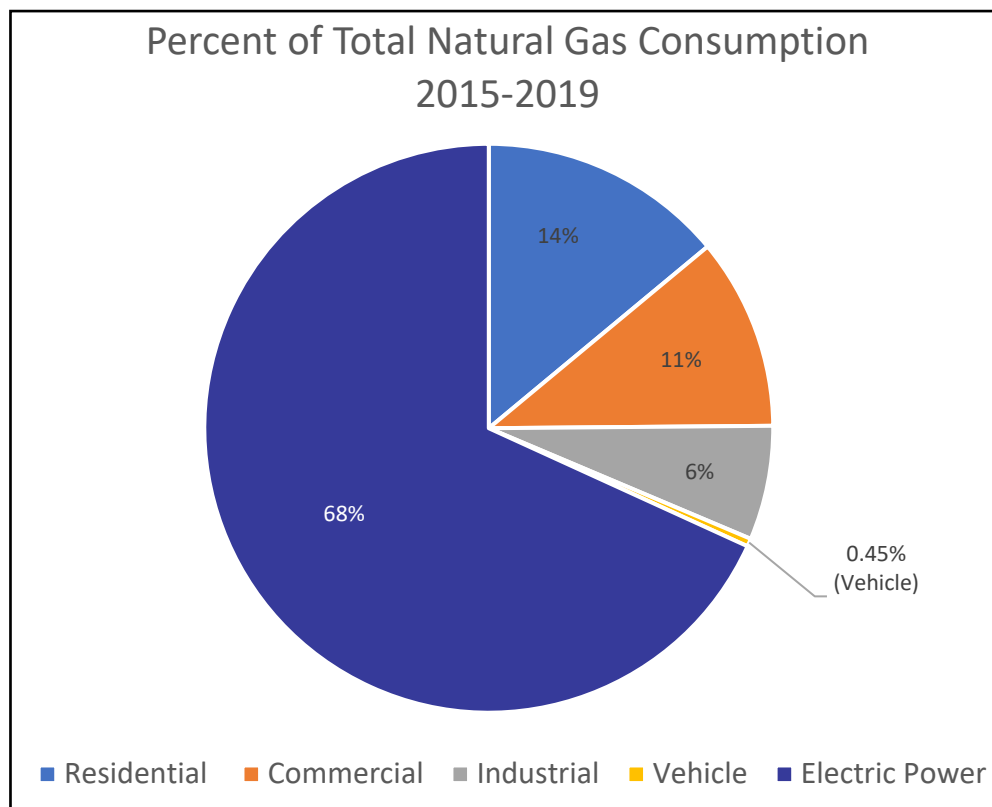
Tier 3 – 81 percent of the retail rate: The net metering rate will decrease to 81 percent of the retail rate when the amount of electricity produced by net metering systems under the Tier 2 equals 80 megawatts. Tier 3 was fully subscribed on June 24, 2020. Customers who sign up to net meter under this Tier will keep this rate for a period of 20 years at the location where the net metering system was originally installed.

Tier 4 – 75 percent of the retail rate: The net metering rate will decrease to 75 percent of the retail rate when the amount of electricity produced by net metering systems under the Tier 3 equals 80 megawatts. Pursuant to AB 405, this Tier will continuously remain open and all customers who sign up to net meter under this Tier will keep this rate for a period of 20 years at the location where the net metering system was originally installed.

Natural Gas

Natural gas is a major source of energy in Nevada for residential, commercial, and industrial use. The PUCN's jurisdiction over natural gas service falls into three categories:

1. Rate regulation of Nevada's two investor-owned natural gas utilities, Southwest Gas Corporation and Sierra Pacific Power Company d/b/a NV Energy.
2. Licensing discretionary suppliers of natural gas, also known as alternative sellers of natural gas, that provide discretionary gas services to large industrial and commercial users in Nevada.
3. Overseeing gas pipeline safety in partnership with the USDOT's Pipeline and Hazardous Materials Safety Administration (PHMSA).



(Source: U.S. Energy Information Administration, <https://www.eia.gov/>.)

Biennium Highlights (July 1, 2018 - June 30, 2020)

QUARTERLY BASE TARIFF ENERGY RATE ADJUSTMENTS

The Base Tariff Energy Rate (BTER) is the price charged for the natural gas commodity and is equal to the rolling 12-month average cost of natural gas purchased for resale experienced by the natural gas utility expressed as a cost per therm. The PUCN annually reviews the quarterly BTER filings as part of the annual rate adjustment application. SPPC and SWG each filed eight quarterly BTER filings during the biennium.

DEFERRED ENERGY ACCOUNTING ADJUSTMENT

The deferred energy accounting adjustment (DEAA) is the rate authorized by the PUCN for a utility to collect the accumulative difference between the reasonably and prudently incurred natural gas cost purchased for resale and the actual funds collected by the BTER. Deferred energy accounting is the practice of deferring every month the difference between the actual cost of natural gas purchased for resale and the estimated amount collected by the BTER. The deferred balance (i.e., over collection or under collection) is amortized (refunded or collected) during a subsequent period.

A gas utility has the burden of proof to demonstrate the prudence or reasonableness of the cost of natural gas purchased for resale. The annual rate adjustment application is the proceeding in which the 12-month period actual cost of natural gas purchased for resale is reviewed for prudence and reasonableness.

During the biennium, SPPC and SWG each filed two Annual Rate Adjustment applications in which the Commission found that their gas purchases for resale were reasonable and prudent. During the biennium, SPPC and SWG each filed eight quarterly DEAA adjustments, which are filed concurrently with the quarterly BTER. The last DEAA adjustments filed by SPPC and SWG had effective dates of January 1, 2021.

GENERAL RATE CHANGE APPLICATIONS

A general rate case (GRC) is intended to establish rates to collect utility costs except for those recovered in other rate setting forums, e.g., cost of natural gas purchased for resale. The PUCN acts upon GRC applications within 210 days.

Southwest Gas - Docket No. 20-02023

In February 2020, SWG requested a \$35.2 million, or 7.81 percent, revenue increase for its Southern Nevada Division (SND) and a \$3.1 million revenue increase, or 2.59 percent, for its Northern Nevada Division (NND). SWG requested a 10.0 percent return on equity for both Nevada jurisdictions. SWG filed a certification that supported increases of \$35.8 million (7.94 percent) for its SND and \$2.7 million (2.3 percent) for its NND.

The requested revenue increases of \$35.8 million for the SND jurisdiction and \$2.7 million for the NND division include \$17 million and \$0.373 million, respectively, for gas infrastructure replacement (GIR) projects previously approved by the PUCN in GIR applications filed pursuant to NAC 704.796 – 704.7985.

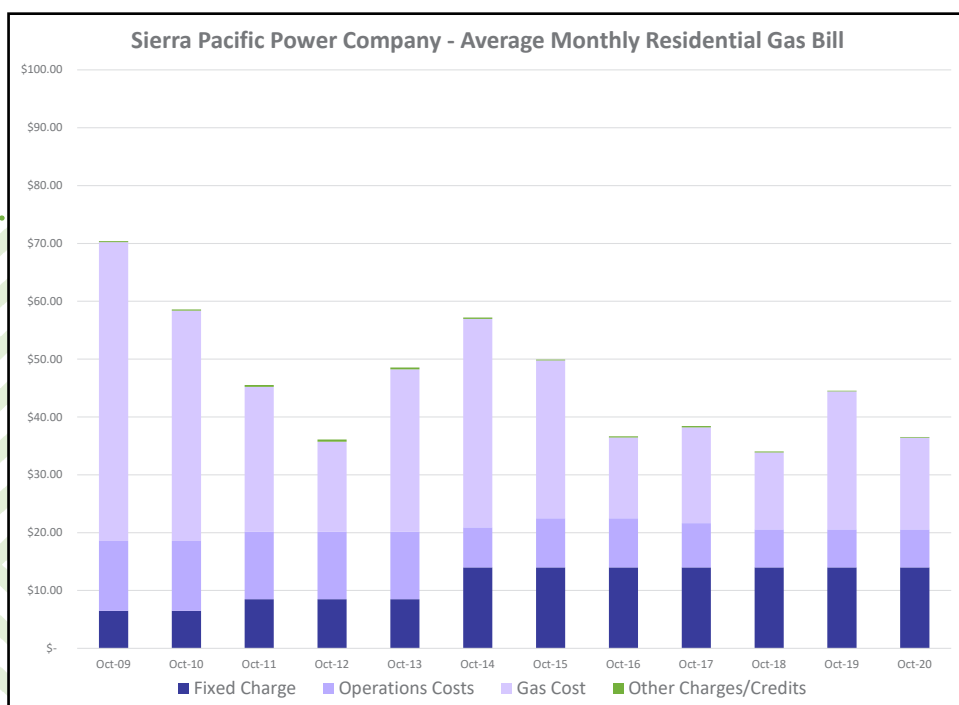
On September 25, 2020, the PUCN granted in part and denied in part SWG's proposed changes in rates. The order approved the requested Gas Infrastructure Recovery Mechanism rates, set the return on equity at 9.25 percent, and reset SWG's Variable Interest Recovery Mechanism.

The chart to the right and the charts on page 30 illustrate average monthly residential gas bills from 2010-2020. As the charts show, gas rates for residential customers have remained relatively stable since 2010.

GENERAL RATE REVENUE DECOUPLING

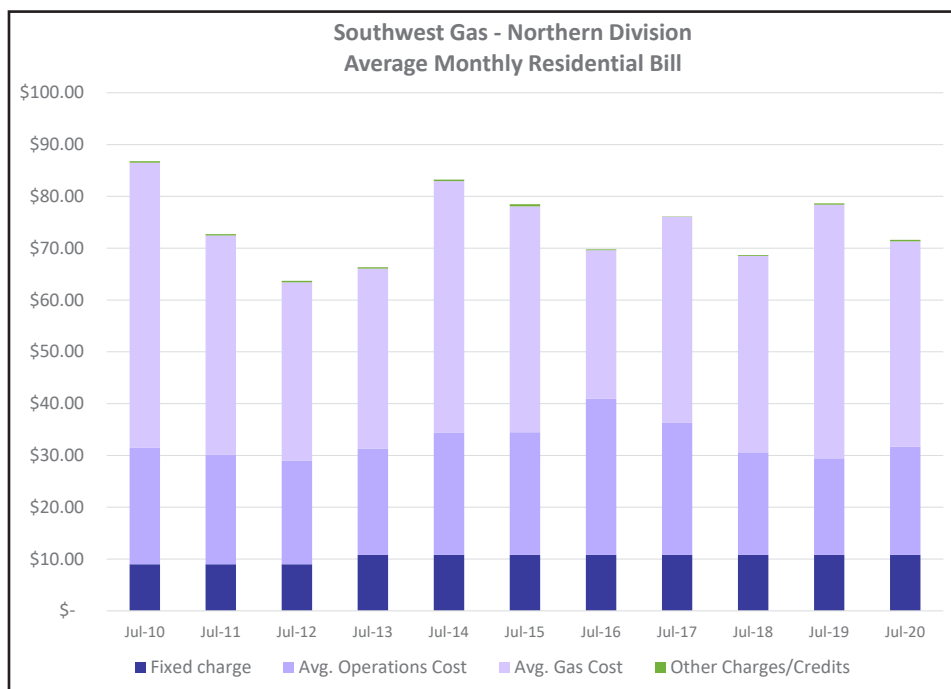
NAC 704.9716 provides the regulatory framework for general revenue decoupling. Revenue decoupling allows the natural gas utility to collect the average per customer general rate revenue regardless of the actual sales volumes, thus removing a disincentive which discourages a utility from supporting energy conservation.

Participation in this mechanism is optional. SWG participates in this program, but SPPC does not.



Southwest Gas Docket Nos. 18-06005 & 19-06003

During the biennium, the PUCN processed two changes to the general rate revenue (GRA) decoupling rate as part of SWG's annual applications. SWG filed its 2018 Annual Rate Adjustment Application (Docket No. 18-06005) in June 2018. The PUCN's order in Docket No. 18-06005 established rates effective January 1, 2019, to increase annualized revenues by \$3.85 million, or 1.08 percent, of total revenues to Southern Nevada customers, and by \$202,513, or 0.20 percent, for Northern Nevada customers. SWG filed its 2019 Annual Rate Adjustment Application (Docket No. 19-06003) in June 2019. The PUCN's order, effective January 1, 2019, established rates to increase annualized revenues by \$120,656, or approximately 0.3 percent, of total revenue and by \$3.3 million, or approximately 3.08 percent.



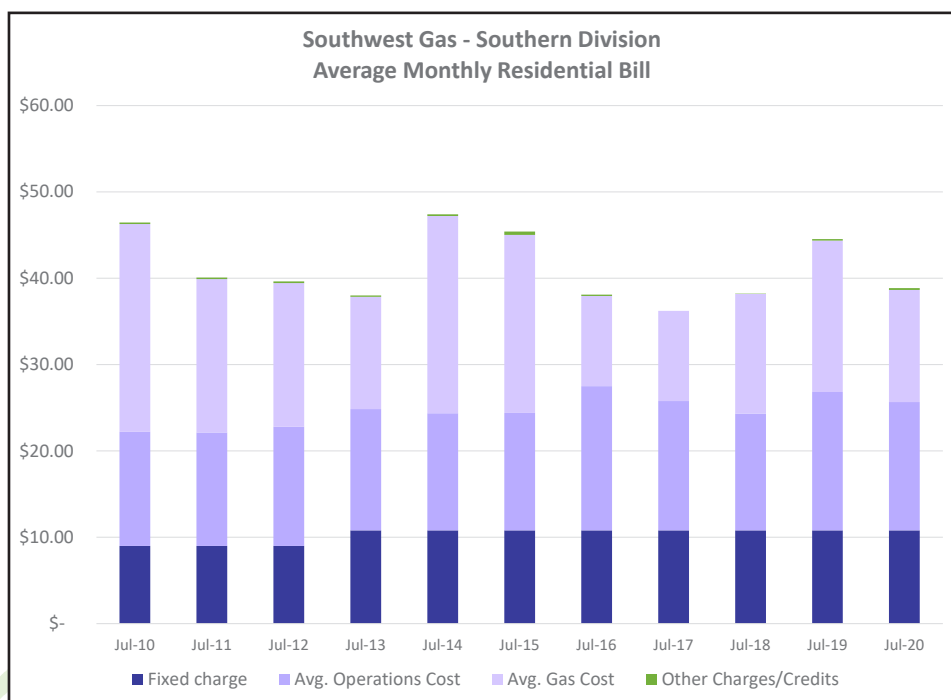
GAS INFRASTRUCTURE REPLACEMENT MECHANISM (GIR)

For safety and reliability reasons, the PUCN supports certain accelerated replacement of gas infrastructure, including the following gas infrastructure:

- Early vintage plastic pipe (EVPP) composed of a material that the Pipeline and Hazardous Safety Administration of the U.S. Department of Transportation has prohibited from use in newly constructed pipeline. All EVPP plastic pipe is scheduled to be replaced by 2025.
- Early vintage steel pipe installed in a natural gas system before January 1971.
- Replacement of a master meter system or other project authorized by the Commission for addressing a safety and reliability concern.

During the biennium, SWG and NVE have completed the accelerated replacement of gas infrastructure, including the following infrastructure:

- 120 miles of EVPP
- More than 20 miles of vintage steel
- Hundreds of customer owned yard lines (COYL), including the large COYL at Douglas County High School.



GAS INFRASTRUCTURE EXPANSION

In 2015, the Nevada Legislature passed Senate Bill 151 (SB 151), later codified as NRS 704.9925. NRS 704.9925 requires the PUCN to “adopt regulations authorizing a public utility which purchases gas for resale to expand the infrastructure of the public utility in a manner consistent with a program of economic development.” NRS 704.9925 also requires that cost recovery for a completed expansion project be timely by using an alternative cost recovery method that balances the interests of persons receiving direct benefits and persons receiving indirect benefits from the expansion project. The PUCN continues to operate pursuant to the requirements of SB 151 and during the biennium the PUCN approved Docket No. 19-06017, a project associated with gas infrastructure expansions.

Southwest Gas Service to Spring Creek - Docket No. 19-06017

In June 2019, SWG filed an application to expand its service territory to Spring Creek, Nevada. In May 2018, the PUCN accepted a stipulation between the parties that approved the addition of approximately 190 miles of plastic pipe at a cost of \$61.9 million for the purpose of expanding SWG’s infrastructure to Spring Creek, Nevada.

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ALTERNATIVE NATURAL GAS SUPPLIERS

Pursuant to NRS 704.075, a natural gas utility’s generating, industrial, and large commercial consumers may select an alternative seller of natural gas. Alternative sellers of natural gas are required to be licensed by the PUCN.

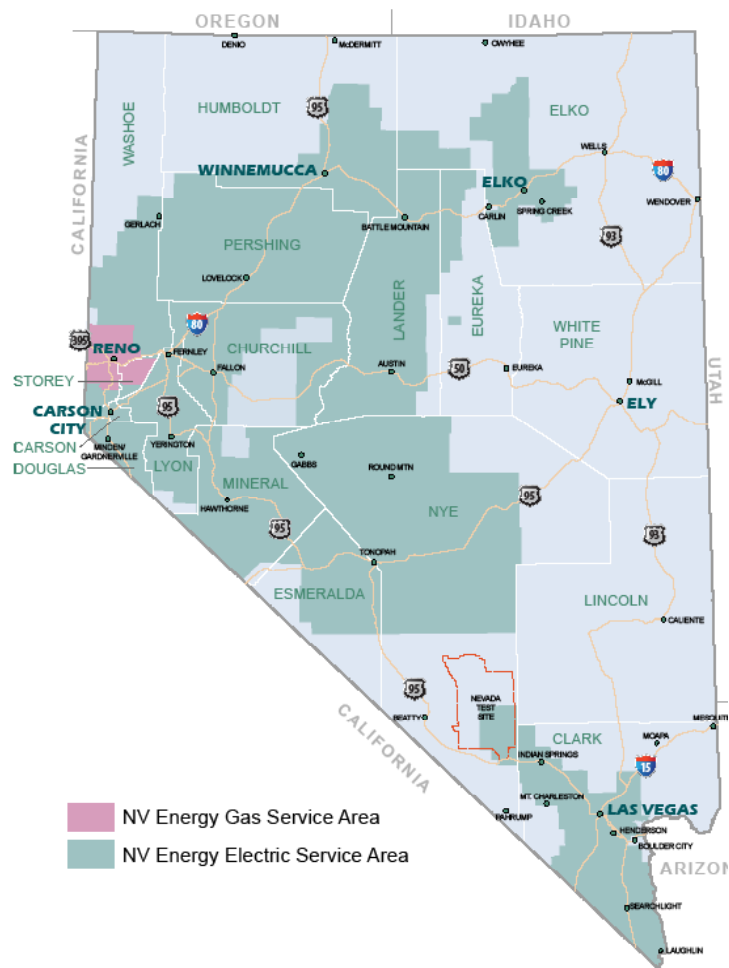
Alternative sellers of natural gas are required, as are other utilities in the state, to file an annual report with the PUCN no later than May 15 of each year. In 2020, there were 17 licensed sellers of natural gas service in Nevada serving over 183 customers.

Natural Gas Service Providers

SPPC

Sierra Pacific Power Company serves 172,301 gas customers in Northern Nevada.

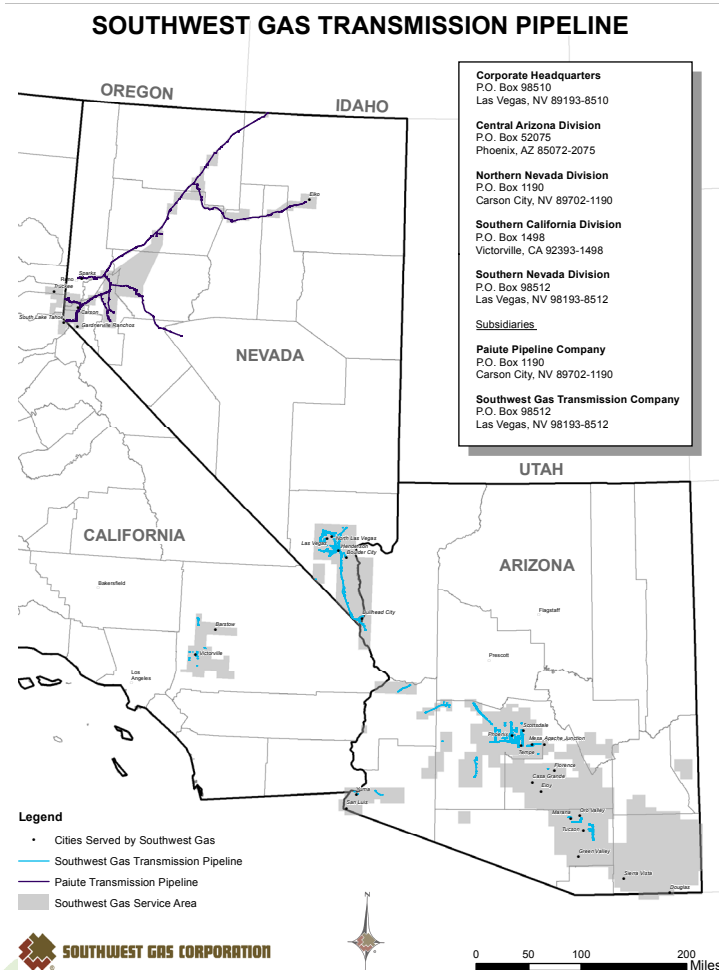
(Source: NV Energy, <https://www.nvenergy.com/about-nvenergy/our-company/territory> & <https://www.nvenergy.com/about-nvenergy/our-company/facts>.)



SWG

Southwest Gas Corporation is an investor-owned utility based in Las Vegas that provides natural gas service to parts of Arizona, Nevada, and California. The company is the largest distributor of natural gas in Nevada. SWG serves 778,754 customers in Nevada.

(Source: Southwest Gas, <https://www.swgas.com/7200000200599/Transmission-Map-2015.pdf>.)



Natural Gas Alternative Sellers

- BP
- Calpine Energy Solutions
- Symmetry (CenterPoint)
- Cima Energy LTD
- EDF Energy Services, LLC
 - EDF Trading NA
 - IGI
- Just Energy Solutions
- Pacific Summit Energy
- Shell
- Spark Energy
- Tiger Natural Gas
- Twin Eagle
- U.S. Energy Services, Inc. dba Kinect
 - World Fuel Services, Inc.
 - Summit
 - North Star

Gas Pipeline Safety

The PUCN's Pipeline Safety Program involves the inspection of jurisdictional liquid propane and natural gas piping systems statewide.



The PUCN's gas pipeline engineers monitor the design, construction, operation and maintenance of the gas systems under the PUCN's jurisdiction.

Gas pipeline engineers inspect local natural gas distribution companies (LDCs); natural gas master metered distribution systems found mainly in mobile home parks (MHPs); underground piping systems providing liquid petroleum gas (LPG) service to 10 or more customers, again mainly in MHPs; and direct sales lateral customers (such as gold mines) whose pipelines are fed directly from large interstate supply lines. Chlorine gas pipelines just under one mile long also fall into the Pipeline Safety Program jurisdiction.

Gas pipeline engineers can also act as agents for the federal Pipeline and Hazardous Materials Safety Administration (PHMSA) during the inspection of construction projects for new interstate pipelines or if a major incident occurs on PHMSA jurisdictional pipeline in Nevada, should PHMSA request such help.

Senate Bill 86, passed as part of the 2015 Nevada Legislative Session, included an increase in the civil penalty amounts associated with violations of the Federal Pipeline Safety Regulations, which the PUCN has adopted. The PUCN's enforcement authority now essentially matches the federal civil penalty enforcement authority, \$200,000 per day per violation, up to a maximum of \$2 million.

Nevada residents continue to benefit from the pipeline safety partnership between the PUCN and PHMSA. The Pipeline Safety State Base Grant Program, administered by PHMSA, routinely funds approximately 60 percent (about \$575,000) of the PUCN's Pipeline Safety Program. As part of this partnership each year, PHMSA's staff performs an evaluation of the PUCN's Pipeline Safety Program.

Biennium Highlights (July 1, 2018 - June 30, 2020)

AGING INFRASTRUCTURE & GAS SYSTEM EXPANSION

Population growth in Nevada led to a significant expansion in the state's gas pipeline infrastructure. Gas pipeline engineers' oversight, inspection, and investigation of gas system operators provided Nevadans with a high level of safety during those years of rapid growth.

Extended maintenance inspections, new reporting requirements, and cooperation from the LDCs, have further improved regulatory compliance. Gas pipeline engineers receive daily construction and maintenance lineups from the LDCs and are frequently in the field inspecting new and replacement installations as well as maintenance of their existing pipeline. This includes performing numerous inspections of the major natural gas expansions currently occurring in:

- The City of Mesquite, NV, via the expansion approved in Docket No. 17-11008
- Spring Creek, NV, via the expansion approved in Docket No. 19-06017

Given the numerous high profile natural gas incidents that have occurred nationwide during the past six years, the LDCs in Nevada are focusing on the replacement of aging pipelines, in addition to installing new pipelines to support growth. This replacement of aging pipeline infrastructure (over 60 miles per year) includes both "pre-code" and early 1970s distribution pipe (such as polyvinyl chloride pipelines which are no longer allowed to be used for gas service), and pre-code high pressure steel

pipelines which were not constructed and tested in accordance with today's strict safety standards.⁷

This recent number of high-profile events also has led to investigations into whether small master meter natural gas systems operated by mobile home park owners should remain. The PUCN performed a detailed investigation as part of Docket No. 12-06043 and concluded that with increasingly stringent pipeline safety regulations, and aging master meter systems (some more than 50 years old), that it was in the public interest to begin converting these master meter natural gas systems to new systems owned and operated by the LDCs. Since 2013, eight master meter systems have been replaced; and the last known master meter MHP system in the entire state was converted in November 2018. Additionally, the PUCN has approved the replacement of some older school-owned natural gas systems. In Docket No. 17-04010, the PUCN approved an agreement to have NV Energy replace the large older natural gas system located within the University of Nevada Campus. In Docket No. 20-04015, the PUCN approved an agreement to have Southwest Gas Corporation replace the school-owned natural gas system within Douglas County High School; the existing school-owned system had experienced significant leaks in both 2019 and early 2020.

PERFORMANCE FIGURES

The following table reflects the number of field days the PUCN's gas pipeline engineers spent performing pipeline safety inspections, the number of operation and maintenance audits/inspections performed, the number of federal reportable pipeline incident investigations performed, and the number and dollar amount of pipeline safety civil penalties assessed. Inspections were made on intrastate transmission pipelines, distribution pipelines, direct sales pipelines, master meter distribution systems and liquid propane distribution systems:

Category	2015	2016	2017	2018	2019
Field/Inspection Days	514	637	617	632.5	671.25
O&M Audits/Inspections	30	29	36	36	35
Federal Reportable Incident	2	2	2	4	2
Probable Violations Issued	41	45	37	33	44
Civil Penalties Assessed	4	2	2	2	4
Civil Penalty \$ Assessed	\$220,000	\$230,500	\$303,000	\$40,000	\$612,000

All civil penalties collected have been deposited in the State General Fund.⁸

TRANSPARENCY

In 2013-2014 the PUCN's Pipeline Safety Program began an initiative to become more transparent with its pipeline safety inspections/ findings. Since 2014, Audit Summary Letters to jurisdictional operators (outlining violations and concerns) are filed publicly with the PUCN in annual dockets as well as the response letters submitted by those same jurisdictional operators. Additionally, several website enhancements were developed that provide links to Nevada Pipeline Safety Program activity. This initiative has led to the PUCN's Pipeline Safety Program going from scoring 45th (in 2013) on the National Pipeline Safety Trust Scorecard (the Trust) to being ranked 1st for transparency in the 2016, 2017, 2018 and 2020 ranking (see related table on page 35). Note: The Trust did not announce rankings for 2019.

⁷ Those pipelines not constructed and tested in accordance with today's strict safety standards include natural gas pipelines installed prior to the effective date (January 1, 1971) of the Pipeline Safety Regulations contained in 49 CFR 192.

⁸ Pursuant to NRS 703.380 administrative fines are not considered a cost of service of a public utility and may not be included in rates, and all money collected is deposited in the State General Fund.

GAS PIPELINE SAFETY

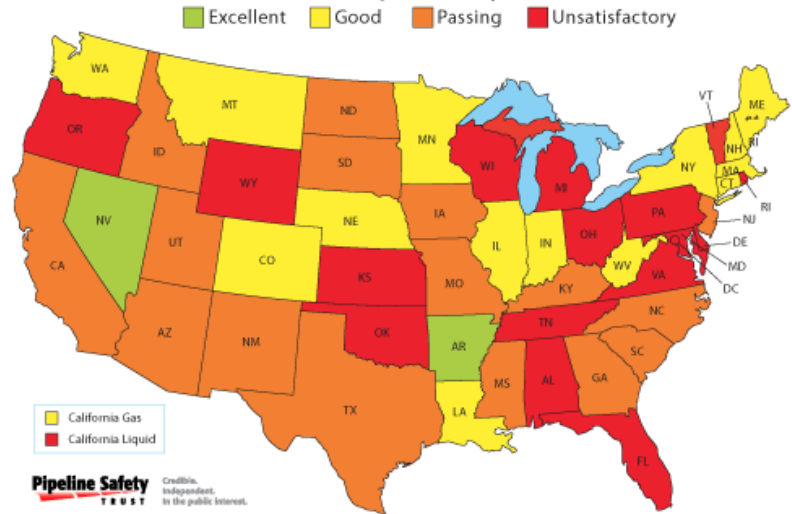
Each year, the Trust conducts a review of each state's pipeline safety website, as well as the District of Columbia's, to determine the amount of publicly available information and how accessible it is to members of the public.

This annual transparency review considers a number of factors including:

- Ease of finding the state agency's website and contact information for agency staff.
- Accessibility of state and federal statutes and rules.
- The description of what the state agency regulates and does not regulate.
- Presence of transmission pipeline maps and operator contact information.
- Availability of inspection records, and incident, enforcement and excavation damage data.
- Information about siting and routing of new pipelines.

Much of pipeline safety regulation and inspection is left to the states through agreements with PHMSA. When the public is wondering about pipelines near their homes, they will often reach out to their state first to see how pipelines are regulated and to learn about the risks posed by pipelines. For this reason, we believe it is vital to have certain information available to the public on these state websites and our annual transparency review shows which states are sharing this information with the public and which are not.

2020 Website Transparency Performance



(Source: Pipeline Safety Trust, <http://pstrust.org/trust-initiatives-programs/transparency-of-pipeline-information/>.)

2020 Transparency Review of Pipeline Safety Websites

	Finding agency web site	Contacts for agency staff	Access to statutes, regulations	Describe what state regulates	Transmission pipeline maps	Pipeline company contact info	Inspection records	Incident data	Enforcement data	Excavation damage data	Siting & routing info	Total Score
Arkansas	3	3	3	3	3	3	3	3	3	3	3	33
Nevada	3	3	3	3	3	3	3	3	3	3	3	33
New Hampshire	3	3	3	3	3	3	2	3	3	3	3	32
Illinois	2	3	3	3	3	3	3	2	3	3	3	31
Washington	3	1	3	3	3	3	3	3	3	3	3	31
Minnesota	3	3	3	3	3	3	2	2	2	3	3	30
California Gas*	3	2	3	3	3	3	3	2	2	3	1	28
New York	2	2	3	3	3	2	1	3	2	3	3	27
Colorado	3	2	3	3	3	2	3	2	2	3	0	26
Connecticut	3	3	3	3	3	2	1	2	2	3	1	26
Indiana	3	3	3	3	3	3	0	2	2	3	1	26
Louisiana	3	3	3	2	3	2	1	2	2	3	2	26
Maine	3	3	3	3	3	2	1	2	2	3	1	26
Massachusetts	3	3	3	2	3	3	2	2	2	3	0	26
Nebraska	3	3	2	3	3	3	1	2	2	3	1	26
West Virginia	3	3	3	3	3	3	0	2	2	3	1	26
Montana	3	2	1	3	3	2	2	2	2	3	2	25
Iowa	3	2	1	2	3	1	3	3	2	3	0	23
Mississippi	2	3	2	2	3	2	2	2	2	3	0	23
South Dakota	3	3	3	2	3	3	1	2	3	0	0	23
Arizona	2	1	2	3	3	2	1	2	2	3	0	21

(Source: Pipeline Safety Trust, <http://pstrust.org/wp-content/uploads/2020/10/Score-Alpha-2020-Transparency-Worksheet-Final-1.pdf>.)

Underground Damage Prevention

(One-Call Program)

The purpose of Nevada's One-Call Program is to promote safety and reduce excavation damage to all underground facilities, not just those owned and operated by utilities jurisdictional to the PUCN.

The purpose of Nevada's One-Call Program is to promote safety and reduce excavation damage to all underground facilities, not just those owned and operated by utilities jurisdictional to the PUCN, by ensuring compliance with requirements in the One-Call law and regulation (NRS/NAC Chapter 455). This is achieved through field inspections and select audits by pipeline safety program (PSP) engineers, and training on safe excavation practices by the Nevada Regional Common Ground Alliance (NRCGA).

Addressing violations found during a field inspection is conducted through a three-stage process: a first offense generally results in a verbal warning, and a strong encouragement for training on safe excavation practices; a repeat violation generally results in a written warning from PUCN Staff Counsel, and training on safe excavation practices is mandated; and, finally, if similar violations continue, Staff files a complaint petition with the PUCN asking that a civil penalty be assessed. If the first and/or second violation is deemed egregious or if the violating party appears to be unwilling to improve its practices, the process can be upgraded directly to a civil penalty complaint petition.

The NRCGA, a stakeholder-driven association dedicated to the reduction of damage to underground infrastructure, conducts monthly meetings that are routinely attended by 25 to 30 stakeholders including PUCN engineers. Since 2005, the PUCN's engineers have helped to galvanize what had been a loose-knit NRCGA into a formal, highly structured stakeholder advisory group which now meets regularly, with formal agendas, minutes and its own website (nrcga.org).

The NRCGA is also the main resource for damage prevention training that deals with safe excavation practices and requirements of the State's damage prevention law. PSP engineers will often suggest or even mandate attendance to One-Call law violators or new excavators.

The PUCN also issued numerous press releases regarding safe excavation practices:

- 2017 regarding contractors not entering the gaseous environments and folding over damaged gas lines.
- 2019 regarding the need for contractors to call 911 whenever an excavation damages results in the release of natural gas.
- 2020 regarding contractors driving stakes and ground rods into pipelines.

Biennium Highlights (July 1, 2018 - June 30, 2020)

COMPLIANCE ACTIVITIES AND RESULTS

The Nevada Legislature enacted SB 396 in 2007 to revise Nevada's One-Call statute (NRS Chapter 455) to grant enforcement authority to the PUCN's Staff. Additionally, SB 86, passed during the 2015 Nevada Legislative Session, increased the maximum civil penalty amount associated with violations of NRS Chapter 455, including allowing penalties to be tripled for violations involving high-consequence facilities, such as natural gas pipelines operating above 100 pounds per square inch.

Improvements and growth in Nevada's economy have brought increased development in underground infrastructure, along with additional excavators and new excavation companies. Efforts made by PUCN engineers have managed to keep the damage trend going down despite the significant increase in construction activity.



UNDERGROUND DAMAGE PREVENTION

The following table outlines the increase in enforcement trending along with the increase in 811 Call Before You Dig tickets.

DESCRIPTION	YEAR					
	2014	2015	2016	2017	2018	2019
Number of Verbal Warnings Issued	130	75	162	208	256	235
Number of Written Warnings Sent	16	7	13	21	16	14
Number of Civil Penalties Assessed	2	7	7	24	19	33
Number of Civil Penalty \$ Collected	\$10,000	\$31,000	\$78,500	\$112,000	\$74,500	\$149,750
Number of Gas Damages	357	429	385	398	431	341
Number of Dig Tickets Issued	83,965	105,143	114,101	129,991	139,910	150,593
Ratio of Gas Damages per 1,000 tickets	4.30	4.08	3.37	3.06	3.10	2.26

The following table shows that in 2019 Nevada experienced its lowest gas excavation damage rate in recorded history. This is measured in the number of gas damages per 1,000 One-Call tickets.

Gas Damages Per 1,000 Tickets Table

Year	One-Call Center Tickets	Change from Prev. YR	% Change from Prev. YR	Number of Gas Damages Reported	Change from Prev. YR	% Change from Prev. YR	Gas Damages per 1,000 Tickets
2000	103,365			1,472			14.24
2001	107,785	4,420	4.28%	1,389	-83	-5.64%	12.89
2002	133,030	25,245	23.42%	1,495	106	7.63%	11.24
2003	161,360	28,330	21.30%	1,333	-162	-10.84%	8.26
2004	175,075	13,715	8.50%	1,237	-96	-7.20%	7.07
2005	199,630	24,555	14.03%	1,200	-37	-2.99%	6.01
2006	204,485	4,855	2.43%	1,140	-60	-5.00%	5.57
2007	171,550	-32,935	-16.11%	768	-372	-32.63%	4.48
2008	121,815	-49,735	-28.99%	550	-218	-28.39%	4.52
2009	72,250	-49,565	-40.69%	345	-205	-37.27%	4.78
2010	67,460	-4,790	-6.63%	273	-72	-20.87%	4.05
2011	69,010	1,550	2.30%	292	19	6.96%	4.23
2012	74,246	5,236	7.59%	281	-11	-3.77%	3.78
2013	75,531	1,285	1.73%	310	29	10.32%	4.10
2014	82,965	7,434	9.84%	357	47	15.16%	4.30
2015	105,143	22,178	26.73%	429	72	20.17%	4.08
2016	114,101	8,958	8.52%	385	-44	-10.26%	3.37
2017	129,991	15,890	13.93%	398	13	3.12%	3.06
2018	138,910	8,919	6.86%	431	33	8.29%	3.10
2019	150,593	11,683	8.41%	341	-90	-20.88%	2.26

Despite significant increases in the volume of One-Call tickets, Nevada continues to decrease its number of gas damages for every 1,000 tickets called in – a trend that has maintained since 2014.

What does the decline in gas damages per 1,000 tickets for 2019 mean in terms of public safety, costs to utility customers, and costs to taxpayers?

- It means approximately 121 fewer damaged and/or blowing natural gas pipelines in 2019. Every damaged natural gas pipeline has the potential of causing significant injuries and property damage. These reduced damages lowered the probability of

UNDERGROUND DAMAGE PREVENTION

a significant and serious incident occurring in Nevada. Examples of the cost impact of recent serious natural gas excavation damages are: San Francisco, California: February 6, 2019, gas main damaged, 5 buildings and a city block destroyed; and Murrieta, California: July 15, 2019, gas service line damaged, killing one person and wounding 10 others.

- It means there were 121 fewer instances of requiring emergency response to damaged and/or blowing natural gas pipelines in 2019. If one assumes that the average cost per fire department response is \$1,500, local taxpayers saved over \$181,500 in first-responder costs in 2019 as a result of the drop in the damage rate for 2019.⁹
- It means SWG and NV Energy were required to make 42 fewer emergency gas repairs, which if one assumes an average cost of \$1,000 per repair, means the utilities and ratepayers saved over \$42,000 in costs in 2019.

Finally, the following table shows how Nevada ranks against other states when it comes to the number of natural gas excavation damages compared against the number of natural gas customers. Over the past 5 years, Nevada has consistently ranked in the top five with respect to having the lowest number of natural gas excavation damages and in 2019 Nevada was the top performing state.

Region	State	2019 Number of Services ¹	Excavation Damages ¹	Damages Per 10,000 Services ((D/C) x 10,000)	National Rank (Low to High)	PHMSA Adequacy Determination ²
SOUTHERN	PUERTO RICO	515	0	0.00	1	Adequate
WESTERN	NEVADA	801851	341	4.25	2	Adequate
EASTERN	VERMONT	41182	19	4.61	3	Adequate
EASTERN	NEW YORK	3267489	1608	4.92	4	Adequate
EASTERN	RHODE ISLAND	194550	102	5.24	5	Adequate
WESTERN	ARIZONA	1342718	708	5.27	6	Adequate
EASTERN	CONNECTICUT	458001	245	5.35	7	Adequate
EASTERN	MASSACHUSETTS	1352943	801	5.92	8	Adequate
WESTERN	CALIFORNIA	9036398	5449	6.03	9	Inadequate
SOUTHWEST	NEW MEXICO	661366	437	6.61	10	Adequate
EASTERN	WEST VIRGINIA	388471	278	7.16	11	Inadequate
EASTERN	NEW JERSEY	2345157	1727	7.36	12	Adequate
EASTERN	NEW HAMPSHIRE	95158	71	7.46	13	Adequate
CENTRAL	WISCONSIN	1702138	1355	7.96	14	Inadequate
EASTERN	MARYLAND	1063864	857	8.06	15	Adequate
EASTERN	VIRGINIA	1308527	1078	8.24	16	Adequate
EASTERN	PENNSYLVANIA	2869885	2396	8.35	17	Adequate
EASTERN	MAINE	38250	36	9.41	18	Adequate
CENTRAL	MINNESOTA	1581124	1518	9.60	19	Adequate

⁹ Assuming the same costs and comparing the damage rate from the year 2000 and the year 2019, the cost saving in the first-responder costs would be well over \$1.68 million per year.

WATER & WASTEWATER

The Public Utilities Commission of Nevada's primary regulatory activities over investor-owned water and/or wastewater utilities include: ensuring the delivery of clean, safe, and reliable water to customers at reasonable rates; ensuring reliable sewer service to customers at reasonable rates; and monitoring quality of service, environmental compliance, and financial performance.



Water Tank
Spring Creek, NV | Photo: PUCN

The PUCN fully regulates the rates, service quality, and service territories of 27 investor-owned water and wastewater utilities serving approximately 22,100 customers in Nevada. The PUCN regulates the service territories, but not the rates or service quality, of water and wastewater utilities under the control of a non-investor-owned governing body, such as a co-op or homeowner's association. The PUCN does not have any regulatory oversight over utilities operated by governmental bodies, quasi-governmental bodies, or political subdivisions of the state, including the Southern Nevada Water Authority, the Las Vegas Valley Water District, and the Truckee Meadows Water Authority.

The PUCN also reviews Utility Environmental Protection Act (UEPA) permits for compliance with environmental requirements for existing and new investor-owned water and/or wastewater facilities.

Water quality, supply, and wastewater discharge issues are governed by various federal and state agencies. The PUCN works collaboratively with these other agencies to ensure utility compliance.

WATER AND WASTEWATER RELATED FILINGS

TYPE OF FILING	NUMBER OF FILINGS
Integrated Resource Plans (NRS 704.661)	1 ¹⁰
Small water inspections (NAC 704.627)	4 ¹¹
General rate changes (NRS 704.095, 704.110)	4
Service territory revisions (NAC 703.170 et seq.)	1
UEPA construction permits (NRS 704.820 et seq. and NAC 703.415 et seq.)	1
Gross Domestic Product Deflator (NRS 704.095 and NAC 704.584)	14
Annual Reports (NRS 703.191, NAC 703.199, and NAC 704.225)	2 ¹²
Water Conservation Plans (NRS 704.662 et seq.)	2
Geothermal filings	3
Miscellaneous filings	26
TOTAL FILINGS	60

¹⁰ Great Basin Water Company (GBWC) consolidated its four divisions to form one company and now only submits one Integrated Resource Plan which will be filed in 2021. GBWC's four companies collectively have over 13,000 customers and over \$15,000,000 in annual revenues. Edgewood Water Company is the only other company that meets the \$1,000,000 threshold requiring an Integrated Resource Plan.

¹¹ The PUCN's Regulatory Operations Staff inspects each of its rate regulated systems on a three-year cycle to allow for processing each inspection and completion of the related compliances.

¹² There were 27 reports filed in 2019 and 26 report filed in 2020 with one company failing to file.

Biennium Highlights (July 1, 2018 - June 30, 2020)

WATER GENERAL RATE CASES

Water companies that earn more than \$2,000,000 annually and have more than 3,000 customers are required to file a GRC every three years with the PUCN. Water companies that do not meet this threshold can request a staff assisted rate case as needed. During the last biennium, Regulatory Operations Staff (Staff) reviewed two GRC applications. One was a combined docket for two Great Basin Water Company divisions, Cold Springs and Spanish Springs (Docket No. 18-11014), and one for the GBWC-Pahrump Division (Docket No. 19-12029). Staff also performed two staff assisted rate cases, Rosemount Water Company (Docket No. 20-01022) and Desert Utilities, Inc. (Docket No. 20-06015, which was later withdrawn).

Great Basin Water Company (GBWC): Cold Springs & Spanish Springs Divisions – Docket No. 18-11014

In this case, GBWC-Cold Springs Division requested a water revenue requirement of \$1,621,977 (a \$483,972, or 42.5 percent, increase) and GBWC-Spanish Springs Division requested a water revenue requirement of \$498,956 (a \$171,194, or 52 percent, increase). The PUCN ultimately approved revenue requirement increases for Cold Springs of \$423,972 and Spanish Springs of \$131,194, or 37 percent and 40 percent, respectively.

Great Basin Water Company: Pahrump Division - Docket No. 19-12029

In this case, GBWC-Pahrump Division requested a water revenue requirement of \$4,312,993 (a \$321,533, or 7.9 percent, increase) and a sewer revenue requirement of \$3,344,520 (a \$117,729, or 3.5 percent, increase). The PUCN ultimately approved decreases in the revenue requirements for both water and sewer of 0.49 percent and 3.46 percent, respectively.

RESOURCE PLANNING

Water companies that earn more than \$1,000,000 annually in revenue are required to file an IRP every three years with the PUCN. During the last biennium, Staff reviewed one IRP application for Edgewood Water Company (Docket No. 18-12024).

In Docket No. 18-12024, Edgewood Water Company updated its Water Conservation Plan and did not request approval for any projects in its Action Plan or Preferred Plan. Staff and the company filed a stipulation, which was accepted by the PUCN.

CONSUMER COMPLAINTS

Great Basin Water Co.: Spring Creek Division - Docket No. 19-12028

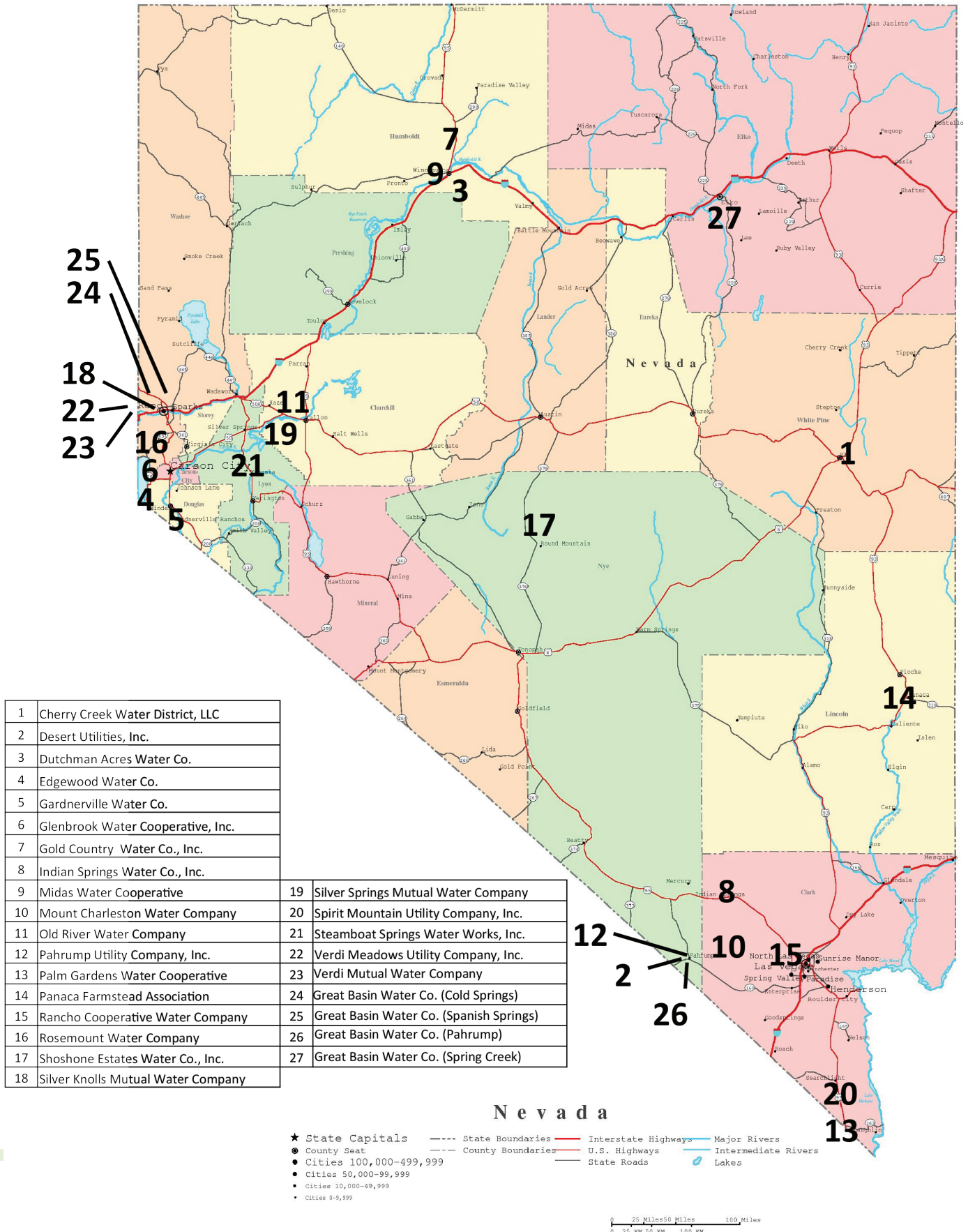
In these proceedings, a new developer took issue with the water rights requirement for construction of duplexes per GBWC's tariffs. Staff worked with GBWC and the Complainant to resolve the conflict to the benefit of all parties without going to a full hearing, which would have been costly to the developer and the company, thus costing ratepayers.

OTHER NOTEWORTHY APPLICATIONS

West Reno Water Company, Inc. - Docket No. 18-12011

In these proceedings, West Reno Water Company, Inc. filed an application to operate as a public utility in Washoe County serving Boomtown Casino properties, Cabela's, and a new residential development. Staff worked with the developer, existing Boomtown water owner/operators, Washoe County, Truckee Meadows Water Authority (TMWA), and the Nevada Division of Environmental Protection Bureau of Safe Drinking Water to develop a mutually beneficial solution to providing safe and reliable water service to this community. The result was the transfer of the new water system to TMWA rather than maintaining a new separate water system.

Water Service Providers



(Source: Public Utilities Commission of Nevada, Regulatory Operations, Engineering Division.)

RAIL SAFETY

The PUCN employs federally-certified personnel in specialized disciplines who perform inspections in focused areas of concentration under the Code of Federal Regulations Title 49: Department of Transportation.



The PUCN maintains a Rail Safety Program as part of Nevada's participation with the U.S. Department of Transportation Federal Railroad Administration (FRA).

Together with the FRA, the Rail Safety Program provides safety surveillance through: routine compliance inspections; accident and incident investigations; enforcement actions; educational outreach; complaint investigations; and safety assessments, among other initiatives. These responsibilities are carried out on the operations of the Union Pacific Railroad, which owns all of the state's mainline track, as well as historic excursion railroads.

RAIL SAFETY PERSONNEL

The Operation Practices Inspector enforces:

- Railroad compliance in employee instruction in federal and internal operating rules and practices.
- Alcohol and drug testing standards.
- Safe wireless communication practices.
- High-visibility rear-end marking device requirements.
- Accident/incident and injury/illness reporting requirements.
- Recordkeeping requirements with respect to the hours of service of railroad employees.
- Sleeping quarter health and safety standards.
- The qualification and certification of conductors and locomotive engineers.

OPERATION PRACTICES INSPECTIONS			
Year	Number of Inspections Performed	Units Inspected	Defects
2015	96	2,331	118
2016	163	3,953	137
2017	124	2,864	54
2018	122	2,263	58
2019	103	3,014	31

The Motive Power and Equipment Inspector enforces:

- Railroad compliance in freight car and locomotive safety standards.
- Employee instruction in federal and internal operating practices.
- High-visibility rear-end marking device requirements.
- Minimum glazing material requirements.
- Enhanced visibility of rail freight standards.
- Safety appliance and brake system standards.

MOTIVE POWER & EQUIPMENT INSPECTIONS			
Year	Number of Inspection Reports	Units Inspected	Defects
2015	108	8,516	588
2016	135	7,941	677
2017	120	6,196	233
2018	98	6,069	45
2019	29	1,709	12

The Track Inspector enforces:

- Railroad compliance in track safety standards.
- Employee instruction in federal and internal operating practices.
- Workplace safety.
- Safe wireless communication practices.

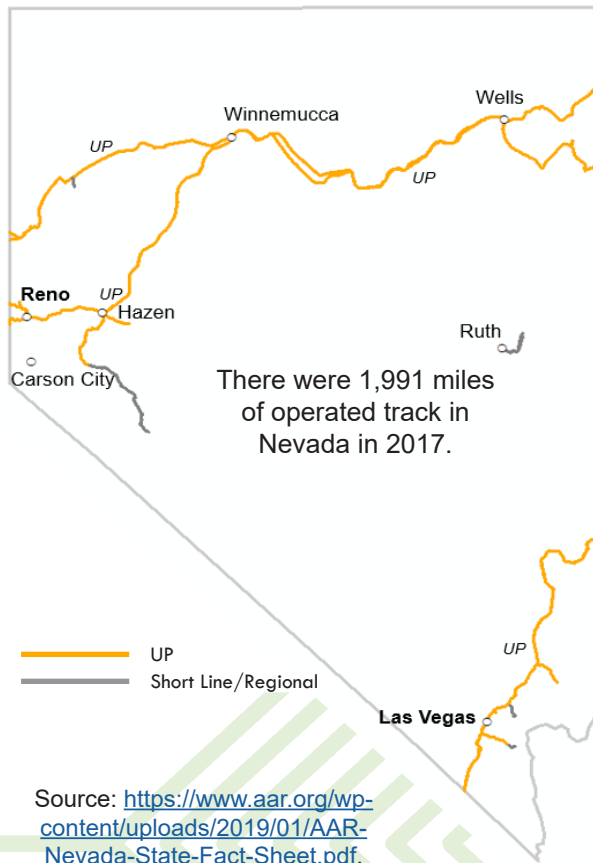
The Hazardous Materials Inspector enforces:

- Railroad compliance in the federal Hazardous Materials Program procedures and regulations.
- Hazmat marking, labeling, and placarding; emergency response.
- Training requirements.
- Security plans.
- Shipping and packaging requirements.
- Operating, handling, and loading requirements based on class of material.
- Safety specifications for hazmat containers.

TRACK INSPECTIONS			
Year	Number of Inspection Reports	Units Inspected	Defects
2015	109	5,036	201
2016	115	5,306	197
2017	94	2,879	385
2018	101	3,540	368
2019	90	3,335	167

HAZARDOUS MATERIALS INSPECTIONS			
Year	Number of Inspection Reports	Units Inspected	Defects
2015	198	5,376	226
2016	224	4,808	256
2017	230	4,674	188
2018	223	2,948	142
2019	181	3,605	130

While out in the field, Rail Safety Inspectors can identify trends and subsequently work with the Railroad Operations Manager to make improvements. For example, PUCN Rail Safety Inspectors:



- Identify accident/incident commonalities or contributing factors.
- Identify root causes of accidents/incidents as indicated by contributing factors.
- Identify predominate geographical locations where railroad accidents and incidents are occurring within the state and increase rail safety inspector presence in these areas.
- Implement continuous railway inspector cross-training program with each railway inspector to develop basic skills in all four disciplines.
- Maintain incident call reporting data so incidents/accidents can be tracked to see where the incident trends are occurring and adjust inspection schedules accordingly.

The Rail Safety Division investigates rail-related filings made with the PUCN. Applications are submitted for PUCN approval before work can begin to construct, alter, or eliminate vehicle or pedestrian crossings over tracks, or above tracks by means of overpasses or bridges. An entity may also seek a PUCN ruling for exemptions and/or deviations from regulations.

Rail Safety Inspectors work with different entities around the state (Nevada Department of Transportation, Union Pacific Railroad, and the cities of Ely, Fallon, and Reno) to enforce rail regulations and address rail issues. For instance, the Rail Safety Division is a stakeholder in the development of a high-speed railway connecting Southern California and Las Vegas. Once completed, developer Xpress-West anticipates running over 30 trains daily, each with the capacity to accommodate up to 600 passengers, and will be capable of crossing the 180-mile corridor in approximately 90 minutes. The

PUCN is working with regulators in both California and Nevada during the development and construction of the project.

TELECOMMUNICATIONS

The PUCN rate-regulates basic telecommunications service for eight small-scale providers of last resort, which are providers in rural areas of Nevada that serve fewer than 60,000 access lines.



**Landline Phone
Las Vegas, NV | Photo: PUCN**

The PUCN certifies competitive suppliers of telecommunications and small-scale providers of last resort. While small-scale providers are rate regulated, the PUCN does not rate-regulate competitive suppliers. Competitive suppliers include CenturyLink, AT&T, and Frontier Communications of the Southwest.

Competitive suppliers can provide local service, long distance service, paging service, Internet service, Voice over Internet Protocol (VoIP), and other telecommunications competitive products and services. The PUCN issues licenses to wireless (cell) phone providers, also referred to as commercial mobile radio services, but does not regulate this service. Additionally, with the passage of Assembly Bill 518 (AB 518) in 2007, the PUCN no longer regulates the rates, pricing, terms and conditions of most local telecommunications services provided by competitive suppliers in Nevada. The PUCN still regulates the rates, pricing, terms and conditions of local telecommunications services provided by small-scale providers that serve rural areas.

There are approximately 314 telecommunications providers in Nevada.

The PUCN's telecommunication regulatory duties include the following: certifying competitive suppliers; licensing wireless providers; reviewing eligible telecommunication carriers' applications to apply discount rates for low-income consumers, schools, libraries, and rural health providers; ensuring telecommunication services available in rural areas at rates comparable to rates in urban areas; and reviewing and approving performance measurement and performance incentives plans.

Furthermore, the Federal Telecommunications Act of 1996 assigned a number of specific responsibilities to state regulatory commissions, which were necessary to open local telecommunications markets to competition while advancing the longstanding public policy goal of universal service. The Federal Communications Commission's (FCC's) extensive November 2011 Transformation Order continues to drive access rate and Eligible Telecommunications Carrier (ETC) applications being submitted to the PUCN.

The PUCN continues to provide direction for the growing Nevada Universal Service Fund (NUSF), which supplements federal funding to provide reasonable and affordable rates for telephone service in high cost and rural areas and the Lifeline assistance program. NUSF funding is also available to public schools, public libraries, and health care providers in rural areas as a supplement to the Federal Universal Service Fund.

In fall 2018, three competitive suppliers filed applications for ETC status in designated census blocks for the purpose of receiving federal support that was awarded in the FCC's Connect America Fund Phase II Auction to provide voice and broadband services. Service provided by these carriers will have to meet federal mandated service thresholds. The census blocks that received funding include Clark, Douglas, Lyon, Storey, Nye, Lander, Eureka, Elko, Mineral, White Pine, Esmerelda, Washoe, Pershing, and Humboldt counties.

A graphic for the Lifeline program. It features the word "Lifeline" in large, bold, red letters. Below the text is a silhouette of a diverse group of people, including an elderly person with a cane, a person in a wheelchair, and several children. The background is a colorful, stylized mountain range with various shades of blue, green, and yellow. At the bottom, there is a banner with the text "Overcoming the digital divide & opening doors to opportunity" in white. To the right of the graphic, there is text about federal funding and the program's impact.

Lifeline

Nevada received over \$7.5 million in Federal Lifeline and over \$9.5 million in Federal High Cost Support in 2019.

While it is not the PUCN's responsibility to distribute funds, the NUSF, USF and HCS helped 70,000 Nevadans with telecom costs in 2019.

Overcoming the digital divide & opening doors to opportunity

TELECOMMUNICATIONS

In Docket No. 19-10007, Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale (AT&T) filed an application with the Commission to voluntarily relinquish its ETC status in the State of Nevada. Relinquishment means that AT&T would no longer be providing Lifeline service in those areas. AT&T provided information documenting that areas where it requested to relinquish its ETC status had at least two other carriers that could provide Lifeline service. AT&T's ETC service territory now mirrors its Provider of Last Resort obligations and will continue to provide Lifeline service in those areas.

The NUSF has grown overall in the past few years, seeing a significant increase in High Cost Support requests and applicants, but the fund has also been experiencing a decrease in Lifeline support requests. In 2020, a new carrier was granted a withdrawal from the NUSF for 2021, bringing the total to four carriers who receive High Cost Support from the Nevada fund. For calendar year 2020, the PUCN approved \$891,997 in High Cost Support to three small-scale providers of last resort and approved \$47,923 in Lifeline support to 11 total ETCs. The 2020 approved funding, including administrative costs, totaled \$1,586,111.

TELECOMMUNICATION FILINGS DURING THIS REPORTING PERIOD

TYPE OF FILING	NUMBER OF FILINGS
NUSF Funding and rate setting applications	4
Applications for telecommunication certificate registration or cancellation	41
Applications pertaining to ETC designation	6
Applications for commercial mobile radio service registration for new and cancellation of services	30
Petitions pursuant to section 252 of the Telecommunications Act (interconnection amendments and resale agreements between companies)	37
Informational filings	127
General applications such as name changes, mergers, annual reports, revised tariffs, special promotions resale, and notice of exempt change of control	104
TOTAL FILINGS	349



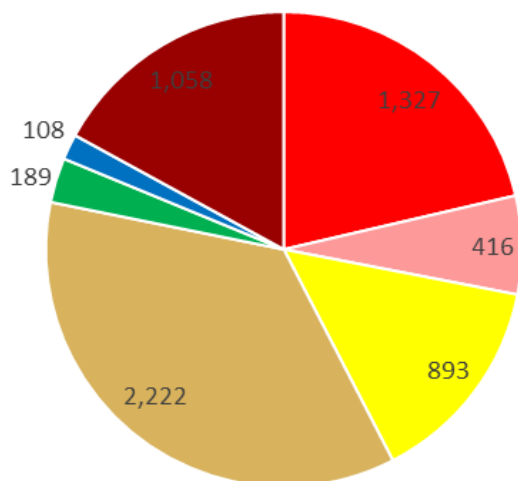
CONSUMER COMPLAINT RESOLUTION

The Consumer Complaint Resolution Division is responsible for receiving, investigating, and resolving disputes between consumers and their utility companies.



Elko County General Consumer Session
Elko, NV | Photo: PUCN

Complaint Statistics
7/1/2018 - 6/30/2020
6,213 Complaints/Questions Received



- Electric - NV Energy South
- Electric, Gas - NV Energy North
- Natural Gas - Southwest Gas
- Telephone
- Renewable
- Water
- Other

The Consumer Complaint Resolution Division is responsible for receiving, investigating, and resolving disputes between consumers and their utility companies. The division's employees also log rate protests, explain PUCN decisions and policies, prepare consumer-related testimony in certain dockets, assist utility customers with making payment arrangements, and enforce the PUCN's Consumer Bill of Rights.

The division receives complaints via telephone, letter, email, walk-in, or electronically from the PUCN's website. The division normally resolves telephone and other less complicated complaints within 48 hours; more than 80 percent of the written complaints are resolved within 45 days.

Written complaints are sent to the corresponding utility for a written response. When the division makes a recommendation on a written complaint, either party can appeal that recommendation to the PUCN. During the biennium, three of the division's recommendations were appealed to the PUCN. One written complaint was withdrawn before the Commission's Agenda meeting. With the other two complaints, the company and the complainant came to a settlement agreement.

PUCN PROCEEDINGS

Twenty-two consumer sessions were conducted during this biennium, either relating to pending dockets or the two statutorily required General Consumer Sessions. In the 2017 Legislative Session a bill was introduced for the PUCN to conduct an annual General Consumer Session in Elko County. Although the bill was not enacted, the PUCN has continued having a General Consumer Session in Elko County each year.

The division fielded 189 calls regarding renewable/solar complaints during this biennium.

Each Compliance Investigator averages more than 620 consumer complaints and questions per year.

FUNDING & BUDGET

The PUCN's budget is funded primarily through an annual regulatory assessment, or annual mill assessment, levied on public utilities in the state for which the utilities receive recovery from their ratepayers. The annual regulatory assessment was set at 3.28 mills for fiscal year 2019 and 2.90 mills for fiscal year 2020. The statutory maximum is 3.5 mills.



PUCN Office Las Vegas
Las Vegas, NV | Photo: PUCN

The PUCN employs 103 full-time employees and had operating expenses of approximately \$25.6 million for the biennium.

Throughout this biennium, the PUCN has demonstrated a commitment to eliminating unnecessary expenditures while continuing to improve operating and administrative efficiencies. As a result of these efforts, the PUCN's expenditures were 4.6 percent below the legislatively approved budget for the biennium. It is through this commitment to efficiency that the PUCN can keep the annual regulatory assessment rate low and pass the savings on to Nevada utility customers.

Other funding sources for the PUCN include reimbursements from the federal government and fees assessed by the federal government for programs carried out by the PUCN. The PUCN also implements the Federal Gas Pipeline Safety Program by conducting safety inspections of natural and propane gas distribution and transmission systems statewide, for which the federal government reimburses most of the costs. In addition, the PUCN promotes and enforces the State's One-Call Program (Call Before You Dig). The PUCN also operates the Rail Safety Program. Through the Rail Safety Program, the PUCN conducts inspections on railways in four major categories: Hazardous Materials; Operating Practices; Track; and Motive Power and Equipment. (The program is partially funded through a combination of assessments to railroads and a portion of the hazardous waste disposal fees paid to the State.)

For the biennium, the PUCN managed and monitored the collection, audit, and disbursement of the following revenues:	Totaling Approximately
Regulatory assessments for PUCN operations (NRS 704.033)	\$29.9 million
Universal Energy Charge ¹³ assessments for the Nevada Department of Business and Industry Housing Division and Nevada Department of Health and Human Services Division of Welfare and Supportive Services (NRS 702.160)	\$27.4 million
Access line surcharge for the Department of Health and Human Services Office of Disability Services (NAC 707.020)	\$5.2 million
Inspection fees for the PUCN's Rail Safety Inspection Program (NRS 704.309)	\$685,843
Administrative fines and civil penalties assessed by the PUCN (NRS 703.380; NRS 455.170) and transferred to the State's General Fund	\$983,750
Three federal Department of Transportation grants: One for the PUCN's Gas Pipeline Safety Program and two for the PUCN's Gas Pipeline Safety Damage Prevention Program	\$1.4 million

¹³ A charge assessed to all electric and gas customers of a public utility by the Legislature to assist low-income customers with their energy bills and with weatherization.

DOCKETS, WORKLOAD, LITIGATION & ADMINISTRATIVE PROCEEDINGS



Federal Energy Regulatory Commission
Washington, DC | Photo: FERC

The PUCN conducts hundreds of cases (dockets) each year. The PUCN opened 784 cases in the biennium, including eight rulemakings stemming from 2019 Legislation.

The 2019 Legislative Session resulted in a number of bills relating to energy regarding renewable natural gas, electric vehicle infrastructure, electric utility ratemaking, electric utility natural disaster planning, and a variety of renewable energy issues.

The increasing complexity of the work before the PUCN stems from the sophistication of the energy landscape in Nevada and in the country. As the technology involved in electric service continues to adapt and expand, Nevada continues to lead the nation in the renewable energy field.

PUCN Staff has continued to resolve many would-be cases before an incident needs to be brought in front of the PUCN. The PUCN prides itself on its consumer relations and ability to resolve proceedings outside of contested cases. As discussed in the Consumer Complaint Resolution section, the PUCN has continued to increase the number of cases it resolves with mediation, culminating in fewer cases needing formal resolution in front of the full PUCN.

Additionally, during the biennium the PUCN's General Counsel monitored or participated in litigation and administrative proceedings at the federal and state levels.

Cases Outside the PUCN (July 1, 2018 - June 30, 2020)

FEDERAL COMMUNICATIONS COMMISSION PROCEEDINGS

Lifeline: The General Counsel tracked Federal Communications Commission (FCC) WC Docket No. 11-42 regarding the launch of the national Lifeline eligibility verifier (National Verifier). Lifeline is a government program that provides monthly discounts on one telephone service (wireline or wireless) for eligible low-income consumers in every state, territory, commonwealth, and on tribal lands. Customers must certify their eligibility to enroll in Lifeline and must recertify eligibility every year.

Rather than having each individual state certify and recertify customers for eligibility in Lifeline, the FCC shifted to having one entity, the National Verifier, establish all eligibility for Lifeline customers nationwide. Nevada was one of 11 states where a "hard launch" of the National Verifier occurred on October 23, 2019. Some states that were part of the October 23, 2019, hard launch, including New York, Vermont, Georgia, Connecticut, and Nebraska, requested waivers of the hard launch to allow more time for completion of arrangements with the Universal Service Administrative Co. (USAC) for an automated connection with the state eligibility databases. USAC is the National Verifier.

Each of the states that filed waivers expressed concern that without such an automated connection, many otherwise eligible Lifeline subscribers or applicants would be dropped from the program or would be rejected. Nevada's Division of Welfare and Supportive Services (DWSS) did not have an automatic connection established with USAC when Nevada was transitioned to a "hard launch" of the National Verifier, even though DWSS and USAC were working toward an agreement. The Commission was monitoring this FCC docket to determine if other states that were part of the hard launch had any success in getting waivers from the FCC. Ultimately, the FCC denied all the requested waivers.

Net neutrality: The Commission also was monitoring WC Docket No. 17-108, which concerns net neutrality. In December 2017, the FCC issued a Declaratory Ruling regarding the re-classification of broadband Internet access service as it pertains to the FCC's oversight of such service. The order also largely preempted state regulation of broadband Internet access service. Given

this preemption issue, the General Counsel's office has been tracking this proceeding. There has been ongoing activity in FCC's proceeding, WC Docket No. 17-108, as well as court litigation, regarding this case.

COMMISSION LITIGATION IN NEVADA COURTS

Implementation of Tax Cuts and Jobs Act: On December 18, 2018, Sierra Pacific Power Company d/b/a NV Energy and Nevada Power Company d/b/a NV Energy (collectively, NV Energy), filed a Petition for Judicial Review (PJR) with the Second Judicial District Court in the State of Nevada, Case No. CV18-02497.

The PJR concerned the Commission's orders in consolidated Docket Nos. 18-02010, 18-02011, and 18-02012, regarding implementation of the Tax Cuts and Jobs Act (TCJA) after its passage in December 2017. On March 10, 2020, the court denied the PJR and affirmed the Commission's final order in the above-reference dockets. NV Energy filed a Notice of Appeal on May 7, 2020, and the appeal was docketed as Nevada Supreme Court No. 81154. On September 24, 2020, NV Energy agreed in a stipulation filed with the Commission in Docket No. 20-06003 to withdraw its appeal of this case. The Commission has issued an order, accepting the stipulation. The Nevada Supreme Court issued an Order Dismissing Appeal of Case No. 81154 on January 5, 2021.

Southwest Gas Corporation rates: On March 18, 2019, Southwest Gas Corporation (SWG) filed a Petition for Judicial Review (PJR) with the Eighth Judicial District Court in the State of Nevada, Case No. A-19-791302-J. The PJR concerned a challenge of orders issued in Commission Docket No. 18-05031 regarding SWG's application to increase its retail natural gas utility rates. On March 5, 2020, the court denied the PJR and affirmed the Commission's orders. On April 2, 2020, SWG filed a Notice of Appeal, and the appeal was docketed as Nevada Supreme Court No. 80911. This appeal is still pending. SWG filed its opening brief in this case on January 26, 2021.

FEDERAL ENERGY REGULATORY COMMISSION PROCEEDINGS

Order No. 872: This order is an example of a rulemaking proceeding at the Federal Energy Regulatory Commission (FERC) that the PUCN General Counsel follows to advise the Commission on issues affecting state regulatory responsibilities. The order, which was issued on July 16, 2020, is the final rule approving certain revisions to federal regulations implementing sections 201 and 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA). The 490-page order adopted various changes to PURPA regulations including standards for evaluating competitive solicitations used for establishing avoided capacity costs and permitting variable energy rates in legally enforceable obligations with qualifying facilities.

Paiute Pipeline Company: The PUCN General Counsel intervened in a rate case filed by Paiute Pipeline Company (Docket No. RP19-1291) with the FERC on May 31, 2019. Both Sierra Pacific Power Company and Southwest Gas Corporation are customers of Paiute Pipeline Company. The matter was assigned a Settlement Judge and, after several rounds of negotiations, a black box settlement was reached by the parties and filed with the FERC on July 6, 2020. The agreed to total annual cost of service, exclusive of Commission-approved surcharge amounts, is \$44,075,000 for Category 1 and \$43,175,000 Category 2 rates. Paiute had requested \$51,302,451 and \$50,286,637, respectively.

FEDERAL RAILROAD ADMINISTRATION

On May 29, 2019, the Federal Railroad Administration (FRA) withdrew from its notice of proposed rulemaking (NPRM) on the issue of the number of crew members on a freight train. According to the Federal Register, the FRA said: "In withdrawing the NPRM, FRA is providing notice of its affirmative decision that no regulation of train crew staffing is necessary or appropriate for railroad operations to be conducted safely at this time." Later in the notice of withdrawal, the FRA says: "... this notice of withdrawal provides FRA's determination that no regulation of train crew staffing is appropriate and that FRA intends to negatively preempt any state laws concerning that subject matter."

Nevada appealed to the U.S. Court of Appeals for the Ninth Circuit to reverse the FRA's decision. The Nevada Office of the Attorney General and the PUCN General Counsel's office argued that Nevada is aggrieved by the provisions of the notice of withdrawal because it infringes, without lawful authority, upon Nevada's sovereign interest in enforcing its own health and safety statute on the subject of train crew staffing.

Nevada also argued that the FRA's withdrawal of the proposed minimum staffing regulations violates the Administrative Procedure

Act, the Federal Railroad Safety Act and related regulations. Finally, Nevada argued that the decision to preempt state and local laws was arbitrary and capricious and without an evidentiary basis, and requests that the Court set aside the FRA's decision. Nevada's appeal was consolidated with the states of Washington and California along with the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation workers, and the Brotherhood of Locomotive Engineers and Trainmen.

APPENDIX A

Commissioners

Hayley Williamson, Chair



Hayley Williamson was appointed Chair of the Public Utilities Commission of Nevada by Governor Steve Sisolak effective January 1, 2020.

Governor Sisolak appointed Chair Williamson as a PUCN Commissioner on April 29, 2019. As a Commissioner, she has been responsible for developing rules for many important pieces of legislation from the 2019 Legislative session, including rules to implement Nevada's new Renewable Portfolio Standard. Chair Williamson has worked at the PUCN since 2013 and has more than a decade of public utility law experience. Before her appointment to the Commission, Chair Williamson served as senior assistant general counsel and acting general counsel.

During her time with the PUCN, Chair Williamson successfully represented the agency in the Nevada Supreme Court and at the Federal Energy Regulatory Commission. Chair Williamson also was instrumental in drafting the PUCN's comments on the Clean Energy Plan. Prior to working at the PUCN, Chair Williamson taught environmental law and environmental science at the University of Wisconsin and at Sierra Nevada College.

Chair Williamson graduated magna cum laude from the University of Wisconsin - Stevens Point, where she earned her bachelor's degree; and magna cum laude from Vermont Law School, where she earned her Juris Doctorate. At Vermont Law School, Chair Williamson was an editor of the Vermont Law Review. She also holds a Master of Philosophy degree from the University of Cambridge, where she wrote her master's thesis on renewable energy and land use issues on the West Coast.

Chair Williamson was born and raised in Madison, Wisconsin, and lives in Stateline, Nevada, with her husband and son.

C.J. Manthe, Commissioner



C.J. Manthe was appointed to the Public Utilities Commission of Nevada by Governor Brian Sandoval, effective November 5, 2018.

Commissioner Manthe has more than 30 years of management experience in both the public and private sectors in the fields of banking, healthcare, public accounting, non-profits and state and local governments. She most recently served as the Director for the Nevada Department of Business and Industry, where she had oversight for 12 diverse state divisions and 25 boards, commissions and advisory committees.

Previously, Commissioner Manthe was elected to serve as a council member for the City of Blaine in Washington State and as a county commissioner for Marathon County in Wisconsin.

Commissioner Manthe earned a bachelor's degree in Managerial Accounting from the University of Wisconsin and is a certified public accountant.

Tammy Cordova, Commissioner



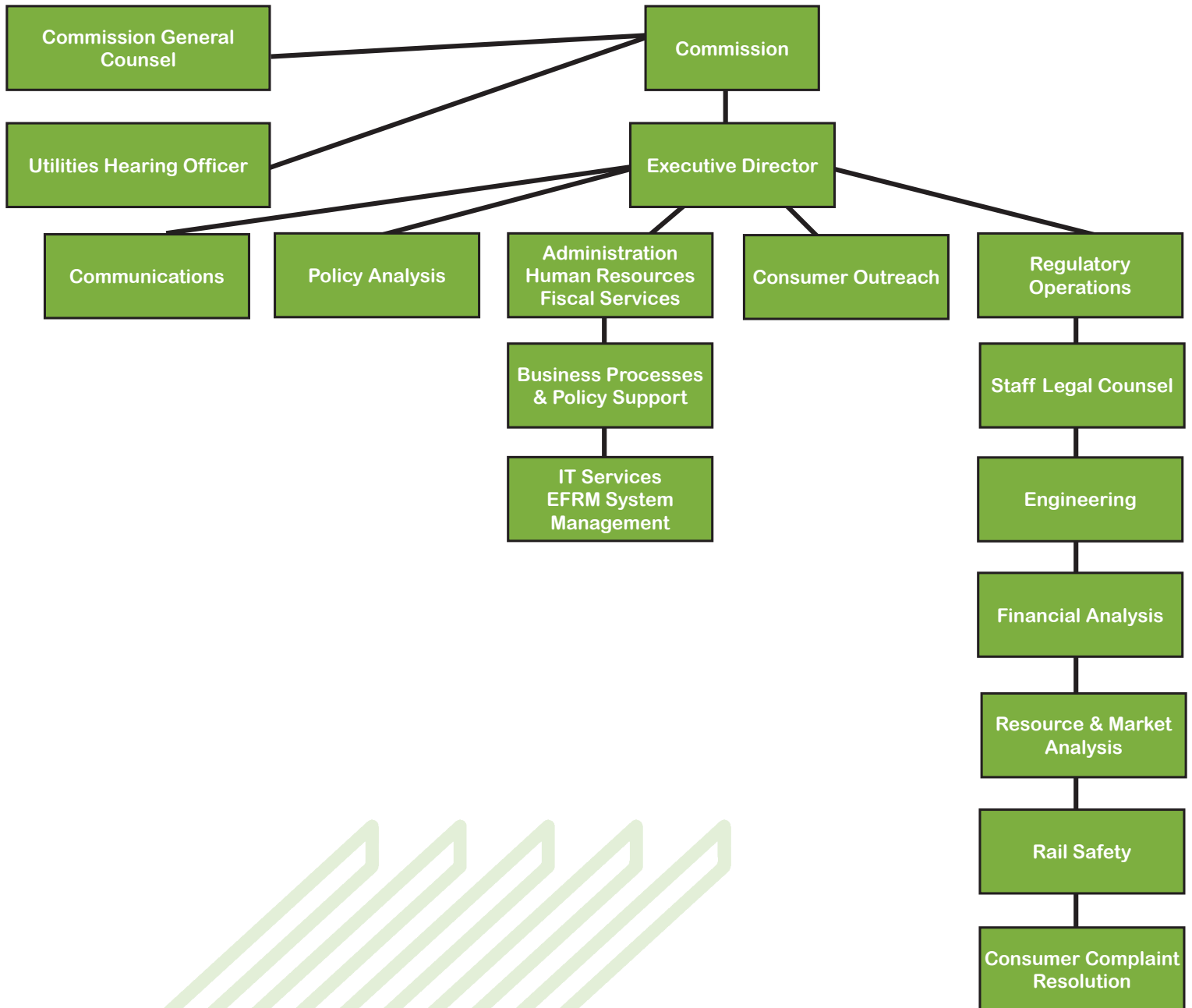
Tammy Cordova was appointed to the Public Utilities Commission of Nevada by Governor Steve Sisolak, effective June 22, 2020.

Commissioner Cordova has more than two decades of experience in state government and the United States Navy. She has worked for the PUCN since 2001. Before her appointment to the Commission, Commissioner Cordova served as staff counsel of the PUCN's Regulatory Operations Staff. Previously, she also served as assistant staff counsel and as an administrative attorney, with duties in both Northern and Southern Nevada. During her tenure at the PUCN, she has focused on a collaborative and practical approach to providing the recommendations and analysis of the Regulatory Operations Staff to the Commission. Commissioner Cordova served as an officer in the United States Navy from 1991 to 1996 and was an executive director in Europe of a branch of the Navy-Marine Corps Relief Society.

She graduated with a Bachelor of Science in human and organizational development from Vanderbilt University and earned her Juris Doctorate from University of San Diego School of Law. Commissioner Cordova also is a founding executive committee member of the Energy, Utilities and Communications Law section of the Nevada State Bar. Originally from Salisbury, Maryland, Commissioner Cordova lives in Las Vegas.

APPENDIX B

Organizational Chart



APPENDIX C

Divisions

EXECUTIVE DIRECTOR (1 employee)

The Executive Director serves as Chief Financial Officer and directs the daily administrative operations of the PUCN, including, without limitation: budget preparation, administration, human resources, media relations and consumer outreach, purchases and acquisitions made by the PUCN, and contracts and leases entered into by the PUCN. The Executive Director also develops and implements internal administrative policies and procedures to ensure the efficient operation of the PUCN.

GENERAL COUNSEL (13 employees)

The Office of General Counsel is responsible for representing the PUCN's interests in all proceedings in state and federal court. The Office of General Counsel also represents the PUCN's interests before various state and federal regulatory agencies, including the Federal Energy Regulatory Commission, the Federal Communications Commission, and the Environmental Protection Agency. The Office of General Counsel advises Commissioners and the Utilities Hearing Officer on legal and policy issues, and it reviews and drafts notices, orders, regulations, proposed legislation, and other legal documents. The Office of General Counsel is also responsible for case management, personnel matters, and reviewing the PUCN's administrative procedures to ensure compliance with the Administrative Procedure Act, the Open Meeting Law, and the Public Records Act. Additionally, the Office of General Counsel monitors legislative activities and coordinates the PUCN's participation in the legislative process.

- Each Commissioner is assigned an Administrative Attorney. Administrative Attorneys are responsible for providing preliminary advice and counsel to their assigned Commissioner. Administrative Attorneys draft legally sufficient opinions, notices, orders, and regulations for the Commissioners and make fair and impartial recommendations to the Commissioners based on facts and conclusions of law.
- The Legal Case Manager is responsible for reviewing all filings received by the PUCN for legal completeness and compliance with the Nevada Revised Statutes and the Nevada Administrative Code. The Legal Case Manager is also responsible for preparing legally sufficient notices and orders as well as conducting legal research and drafting other legal documents for the PUCN.

UTILITIES HEARING OFFICER (1 employee)

The Utilities Hearing Officer is similar to a Commissioner in that he/she presides over contested cases, but unlike Commissioners, a Utilities Hearing Officer cannot vote on Commission issues. The Utilities Hearing Officer conducts administrative proceedings addressing matters within the PUCN's jurisdiction. In contested matters, the Utilities Hearing Officer makes recommendations and drafts proposed orders that are presented to the Commission for a vote. The Utilities

Hearing Officer is not assigned an administrative attorney and is therefore responsible for drafting procedural orders and notices related to his/her cases. The procedural decisions of the Utilities Hearing Officer are subject to appeal to the Commission in the same manner that the decisions of a Presiding Officer Commissioner are subject to appeal to the full Commission.

POLICY ANALYSIS (5 employees)

Policy Advisors are responsible for providing technical support and policy advice to the Commissioners on various aspects of utility regulation, including issues related to telecommunications, electricity, natural gas, water, and sewer services. Policy Advisors also provide technical assistance to the Office of General Counsel during all proceedings before state and federal courts as well as before federal regulatory agencies.

ADMINISTRATION (13 employees)

The Administration Division is responsible for the overall administrative operations of the PUCN. The Administration Division assists the Executive Director with budget and fiscal management; assessments, fees and administrative fines; human resources and management services; computer systems and operations; and the Electronic Filings and Records Management System.

BUSINESS PROCESS SERVICES (3 employees)

The Business Process Services Division is responsible for the PUCN's core business processes relating to docket management. The Business Process Services Division scans all relevant documents into the appropriate dockets, manages service lists, coordinates the issuance of orders and the publication of notices, provides reception services, prepares agenda meeting notices and minutes, and maintains the PUCN's master calendar.

COMMUNICATIONS DIRECTOR (1 employee)

The Communications Director is responsible for coordinating all external communications with the public, media, financial community, trade organizations and other interested groups. The Communications Director monitors state legislative activities and produces reports as needed, and interacts with other state agencies and branches of local, state and federal government to increase understanding of PUCN activities.

CONSUMER OUTREACH DIRECTOR (1 employee)

The Consumer Outreach Director is responsible for managing consumer outreach efforts. The Consumer Outreach Director develops informational material for consumers, engages with consumers via various social media platforms, and organizes community events to help the public understand PUCN issues.

REGULATORY OPERATIONS STAFF

The Regulatory Operations Staff (Staff) appears and

APPENDIX C

Divisions

participates in cases before the PUCN as an independent party, balancing the interests of ratepayers and utility shareholders to ensure safe and reliable utility service at a reasonable cost.

DIRECTOR OF REGULATORY OPERATIONS (2 employees)

The Director of Regulatory Operations (DRO) supervises and manages all aspects of Staff, consisting of five technical divisions and Staff Counsel. The DRO ensures that all Staff employees perform at a high level of competency and professionalism; organizes and manages all Staff regulatory functions, including timely completion of analyses and submission of testimony, comments, reports, and other filings to the PUCN; and makes recommendations to the Commission regarding public utility matters. Additionally, the DRO monitors public utilities' compliance with applicable statutes, regulations, and PUCN orders.

STAFF LEGAL COUNSEL (11 employees)

The Division of Staff Legal Counsel is responsible for providing legal counsel and support to Staff. Staff Counsel's duties include formulating legal strategy and legal positions regarding utility filings; drafting case discovery; and preparing pleadings, briefs, responses to petitions, stipulations, and other filings applicable to the regulation of Nevada utilities. Staff Counsel also reviews and assists in the development of Staff testimony and filings; ensures that Staff's positions are in compliance with Nevada statutes and regulations; represents Staff at PUCN hearings and workshops; assists in the development of proposed regulations and legislation; and provides other legal support to Staff divisions. Staff Counsel is the only division within Staff that addresses, in some form, every case filed with the PUCN.

RESOURCE AND MARKET ANALYSIS (12 employees)

The Resource and Market Analysis Division is responsible for all economic analyses of electric, natural gas, and local telephone utility performance; rate design; certificates of public convenience and necessity applications and other license applications; merger and competitive issue reviews; interconnection agreements; and other tariff reviews, including compliances. The division also provides information to the public regarding installation of distributed renewable energy facilities, participation in renewable energy incentive programs, and tracking of portfolio energy credits.

FINANCIAL ANALYSIS (10 employees)

The Financial Analysis Division is responsible for auditing financial information submitted by electric, natural gas, telephone, water and wastewater utilities in various filings submitted by utilities. This includes ensuring that the information submitted supports the recovery of prudently incurred costs of the utilities, and the proper return of benefits to utility customers. The division analyzes data and makes recommendations to the Commission regarding assessments made on telecommunications companies to fund the Nevada

Universal Service Fund, and a surcharge imposed on each telephone and wireless access line to fund a program to provide devices for telecommunication and other assistive technology to persons with impaired speech or hearing. The division monitors universal energy charge collections (and processes requests for refunds, where applicable), investigates the billing practices of mobile home parks that bill their tenants for utility services, participates in analyzing and processing applications for licenses, reviewing applications for certificates of public convenience and necessity and changes in ownership, reviewing annual report filings, and tracking compliances for non-safety issues.

ENGINEERING (16 employees)

The Engineering Division is responsible for monitoring the implementation of electric renewable portfolio standards and demand-side management activities, as well as forecasting Nevada's electric energy and capacity requirements. The division monitors water and wastewater utilities for quality of service, environmental compliance, and financial performance; and reviews Utility Environmental Protection Act (UEPA) applications for construction permits for compliance with environmental requirements for new utility facilities. The division also oversees a gas pipeline safety program in conjunction with the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration.

RAIL SAFETY (5 employees)

The Rail Safety Division, in conjunction with the U.S. Department of Transportation and Federal Railroad Administration, participates in the enforcement of federal safety regulations and orders applicable to railroad tracks, hazardous materials shipments, rolling equipment, and operations in Nevada. The division also reviews applications to modify or construct new railroad crossings.

CONSUMER COMPLAINT RESOLUTION (6 employees)

The Consumer Complaint Resolution Division is responsible for responding to utility consumers' needs, problems, and inquiries. The division is responsible for receiving, investigating, and mediating complaints that arise between customers and their utilities providing electric, gas, telecommunications, water, and wastewater services. The division also tracks complaint levels and appraises the PUCN of arising problem areas. Additionally, the division makes recommendations to the PUCN and the utilities regarding possible changes in policies or practices relating to the improvement of customer service and complaint resolution.

APPENDIX D

Commission Proceedings

18-07001 Public Utilities Commission of Nevada-sponsored Consumer Session to be held in Washoe County, Nevada, pursuant to NRS 704.069(2).

18-07002 Public Utilities Commission of Nevada-sponsored Consumer Session to be held in Clark County, Nevada, pursuant to NRS 704.069(2).

18-07003 Public Utilities Commission of Nevada-sponsored Consumer Session to be held in Elko County, Nevada.

18-07004 Filing by Commnet of Nevada, LLC of Federal Communications Commission Form 690 pursuant to 47 CFR 54.1009.

18-06038 Registration of Wing Tel Inc. as a commercial mobile radio service provider.

18-07005 Application of Southwest Gas Corporation for approval of its Solar Thermal Systems Demonstration Program Annual Plan for Program Year 2019.

18-07006 Filing by Global Connection Inc. of America d/b/a STAND UP WIRELESS of updated Tariff No. 1 that includes revisions to wireless Lifeline plans.

18-07007 Filings by Eligible Telecommunications Carriers related to Federal Communications Commission ("FCC") Form 481 to comply with the FCC's annual reporting requirements pursuant to 47 CFR 54.314.

18-05024 Application of William Lyon Homes, Inc., under the provisions of the Utility Environmental Protection Act, for a permit to construct a 1.4 million gallon secondary water tank and other water system improvements for the Mountain Falls Master Planned Community to be located in Pahrump, Nye County, Nevada.

18-07008 Filing by Southwest Gas Corporation of revised Transportation Service Agreement for customer Cyanco Company, LLC pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

18-07009 Notice by Sprint Communications Company L.P. and T-Mobile USA, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

18-07010 Filing by Q LINK WIRELESS LLC of updated Tariff No. 1 that includes revisions to wireless Lifeline plans.

18-07015 Application of Business Telecom, LLC d/b/a EarthLink Business III to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2198 Sub 3.

18-06039 Filing by Rio Virgin Telephone Company d/b/a Reliance Connects related to Federal Communications Commission ("FCC") Form 481 to comply with the FCC's annual reporting requirements pursuant to 47 CFR 54.314.

18-07011 Application of Quasar Communications Corporation to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2777 Sub 1.

18-07012 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to introduce promotional offerings for new customers that sign up for Frontier Digital Phone service.

18-07013 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates increasing various Business and Residence nonrecurring Service Charges.

18-07014 Notice by Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada of a promotional offering for the Elko and Tonopah Divisions for new Digital Phone customers who purchase qualifying broadband services.

18-07016 Application of Sierra Pacific Power Company d/b/a NV Energy for approval of its Solar Thermal Systems Demonstration Program Annual Plan for Program Year 2019.

18-07017 Joint Petition of CenturyTel of the Gem State, Inc. d/b/a CenturyLink and BullsEye

Telecom, Inc. for approval of a Resale Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

18-07018 Notice by Network Billing Systems, L.L.C., Birch Communications, LLC, Birch Telecom of the West, Inc. d/b/a Birch Communications, and Tempo Telecom, LLC d/b/a Tempo of a transaction that will result in a transfer of control of telecommunication companies.

18-07020 Application of Sierra Pacific Power Company d/b/a NV Energy filed under Advice Letter No. 609-E to revise Electric Tariff No. 2, Schedule Nos. LCSPP86 and LCSPP87, in order to adjust rates for long-term cogeneration and small power production energy and capacity rates.

18-07021 Application of Spirit Mountain Utility Company, Inc. for approval to withdraw \$12,944.10 in funds from its surcharge funds account to pay for the completed repair and replacement of the motor control panel and water meter at Well 01.

18-07023 Informational Report of Prospector Pipeline Company concerning its natural gas resource planning activities.

18-07024 Filing by Filer Mutual Telephone Company of annual report of high-cost recipient pursuant to the requirements of 47 CFR 54.313, annual data regarding Connect America Fund Inter-carrier Compensation ("CAF ICC") Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304, supplemental TRP data pursuant to the requirements of 47 CFR 51.909, and annual certifications regarding CAF ICC data reported to the Federal Communications Commission pursuant to the requirements of 47 CFR 57.917.

18-07019 Filing by i-wireless, LLC d/b/a Access Wireless of updated Advisory Tariff No. 1 that includes revisions to wireless Lifeline plans.

18-07022 Registration of Q LINK MOBILE LLC as a commercial mobile radio service provider.

18-08001 Notice by Great Basin Water Co. of its intent to file an application for adjustment in rates for its Cold Springs and Spanish Springs Divisions.

18-08003 Joint Petition of the Regulatory Operations Staff and Sunstate Companies, LLC ("Sunstate") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Sunstate.

18-08002 Notice by Matrix Telecom, LLC d/b/a Clear Choice Communications, Excel Telecommunications, and VarTec Telecom; TNCI Impact LLC; Birch Telecom of the West, Inc. d/b/a Birch Communications; and Lingo Communications, LLC of a transaction that will result in a transfer of control of a telecommunication company.

18-08005 Staff report on Indian Springs Water Co., Inc. pursuant to the provisions of NAC 704.627.

18-08006 Application of Crown Castle Fiber LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

18-08004 Application of Fairview Mobile Manor to withdraw \$60,243.37 from the tenant service charge account for reimbursement of expenses incurred to repair and maintain the electrical system.

18-08007 Amended Application of Golden Road Motor Inn, Inc. d/b/a Atlantis Casino Resort Spa to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

18-08008 Nevada Power Company d/b/a NV Energy filed Notice No. 18-03 to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective October 1, 2018.

18-08009 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 18-03(E) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective October 1, 2018.

18-08010 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 18-03(G) to adjust natural gas Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective Octo-

ber 1, 2018.

18-08011 Application of Talk America Services, LLC to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 3018.

18-08012 Notice by Number Access, LLC of its intent to request numbering resources for the Pahrump rate center from the North American Numbering Plan Administrator.

18-08013 Biannual filing by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy regarding the Solar Program, providing a status update and a summary of discussion from a meeting with industry stakeholders pursuant to NAC 701B.145.

18-08015 Joint Petition of the Regulatory Operations Staff and Unique-scape and Design ("Unique-scape") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Unique-scape.

18-08017 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and CBTS Technology Solutions LLC for approval of Amendment No. 1 to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

18-08016 Application of Southwest Gas Corporation filed under Advice Letter No. 511 to revise Gas Tariff No. 7 to more accurately align the daily imbalance tolerances included in Schedule No. ST-1/NT-1 with current market conditions.

18-08019 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

18-08020 Petition of Las Vegas Valley Water District requesting approval to exceed the Solar Energy Systems Incentive Program's per site generating capacity limit under NAC 701B.150(7).

18-08022 Petition of Southwest Gas Corporation requesting a waiver of the requirement to file a Gas Infrastructure Replacement Rate Application in 2018 pursuant to NAC 704.798(1)(a)(1).

18-08023 Application of Blockchains Communications LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

18-08024 Filing by Southwest Gas Corporation of revised rate for transportation customer Saguro Power Company previously approved in Docket No. 94-4050.

18-08025 Filing by Southwest Gas Corporation of revised rate for transportation customer NV Energy (LV2), previously Las Vegas Cogeneration II, LLC, pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

18-08026 Filing by Southwest Gas Corporation of revised rate for transportation customer Desert Star Energy Center pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

18-08014 Application of Carefree Country Mobile Home Park to withdraw \$72,797.48 from the tenant service charge account for reimbursement of expenses incurred to repair and maintain the electrical system.

18-08018 Application of LS Networks to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 3022.

18-08021 Application of Rosemount Water Company for authority to increase rates for water service.

18-08027 Southwest Gas Corporation filed Notice under Advice Letter No. 512 to adjust Northern and Southern Nevada Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective October 1, 2018.

18-08028 Report by Solix, Inc., as Administrator of the Nevada Universal Service Fund, regarding fiscal year 2019 assessment recommendation concerning the minimum annual contribution and assessment rate on the intrastate retail revenues

of all obligated providers of telecommunication services in Nevada.

18-09001 Staff report on Dutchman Acres Water Company pursuant to the provisions of NAC 704.627.

18-09002 Notice by Hartford Fire Insurance Company on behalf of iBasis Retail, Inc. d/b/a iBasis of a bond cancellation.

18-09003 Application of LV Stadium Events Company, LLC to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

18-09004 Application of Nevada Geothermal Utility Company for approval of a change of name to Avalon Geothermal, Inc. for operations conducted under Geothermal Operating Permit ("GOP") 100.

18-09006 Notice by HD Carrier LLC of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

18-09007 Joint Petition of Frontier Communications of the Southwest Inc. and Level 3 Communications, LLC for approval of Amendment No. 1 to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

18-09008 Investigation and Rulemaking to examine current regulations governing Nevada's Renewable Portfolio Standard to determine whether providers of electric service should be authorized to utilize alternative solutions, including, but not limited to, blockchain-based solutions to track and certify Nevada portfolio energy credits.

18-09009 Joint Petition of the Regulatory Operations Staff and JLW Holdings Series I LLC d/b/a Justin Wilson Construction ("JLW") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by JLW.

18-09010 Show Cause Proceeding to determine why Certificates of Public Convenience and Necessity, Licenses, or Permits should not be revoked, why administrative fines should not be imposed, and/or why administrative action should not be taken on certain companies that did not timely meet their regulatory obligations for calendar year 2017 and/or the period July 1, 2017, through June 30, 2018.

18-09011 Filing by Frontier Communications of the Southwest Inc. and Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304 and annual certification that price cap carrier is not seeking duplicative Eligible Recovery pursuant to the requirements of 47 CFR 51.915.

18-09013 Application of Commnet of Nevada, LLC to expand its designation as an eligible telecommunications carrier in the State of Nevada pursuant to NAC 704.680461 and Section 214 of the Communications Act of 1934 and request for deviation from NAC 704.680463 to allow designation by Census Block Groups.

18-09014 Application of Nevada Power Company d/b/a NV Energy ("NPC") filed under Advice Letter No. 489 to revise Tariff No. 1-B to modify Large General Service Schedules LGS-1, OLGS-1-TOU, LGS-2, LGS-3, and OLGS-3P-HLF to remove language that prohibits NPC from serving a customer through more than one meter.

18-09005 Notice by BCM One, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

18-09015 Application of Georgia-Pacific Gypsum LLC to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

18-09012 Application of Interconn Resources, LLC for a license to provide discretionary service as an alternative seller of natural gas to generating, industrial, or large commercial customers in the State of Nevada.

Commission Proceedings

18-09016 Application of Sierra Pacific Power Company d/b/a NV Energy for authority to establish debt issuance authorizations based on a debt ceiling of \$1,600.0 million.

18-09017 Application of Nevada Power Company d/b/a NV Energy filed under Advice Letter No. 490 to revise Tariff No. 1-B to implement Electric Vehicle Commercial Charging Rider Time-of Use Schedule No. EVCCR-TOU to support the development of fast-charging electric vehicle charging station infrastructure in Nevada.

18-09018 Application of Sierra Pacific Power Company d/b/a NV Energy filed under Advice Letter No. 610-E to revise Electric Tariff No. 1 to implement Electric Vehicle Commercial Charging Rider Time-of-Use Schedule No. EVCCR-TOU to support the development of fast-charging electric vehicle charging station infrastructure in Nevada.

18-09019 Application of Valley Communications Association, LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

18-09021 Filing by Southwest Gas Corporation of tax adjustment pursuant to the Order issued in Docket No. 00-1028.

18-10001 Notice by Vonage Holdings Corp. of its intent to request numbering resources for the Mount Charleston rate center from the North American Numbering Plan Administrator.

18-09020 Application of Valley Communications Association, LLC to be designated as an eligible telecommunication carrier in the State of Nevada pursuant to NAC 704.680461 and Section 254 of the Telecommunications Act of 1996.

18-10002 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

18-10004 Application of Sierra Pacific Power Company d/b/a NV Energy filed under Advice Letter No. 611-E to revise Electric Tariff No. 1 to add four new Light Emitting Diode night guard light categories to Outdoor Lighting Service Schedule No. OLS.

18-10003 Application of Nevada Power Company d/b/a NV Energy, under the provisions of the Utility Environmental Protection Act, for a permit to construct a steel double-circuit 230kV transmission structure, approximately 500 feet of double-circuit 230kV overhead transmission line, and associated facilities to be located in Clark County, Nevada.

18-10006 Application of the Nevada Department of Transportation for authority to deviate from required side clearances under the provisions of NAC 705.030 and any other exemptions and/or approvals the Commission deems necessary to construct a storm drainage system adjacent to the Northern Nevada Railway track from Center Street to Orson Street in Ely, Nevada.

18-10005 Application of Pahrump Utility Company, Inc. filed under Advice Letter No. 14 to revise Water Tariff No. 1A and Sewer Tariff No. 1A to clarify the taxes that will be collected based upon the provisions in the Tax Cut and Jobs Act pursuant to the Order issued in Docket No. 18-02018.

18-10007 Joint Petition of the Regulatory Operations Staff and Iovino Masonry, Inc. ("Iovino") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Iovino.

18-10008 Petition of Ovation MM, Inc., and its affiliated companies, for an Advisory Opinion finding that both the facility and the sale of output from distributed generation systems installed on multi-family dwellings are not jurisdictional public utilities under Assembly Bill 405 (2017).

18-10012 Filing by Boomerang Wireless, LLC d/b/a enTouch Wireless of Informational Tariff No. 1 that includes revisions to Wireless Lifeline Program.

18-10009 Joint Petition of the Regulatory Operations Staff and Spanish Springs Construction, Inc. ("SSC") requesting the Commission accept a

stipulation regarding violations of Nevada's One Call Law by SSC.

18-10010 Application of Oregon-Idaho Utilities, Inc. d/b/a Humboldt Telephone Company for allowance of Nevada Universal Service Fund funding for the year commencing January 1, 2019.

18-10011 Registration of Faith Wireless, LLC as a commercial mobile radio service provider.

18-10013 Application of Lovelock Solar Energy LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct the Lovelock Solar Energy Project consisting of an approximately 190 MW alternating current photovoltaic solar electric generating facility and associated facilities to be located east of Oreana in Pershing County, Nevada.

18-10014 Application of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale, filed under Advice Letter No. 2062, to revise Access Tariff No. C2 to increase the Cost Assessment Charge for business customers subscribing to AT&T Dedicated Ethernet service.

18-10015 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and Teliax, Inc. for approval of an Interconnection and/or Resale Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

18-10016 Application of Reno Technology Park Water Company to voluntarily discontinue water service conducted under Certificate of Public Convenience and Necessity ("CPC") 2992.

18-10017 Notice by Mercury Voice and Data, LLC d/b/a Suddenlink Communications of a transaction that will result in a transfer of control of a telecommunication company.

18-10018 Notice by Smart City Networks, LP, Smart City Holdings, LLC and Sapphire Intermediate Holdings, LLC of a transaction that will result in a transfer of control of a telecommunication company.

18-10023 Application of Teleserve Communications, Inc. to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 1087 Sub 1.

18-10019 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to include Custom Calling Service rate increases.

18-10020 Application of the Nevada Department of Transportation for authority to alter the existing Clark County 215 overpass, Bridge No. G2568E, crossing over Union Pacific Railroad tracks at mile post 343.25 Caliente Sub located in North Las Vegas, Nevada.

18-10021 Application of the Nevada Department of Transportation for authority to construct a new grade separation highway overpass ramp crossing over Union Pacific Railroad tracks at mile post 0.73 Nellis Industrial Lead located in North Las Vegas, Nevada.

18-10022 In re: to establish a working group contemplated by Section 15 of the regulations adopted in Docket No. 17-08021 (LCB File No. R022-18).

18-10024 Joint Petition of the Regulatory Operations Staff and CMMCM LLC d/b/a Muller Construction ("Muller") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Muller.

18-10028 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and Granite Telecommunications, LLC for approval of Amendment No. 1 to their Interconnection and/or Resale Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

18-10029 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and Onvoy Spectrum, LLC for approval of Amendment No. 1 to their Two-Way CMRS Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

18-10025 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

18-10026 Petition of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada for approval of an Agreement for Local Interconnection with Onvoy, LLC pursuant to Section 252 of the Telecommunications Act of 1996.

18-10030 Notice by GridLiance West LLC, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct the Carpenter Canyon Substation, consisting of a 230 kV substation and associated facilities, to interconnect an existing 230 kV transmission line with the ARES Nevada LLC Regulation Energy Management project to be located east of Pahrump in Nye County, Nevada.

18-10032 Application of California Internet, L.P. d/b/a GeoLinks for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

18-10033 Application of California Internet, L.P. d/b/a GeoLinks to be designated as an eligible telecommunications carrier in the State of Nevada pursuant to NAC 704.680461 and Section 254 of the Telecommunications Act of 1996.

18-10027 Petition of Frontier Communications of the Southwest Inc. for approval of an Agreement for Local Interconnection with Onvoy, LLC pursuant to Section 252 of the Telecommunications Act of 1996.

18-10034 Amended Application of MSG Las Vegas, LLC to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

18-10036 Filing by TAG Mobile, LLC of revised Lifeline wireless service plans.

18-10037 Filing by T-Mobile West LLC d/b/a T-Mobile to update information.

18-10038 Revised registration of MetroPCS Nevada, LLC to add fictitious business name Metro by T-Mobile and to update information.

18-10035 Show Cause Proceeding to determine why the Certificate of Public Convenience and Necessity should not be revoked, why administrative fines should not be imposed, and/or why administrative action should not be taken on SBC Long Distance, LLC d/b/a AT&T Long Distance for not timely meeting its regulatory obligations for calendar year 2017 and/or the period July 1, 2017, through June 30, 2018.

18-11001 Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 492, to revise Interruptible Agricultural Irrigation Water Pumping Schedule No. IAIWP to increase the IAIWP rate.

18-11002 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 615-E, to revise Interruptible Irrigation Service Schedule No. IS-2 to increase the IS-2 rate.

18-11003 Notice by Crown Castle Fiber LLC, Crown Castle NG West LLC, and NewPath Networks, LLC of a transaction that will result in a transfer of control of telecommunication companies.

18-10031 Application of TIME CLOCK SOLUTIONS, LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

18-11004 Joint Petition of the Regulatory Operations Staff and Titan Electrical Contracting, Inc. ("Titan") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Titan.

18-11005 Petition of the Regulatory Operations Staff to amend Nevada Administrative Code 704.8881 to extend the time allotted for the Commission to issue an order determining whether a provider of electric service has complied with its Renewable Portfolio Standard requirements.

18-11006 Investigation and Rulemaking to consider alternatives to improve the water resource planning process and clarify the processes for seeking System Improve Rate eligibility for certain projects.

18-11007 Application of 325MK 8me LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct an approximately 12.4-mile 230 kV generation-tie transmission line to connect a 300 MW photovoltaic solar facility with the Reid Gardner Substation, to be located in Clark County, Nevada.

18-11008 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to include Directory Services and Convenience Fee rate increases.

18-11010 Nevada Power Company d/b/a NV Energy filed Notice No. 18-04 to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective January 1, 2019.

18-11011 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 18-04(E) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective January 1, 2019.

18-11012 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 18-04(G) to adjust natural gas Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective January 1, 2019.

18-11013 Petition of Great Basin Water Co., Pahrump Division for a Declaratory Order resolving questions regarding rates, service, and regulations as raised by William Lyon Homes in relation to an agreement approved by the Commission in Docket No. 04-4008.

18-11014 Application of Great Basin Water Co. for authority to adjust its annual revenue requirement for water service rates charged to all classes of customers in the Cold Springs and Spanish Springs Divisions and for other relief properly related thereto.

18-11015 Amended Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 491, to implement Schedule NV GreenEnergy 2.0 Rider ("Schedule No. NGR 2.0") to allow eligible commercial bundled service customers to voluntarily contract with the utility to increase their use of reliance on renewable energy at current market-based fixed prices.

18-11016 Amended Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 614-E, to implement Schedule NV GreenEnergy 2.0 Rider ("Schedule No. NGR 2.0") to allow eligible commercial bundled service customers to voluntarily contract with the utility to increase their use of reliance on renewable energy at current market-based fixed prices.

18-11017 Filing by Virgin Mobile USA, L.P. of updated Informational Tariff No. 1 that includes revisions to Lifeline Wireless Service Plan.

18-11018 Petition of Southern California Edison Company for an Advisory Opinion or Declaratory Order as to whether the proposed Eldorado-Lugo-Mohave Series Capacitor Project constitutes a replacement of "like facilities" for the purposes of NRS 704.865(1).

18-11020 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 612-E, for approval of a Portfolio Charge to be applicable to Newmont Mining Corporation under Rate Schedule GS-4-NG for calendar year 2019 to recover the additional costs required to meet the Nevada Portfolio Standard.

18-11029 Application of Frontier Communications of the Southwest Inc., filed under Advice Letter No. NV_19_01, to revise Tariff No. 3-B to increase the Nevada Universal Service Fund Surcharge pursuant to Docket No. 18-08028.

18-11030 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV_19_03, to revise Tariff No. A-3 to increase the Nevada Universal Service Fund Surcharge pursuant to Docket No. 18-08028.

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18-11031 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV_19_02, for the Tonopah Division to revise Tariff No. 1-B to increase the Nevada Universal Service Fund Surcharge pursuant to Docket No. 18-08028.

18-11032 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV_19_01, for the Elko Division to revise Tariff No. 1-B to increase the Nevada Universal Service Fund Surcharge pursuant to Docket No. 18-08028.

18-11028 Joint Petition of the Regulatory Operations Staff and National Pipeline Contractors ("National Pipeline") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by National Pipeline.

18-11033 Show cause proceeding to determine why Southwest Gas Corporation should not be administratively fined pursuant to NRS 703.380 for violation of a Commission Order.

18-11034 Southwest Gas Corporation filed Notice under Advice Letter No. 513 to adjust Northern and Southern Nevada Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective January 1, 2019.

18-11035 Filing by TerraCom Inc. of updated Advisory Tariff No. 1 that includes updates to Wireless Lifeline Program.

18-11036 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

18-11019 Filing by Telrite Corporation d/b/a Life Wireless of updated Informational Tariff No. 2 that includes a change of contact person and upgrades to its Lifeline plans.

18-11039 Amended Application of Boyd Gaming Corporation to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

18-11021 Notice by Integrated Services, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

18-11022 Notice by Business Network Long Distance, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

18-11023 Notice by Communications Network Billing, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

18-11024 Notice by National Access Long Distance, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

18-11025 Notice by Nationwide Long Distance Service, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

18-11026 Notice by Network Service Billing, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

18-11027 Notice by Multiline Long Distance, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

18-11040 Filing by Q LINK WIRELESS LLC of updated Tariff No. 1 that includes revisions to wireless Lifeline plans.

18-12002 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and Matrix Telecom, LLC d/b/a Clear Choice Communications, Excel Telecommunications, and VarTec Telecom for approval of Amendment No. 8 to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

18-12003 Application of Gaughan South LLC d/b/a South Point Hotel and Casino to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

18-12006 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale, Onvoy, LLC, and Neutral Tandem-Nevada, LLC for approval of Amendment No. 4 to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

18-12004 Application of Crescent Valley Solar Energy LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct the Crescent Valley Solar Energy Project consisting of a 149 MW photovoltaic solar facility, a 34.5 kV generation-tie transmission line, and associated facilities to be located in Lander County, Nevada.

18-12005 Notice by Candela Renewables, LLC, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct the Newlands Solar Project consisting of an up to 500 MW photovoltaic solar electric generating facility, a 345 kV transmission line, and associated facilities, to be located in Churchill County, Nevada.

18-11038 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale, AirTouch Cellular d/b/a Verizon Wireless, Celco Partnership d/b/a Verizon Wireless, Sacramento Valley Limited Partnership d/b/a Verizon Wireless, and Southwestco Wireless, Inc. d/b/a Verizon Wireless for approval of Amendment No. 6 to their Cellular Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

18-12007 Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 493, to revise Electric Line Extensions Rule No. 9 to adjust the Tax Gross-up Rate.

18-12008 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 616-E, to revise Electric Line Extensions Rule No. 9 to adjust the Tax Gross-up Rate.

18-12009 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 330-G, to revise Gas Main Extensions Rule No. 9 to adjust the Tax Gross-up Rate.

18-11009 Notice by SelecTel, Inc. d/b/a SelecTel Wireless and Ignition Wireless, LLC d/b/a Ignition Wireless and Expo Mobile of a transaction that will result in a transfer of control of a telecommunication company.

18-12010 Joint Petition of the Regulatory Operations Staff and Arizona Pipeline Company ("APL") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by APL.

18-12011 Application of West Reno Water Company, Inc. for authority to operate as a public utility providing water service to approximately 900 acres of real property located in Washoe County, Nevada.

18-12012 Petition of the Regulatory Operations Staff requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Merlin Jay Hardy d/b/a Hardy Construction and Development.

18-12014 Rulemaking to consider amending NAC 704.8877, 704.8899, and 704.8881 to adjust the due date for annual portfolio standard compliance reports made by providers and to extend the time allotted for the Commission to issue an order determining whether a provider has complied with its portfolio standard requirements.

18-12013 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to include Digital Phone Feature Pack rate increases.

18-12015 Application of Resource Energy Systems, LLC for a license to provide discretionary service as an alternative seller of natural gas to generating, industrial, or large commercial customers in the State of Nevada.

18-12016 Application of Flowroute CLEC Inc. to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 3002 Sub 2.

18-11037 Notice by TracFone Wireless, Inc. d/b/a SafeLink Wireless, Simple Mobile, NET10, Total Wireless, Page Plus Cellular, TelCel, and Straight Talk of a change in terms and conditions of Lifeline service.

18-12001 Application of Birch Telecom of the West, LLC d/b/a Birch Communications for approval of a change of name to Lingo Telecom of the West, LLC for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2990 Sub 1.

18-12017 Notice by RE Prospect LLC, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct a 34.5 kV collection line and access road associated with a photovoltaic solar electric generation facility, to be located in Churchill County, Nevada.

18-12020 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

18-12021 Investigation and Rulemaking to evaluate whether Nevada regulations, specifically Nevada Administrative Code sections 704.9492 and 704.9496, are fully consistent with federal Public Utility Regulatory Policies Act authorities.

18-12022 Joint Petition of the Regulatory Operations Staff and Sierra Pacific Power Company d/b/a NV Energy ("Sierra") requesting the Commission accept a stipulation regarding violations of the Federal Pipeline Safety Regulations by Sierra.

18-12018 Application of MEI-GSR Holdings LLC d/b/a Grand Sierra Resort to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

18-12019 Application of Las Vegas Resort Holdings, LLC d/b/a Sahara Las Vegas (formerly d/b/a SLS Las Vegas) to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

18-12023 Filing by Southwest Gas Corporation of tax adjustment pursuant to the Order issued in Docket No. 00-1028.

18-12024 Application of Edgewood Water Company for approval of its 2018 Integrated Resource Plan and for other relief properly related thereto.

18-12025 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to increase the Nevada Universal Service Fund Surcharge pursuant to Docket No. 18-08028.

18-12026 Filing by Spark Energy Gas, LLC of updated regulatory contact information and corporate officer listing.

19-01001 Reports from public utilities operating in Nevada of accidents or significant service outages occurring during calendar year 2019 pursuant to NRS 704.190 and NAC 704.230.

19-01002 Annual Reports for calendar year 2018 submitted by Electric, Natural Gas, LPG, Geothermal, Alternative Sellers, and Railroad companies operating in Nevada pursuant to NRS 703.191 and NAC 704.225.

19-01003 Annual Reports for calendar year 2018 submitted by Water and Wastewater companies operating in Nevada pursuant to NRS 703.191, NAC 703.199, and NAC 704.225.

19-01004 Annual Reports for calendar year 2018 submitted by Mobile Home Parks operating in Nevada pursuant to NRS 704.960 and NAC 704.987.

19-01005 Annual Reports for calendar year 2018 submitted by Telecommunication companies operating in Nevada pursuant to NRS 703.191 and NAC 704.7483.

19-01006 One Call Enforcement Actions and Inspection Reports by the Regulatory Operations Staff pursuant to NRS 455 for calendar year 2019.

19-01007 Pipeline Safety Enforcement Actions

and Inspection Reports by the Regulatory Operations Staff pursuant to 49 CFR 191 and 192 for calendar year 2019.

19-01008 Rail Safety FRA Form 96 Inspection Reports for calendar year 2019.

19-01009 Reports from electric and gas utilities operating in Nevada of transactions and calculations affecting the deferred energy accounts pursuant to NAC 704.195 for calendar year 2019.

19-01010 Applications for calendar year 2019 received by a utility under the Solar Energy Systems Incentive Program.

19-01011 Biannual filing by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy regarding the Solar Program, providing a status update and a summary of discussion from a meeting with industry stakeholders pursuant to NAC 701B.145.

19-01013 Revised registration of Alltel Communications, LLC d/b/a Verizon Wireless for a change of name to Alltel Corporation d/b/a Verizon Wireless.

19-01012 Application of Vodafone US Inc. d/b/a Vodafone Americas for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-01014 Filings by Eligible Telecommunications Carriers of Federal Communications Commission ("FCC") Form 555 to comply with the FCC's annual reporting requirements.

19-01015 Application of CenturyTel of the Gem State, Inc. d/b/a CenturyLink, filed under Advice Letter No. 19-03, to revise Tariff No. 1A to grandfather Essential Home Phone with 30 Minutes Long Distance.

19-01017 Notice by FracTel, LLC of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

19-01016 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

19-01018 Filing by Southwest Gas Corporation of revised rate for transportation customer Nevada Cogeneration Associates #1 pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

19-01019 Filing by Southwest Gas Corporation of revised rate for transportation customer Cyanco Company, LLC pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

19-01020 Filing by Southwest Gas Corporation of revised rate for transportation customer Nevada Cogeneration Associates #2 pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

19-01022 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-19-04, for the Elko Division to revise Tariff No. 1-B to introduce a new residential bundle called Frontier Digital Phone Unlimited and Frontier Digital Phone Unlimited Plus.

19-01023 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-19-05, for the Tonopah Division to revise Tariff No. 1-B to introduce a new residential bundle called Frontier Digital Phone Unlimited and Frontier Digital Phone Unlimited Plus.

19-01021 Registration of China Telecom (Americas) Corporation as a commercial mobile radio service provider.

19-01024 Application of the Department of Health and Human Services Aging and Disability Services Division for approval of a State Fiscal Year ("SFY") 2020 telecommunication device for the deaf surcharge that is calculated based on its Governor's recommended budget for SFY 2020.

19-02001 Joint Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for approval of annual plans for the Solar Energy Systems

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Incentive Program, the Wind Energy Systems Demonstration Program, the Waterpower Energy Systems Demonstration Program, the Energy Storage and Low Income components of the Solar Program, and the Electric Vehicle Infrastructure Demonstration Program for Program Year 2019-2020.

19-02004 Application of Gold Country Water Company, Inc., filed under Advice Letter No. 8, to revise Tariff No. 1 to adjust water rates consistent with the most recent gross domestic product deflator.

19-02005 Filing by Southwest Gas Corporation of tax adjustment pursuant to the Order issued in Docket No. 00-1028.

19-02006 Joint Application of Spirit Mountain Utility Company, Inc. ("Spirit Mountain") and American Wellness, Inc. ("American Wellness") for approval of the transfer of all issued and outstanding stock for Spirit Mountain from the stockholder of record to American Wellness.

19-02007 Notice by Platte River Insurance Company on behalf of Securus Technologies, Inc. of a bond cancellation.

19-02002 Application of Air Liquide Hydrogen Energy U.S. LLC to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

19-02008 Application of Las Vegas Convention and Visitors Authority to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

19-02009 Joint Petition of the Regulatory Operations Staff and Sierra Pacific Power Company d/b/a NV Energy ("SPPC") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by SPPC.

19-02011 Application of NextGI L.L.C. d/b/a NextGI Telecommunications and NextGI Voice for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-02012 Notice by the Regulatory Operations Staff of the 2019 range of reasonable returns on equity for water and sewer utilities.

19-02013 Application of ExteNet Asset Entity, LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-02014 Application of Sierra Pacific Power Company d/b/a NV Energy ("SPPC"), filed under Advice Letter No. 329-G, to revise Gas Tariff No. 1 to define Primary Customer-Owned Yard Line ("Primary COYL"), prohibit installation of Primary COYL except in limited circumstances, and clarify SPPC's right to install service facilities required to serve a customer.

19-02015 Application of NGA 911, L.L.C. for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-02010 Notice by EDF Renewables Development, Inc., under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct the Red House Solar project consisting of an up to 500 MW photovoltaic solar electric generating facility, a 345 kV generation-tie transmission line, and associated facilities to be located in Humboldt County, Nevada.

19-02016 Application of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale, filed under Advice Letter No. 2063, to revise Special Access Service Tariff No. C7 to remove the DS3 High Capacity Service 5-year Payment Plan.

19-02017 Nevada Power Company d/b/a NV Energy filed Notice No. 19-01 to submit optional Electric Vehicle Commercial Charging Rider Time-of-Use Schedule No. EVCCR-TOU and to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective April 1, 2019.

19-02018 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 19-01(E) to submit op-

tional Electric Vehicle Commercial Charging Rider Time-of Use Schedule No. EVCCR-TOU and to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective April 1, 2019.

19-02019 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 19-01(G) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective April 1, 2019.

19-02023 Notice by Platte River Insurance Company of a bond principle name change from tw telecom of nevada llc to Level 3 Telecom of Nevada, LLC.

19-02021 Application of Central Telephone Company d/b/a CenturyLink ("CenturyLink"), filed under Advice Letter No. 19-04, for approval of the reissuance of CenturyLink's Guidebook in its entirety for consistency and standardization.

19-02022 Application of Nevada Property 1 LLC d/b/a The Cosmopolitan of Las Vegas to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

19-02024 Investigation and Rulemaking to amend NAC 704.516 et seq. to establish additional procedures and guidelines necessary to ensure that a public utility's use of the schedule and contracts contemplated under NAC 704.518 is consistent with Nevada law and does not result in unjust or unreasonable rates.

19-02025 Application of Pahump Utility Company, Inc., filed under Advice Letter No. 15, to revise Water Tariff No. 1A and Sewer Tariff No. 1A to adjust rates consistent with the most recent gross domestic product deflator.

19-02003 Application of Pahump Utility Company, Inc., filed under Advice Letter No. 15, to revise Water Tariff No. 1A to establish a surcharge for meter reserve and replacements.

19-02020 Notice by Birch Communications, LLC and Birch Telecom of the West, LLC d/b/a Birch Communications of a transaction that will result in a transfer of control of a telecommunication company.

19-02026 Southwest Gas Corporation filed Notice under Advice Letter No. 514 to adjust Northern and Southern Nevada Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective April 1, 2019.

19-02028 Notice by RLI Insurance Company on behalf of IDT America Corp. of a bond cancellation for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2943.

19-02027 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

19-03001 Application of Nevada Power Company d/b/a NV Energy for approval of fuel and purchased power expenses and to reset the Temporary Renewable Energy Development charge, reset all components of the Renewable Energy Program Rates, reset the Base Energy Efficiency Implementation Rates, reset the Energy Efficiency Program Amortization Rate, reset the Energy Efficiency Implementation Amortization Rate, and refund the total amount of Base Energy Efficiency Implementation Rate revenue received in 2018, including carrying charges.

19-03002 Application of Sierra Pacific Power Company d/b/a NV Energy for approval of fuel and purchased power expenses and to reset the Temporary Renewable Energy Development charge, reset all components of the Renewable Energy Program Rates, reset the Base Energy Efficiency Program Rates, reset the Base Energy Efficiency Implementation Rates, reset the Energy Efficiency Program Amortization Rate, reset the Energy Efficiency Implementation Amortization Rate, and refund the total amount of Base Energy Efficiency Implementation Rate revenue received in 2018, including carrying charges.

19-03003 Application of Sierra Pacific Power Company d/b/a NV Energy for approval of natural

gas expenses and to reset all components of the Renewable Energy Program Rate.

19-03004 Filing by Nevada Power Company d/b/a NV Energy of annual report on the Economic Development Electric Rate Rider Program pursuant to NAC 704.8958.

19-03005 Filing by Sierra Pacific Power Company d/b/a NV Energy of annual report on the Economic Development Electric Rate Rider Program pursuant to NAC 704.8958.

19-03011 Application of Mount Charleston Water Company, filed under Advice Letter No. 19-01, to revise Water Tariff Rule No. 9 and Sewer Tariff Rule No. 9 to comply with changes in the Tax Cut and Jobs Act and NAC 704.6532(6) pursuant to the Order issued in Docket No. 18-02018.

19-03006 Application of Avalon Geothermal, Inc. for approval of a revised commercial service contract.

19-03007 Joint Petition of the Regulatory Operations Staff and Iovino Masonry, Inc. ("Iovino") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Iovino.

19-03008 Application of NewPath Networks, LLC to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2868 Sub 1.

19-03009 Application of Crown Castle NG West LLC to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2816 Sub 3.

19-03010 Joint Petition of the Regulatory Operations Staff and The Fishel Company ("Team Fishel") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Team Fishel.

19-03012 Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 494, to revise Electric Tariff No. 1-B to reflect the avoided short-term cost rates for purchases from Qualifying Facilities pursuant to Qualifying Facilities Schedule QF - Short Term.

19-03013 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 617-E, to revise Electric Tariff No. 2 to submit short-term avoided cost rates for purchases from Qualifying Facilities pursuant to Schedule CSPP - Short-Term.

19-03014 Filing by the Regulatory Operations Staff of calendar year 2018 accounting report for each utility authorized to collect a rate surcharge pursuant to NAC 704.600(6).

19-03015 Joint Petition of the Regulatory Operations Staff and Peek Brothers Construction Incorporated ("Peek") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Peek.

19-03017 Application of Verdi Meadows Utility Company, Inc., filed under Advice Letter No. 6, to revise Water Tariff No. 1 to adjust water rates consistent with the most recent gross domestic product deflator.

19-03019 Notice by Oregon-Idaho Utilities, Inc. d/b/a Humboldt Telephone Company of its intent to file an application for adjustment in rates.

19-03016 Registration of CSC Wireless, LLC d/b/a Altice Mobile and Altice USA Wireless as a commercial mobile radio service provider.

19-03018 Joint Petition of the Regulatory Operations Staff and Alpha Landscapes, LLC ("Alpha Landscapes") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Alpha Landscapes.

19-03020 Application of Spirit Mountain Utility Company, Inc., filed under Advice Letter No. 5, to revise Water Tariff No. 2 to adjust water rates consistent with the most recent gross domestic product deflator.

19-03021 Application of CenturyTel of the Gem State, Inc. d/b/a CenturyLink, filed under Advice

Letter No. 14, to revise Tariff No. 2A to standardize the Refusal and Discontinuance of Services language.

19-03022 Application of Central Telephone Company d/b/a CenturyLink, filed under Advice Letter No. 14, to revise Tariff No. 3C to standardize the Refusal and Discontinuance of Services language.

19-03023 Application of Dutchman Acres Water Company, filed under Advice Letter No. 8, to revise Water Tariff No. 1 to adjust water rates consistent with the most recent gross domestic product deflator.

19-03024 Application of Cox Nevada Telcom, LLC to voluntarily relinquish designation as an eligible telecommunications carrier in the State of Nevada.

19-03025 Notice by West Safety Communications Inc., West Telecom Services, LLC, West Corporation, Olympus Holdings II, LLC, and AP VIII Olympus VoteCo, LLC of a transaction that will result in a transfer of control of telecommunication companies.

19-03026 Application of Birch Communications, LLC for approval of a change of name to Fusion Cloud Services, LLC for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 3047 Sub 1.

19-03027 Application of Access Point, Inc. d/b/a North Carolina Access Point, Inc. to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2292 Sub 1.

19-03028 Joint Petition of the Regulatory Operations Staff and Southwest Gas Corporation ("SWG") requesting the Commission accept a stipulation regarding violations of the Federal Pipeline Safety Regulations by SWG.

19-03029 Joint Petition of the Regulatory Operations Staff and Western States Contracting, Inc. ("Western States") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Western States.

19-03031 Notice by Pilot Pipeline LLC, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct the Pilot Pipeline Project consisting of a 54-mile natural gas transmission pipeline and ancillary facilities to be located in Elko County, Nevada.

19-03032 Petition of Regulatory Operations Staff for an Advisory Opinion or Declaratory Order as to whether Switch, Ltd. is operating as a public utility as defined in NRS 704.020.

19-03033 Joint Petition of the Regulatory Operations Staff and Straight-Line, Inc. ("Straight-Line") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Straight-Line.

19-03038 Request of The People's Operator USA, LLC to cancel its commercial mobile radio service registration.

19-03035 Application of ComApp Technologies LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-03030 Application of Kietzke Manor Mobile Home Park to withdraw \$13,048.05 from the tenant service charge account for reimbursement of expenses incurred to repair and maintain the electrical system.

19-03036 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

19-03037 Application of Mount Charleston Water Company, filed under Advice Letter No. 19-2, to revise Water Tariff and Sewer Tariff to adjust rates consistent with the most recent gross domestic product deflator.

19-03039 Filing by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy of annual report on the status

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of merger commitments in compliance with the Order issued in Docket No. 13-07021.

19-03040 Filing by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy of annual report on the quality of service metrics in compliance with the Order issued in Docket No. 15-06064.

19-03041 Application of Steamboat Springs Water Works, Inc., filed under Advice Letter No. 5, to revise Rate Schedules to adjust water rates consistent with the most recent gross domestic product deflator.

19-03043 Joint Petition of CenturyTel of the Gem State, Inc. d/b/a CenturyLink and Onvoy, LLC for approval of the Carrier Partner for Interconnected VoIP Provider Amendment to the Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-03044 Joint Petition of Central Telephone Company d/b/a CenturyLink and Onvoy, LLC for approval of the Carrier Partner for Interconnected VoIP Provider Amendment to the Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-03045 Joint Petition of CenturyTel of the Gem State, Inc. d/b/a CenturyLink and Onvoy, LLC for approval of an Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-03046 Joint Petition of Central Telephone Company d/b/a CenturyLink and Onvoy, LLC for approval of an Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-04001 Joint Petition of the Regulatory Operations Staff and Southwest Gas Corporation ("SWG") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by SWG.

19-04002 Joint Petition of the Regulatory Operations Staff and Las Vegas Paving Corporation ("Las Vegas Paving") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Las Vegas Paving.

19-04003 Joint Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for approval of the first amendment to its 2019-2038 Triennial Integrated Resource Plan to include a Distributed Resources Plan.

19-04004 Application of Great Basin Water Co., filed under Advice Letter No. 2, to revise Tariff No. 1-W to update its Water Conservation Plan tariff sheets in accordance with its 2018 Integrated Resource Plan in Docket No. 18-03005.

19-03042 Application of Southwest Gas Corporation to establish a regulatory asset and to defer costs associated with its Customer Data Modernization Initiative.

19-04007 Application of Desert Utilities, Inc., filed under Advice Letter No. 7, to revise water Tariff No. 1 and sewer Tariff No. 2 to adjust rates consistent with the most recent gross domestic product deflator.

19-04008 Notice by Sierra Pacific Power Company d/b/a NV Energy of its intent to file an application for adjustment in electric rates.

19-04005 Annual Report of Switch Ltd. on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2018.

19-03034 Application of Carefree Country Mobile Home Park to withdraw \$89,069.12 from the tenant service charge account for reimbursement of expenses incurred to repair and maintain the electrical system.

19-04006 Annual Report of Exelon Generation Company, LLC on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2018.

19-04009 Filing by Southwest Gas Corporation of tax adjustment pursuant to the Order issued in Docket No. 00-1028.

19-04010 Annual Report of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2018.

19-04011 Amended Application of Copper Mountain Solar 5, LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct the Copper Mountain Solar 5 Project consisting of a 250 MW alternating current solar photovoltaic electric generating facility, an optional energy storage system, a 230 kV generation-tie power line, and associated facilities to be located in Boulder City, Nevada.

19-04012 Notice by Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale of revisions to its Guidebook to reflect updated exchange area boundaries and company address.

19-04013 Annual Report of Tenaska Power Services Co. on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2018.

19-04014 Annual Report of Macquarie Energy LLC on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2018.

19-04015 Joint Petition of the Regulatory Operations Staff and Greenscapes of Nevada L.L.C. ("Greenscapes") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Greenscapes.

19-04016 Annual Report of Shell Energy North America (US), L.P. on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2018.

19-04017 Application of CenturyTel of the Gem State, Inc. d/b/a CenturyLink, filed under Advice Letter No. 19-08, to introduce CenturyLink Business Bundle available to business customers and Natural Disaster Relief for Customers.

19-04021 Notice by Fidelity and Deposit Company of Maryland on behalf of Switch Business Solutions, LLC of a bond cancellation for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2841 Sub 1.

19-04018 Notice by BCN Telecom, Inc. of termination of Wholesale Carrier Services Agreement with Network Billing Systems, L.L.C.

19-04019 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and IDT America Corp. for approval of Amendment No. 4 to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-04020 Application of Span3 Inc. to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2974.

19-04022 Application of Two Blackbirds Hospitality Management LLC to purchase energy, capacity, and/or ancillary services from a provider of new electric resources.

19-04023 Revised registration of Q LINK MOBILE LLC for a change of name to HELLO MOBILE TELECOM LLC.

19-04024 Filing by West Telecom Services, LLC of updated corporate officer listing and contact information.

19-04025 Application of Hudson Fiber Network Inc for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-04026 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

19-04027 Filing by Corcom Communications, Inc. of informational price list for private line services in Nevada.

19-04028 Application of Harry Allen Solar Energy LLC, under the provisions of the Utility Environ-

mental Protection Act, for approval to construct a 230 kV transmission line, new 230 kV substation interconnection equipment at the existing Harry Allen Substation, and associated facilities to be located within the Dry Lake Solar Energy Zone approximately 15 miles northeast of Las Vegas in Clark County, Nevada.

19-05001 Joint Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for approval of a new Joint Dispatch Agreement governing transactions utilizing the One Nevada Transmission Line pursuant to the Order issued in Docket No. 15-03001.

19-05002 Joint Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for approval to reallocate costs of the One Nevada Transmission Line pursuant to the Order issued in Docket No. 18-06003.

19-05003 Joint Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for approval of the second amendment to its 2018 Joint Integrated Resource Plan to update and modify the load forecast, the Demand-Side Management Action Plan, the generation portion of the Supply-Side Action Plan, and the Transmission Action Plan.

19-04029 Application of Kensington Land Lease Community, LLC d/b/a Kensington Community to withdraw \$105,116.00 from the tenant service charge account for reimbursement of expenses incurred to repair and maintain the electrical system.

19-05004 Application of Southwest Gas Corporation for approval of its 2018 Conservation and Energy Efficiency Plan Annual Report.

19-05005 Notice by SQF, LLC of a transaction that will result in a transfer of control of a telecommunication company.

19-05006 Application of Sierra Pacific Power Company d/b/a NV Energy for approval of a Renewable Energy Agreement with the Board of Regents of the Nevada System of Higher Education on behalf of Truckee Meadows Community College.

19-05007 Biannual filing by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy regarding the Solar Program, providing a status update and a summary of discussion from a meeting with industry stakeholders pursuant to NAC 701B.145.

19-05008 Filing by Southwest Gas Corporation of revised rate for transportation customer Desert Star Energy Center pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

19-05009 Filing by Southwest Gas Corporation of revised rate for transportation customer Saguro Power Company previously approved in Docket No. 94-4050.

19-05013 Notice by ExteNet Systems, Inc. ("ESI") and ExteNet Asset Entity, LLC ("EAE") of the transfer of certain assets, including customer contracts and related telecommunications network infrastructure assets, from ESI to EAE.

19-05010 Application of Nevada Power Company d/b/a NV Energy, under the provisions of the Utility Environmental Protection Act, for a permit to construct a 230/69 kV auto bank and associated facilities at the Bighorn Substation located in Clark County, Nevada.

19-05011 Application of Sierra Pacific Power Company d/b/a NV Energy, under the provisions of the Utility Environmental Protection Act, for a permit to construct a new water equalization pond at the Tracy Generating Station located in Storey County, Nevada.

19-05012 Application of Sierra Pacific Power Company d/b/a NV Energy, under the provisions of the Utility Environmental Protection Act, for a permit to construct to expand the existing West Tracy Substation located in Storey County, Nevada.

19-05014 Application of Sage Telecom Communications, LLC to voluntarily discontinue

telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2852 Sub 2.

19-05015 Filing by Nevada Power Company d/b/a NV Energy of an update to the Merrill Lynch residential and non-residential surcharges pursuant to Docket Nos. 06-11035 and 17-01014.

19-05016 Notice by VISION CTS, LLC of its intent to begin providing Interconnected Voice-over Internet Protocol services.

19-05017 Notice by Southwest Gas Corporation, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct a 69.5 mile natural gas transmission pipeline to be located in Clark County, Nevada.

19-05018 Application of 365 Wireless, LLC to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2981.

19-05019 Registration of Lingo Telecom of the West, LLC as a commercial mobile radio service provider.

19-05020 Joint Petition of the Regulatory Operations Staff and AmeriGas Propane, L.P. d/b/a Bi-State Propane ("AmeriGas") requesting the Commission accept a stipulation regarding violations of the Federal Pipeline Safety Regulations by AmeriGas.

19-05021 Notice by DCT Telecom Group, Inc. and MBS Holdings, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

19-05022 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 19-02(G) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective July 1, 2019.

19-05023 Nevada Power Company d/b/a NV Energy filed Notice No. 19-02 to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective July 1, 2019.

19-05024 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 19-02(E) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective July 1, 2019.

19-05025 Notice by Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada of a promotional offering for the Elko and Tonopah Divisions for new Digital Phone customers who purchase qualifying broadband services.

19-05026 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to introduce promotional offerings for new Digital Phone customers who purchase qualifying broadband services.

19-05027 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 Undergrounding Management Plan.

19-05028 Notice by Lincoln County Telephone System, Inc. that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

19-05029 Notice by Rural Telephone Company that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

19-05030 Application of Moapa Valley Telephone Company, filed under Advice Letter No. 10, to revise Tariff No. 3 to modify switched access service rates as mandated in the Federal Communications Commission Docket No. FCC 11-161.

19-05032 Monthly reports by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy demonstrating the amount of total incentive funds expended and reserved for all programs funded under NRS 701B.005 pursuant to the Order issued in Docket No. 18-02002.

19-05033 Notice by Rio Virgin Telephone Company d/b/a Reliance Connects that current

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switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

19-05035 Application of American Dark Fiber, LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-05031 Notice by TracFone Wireless, Inc. d/b/a SafeLink Wireless, Simple Mobile, NET10, Total Wireless, Page Plus Cellular, TelCel, and Straight Talk of a change in terms and conditions of service for Lifeline customers of SafeLink Wireless.

19-05040 Filing by Oregon-Idaho Utilities, Inc. d/b/a Humboldt Telephone Company of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304.

19-05034 Petition of GridLiance West LLC for an Advisory Opinion or Declaratory Order that a proposed replacement of twenty transmission towers, an addition of one new tower, and a replacement of a 230 kV transmission line constitutes a "like facility" for the purposes of NRS 704.865(1).

19-05036 Registration of DataBytes Inc. as a commercial mobile radio service provider.

19-05037 Southwest Gas Corporation filed Notice under Advice Letter No. 515 to adjust Northern and Southern Nevada Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective July 1, 2019.

19-05038 Informational Report of Southwest Gas Corporation concerning its near-term natural gas resource planning activities.

19-05039 Notice by Oregon-Idaho Utilities, Inc. d/b/a Humboldt Telephone Company that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

19-06001 Notice by Beehive Telephone Co., Inc., Nevada that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

19-06002 Application of Sierra Pacific Power Company d/b/a NV Energy for authority to adjust its annual revenue requirement for general rates charged to all classes of electric customers and for relief properly related thereto.

19-06003 Application of Southwest Gas Corporation to establish the Average Variable Interest Rate and Accumulated Deferred Interest rate in Southern Nevada, Unrecovered Gas Cost Expense rates, system shrinkage rates, Imbalance Commodity and Reservation Charges, Renewable Energy Program Rates, General Revenues Adjustment rates, and Conservation and Energy Efficiency rates.

19-06004 Notice by HD Carrier LLC of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

19-06005 Application of Great Basin Water Co., under the provisions of the Utility Environmental Protection Act, for a permit to construct a water storage tank and pump house at the existing tank 106 site located in Spring Creek, Nevada.

19-06006 Rulemaking to amend, adopt, and/or repeal regulations in accordance with Senate Bill 154 (2019).

19-06007 Rulemaking to amend, adopt, and/or repeal regulations in accordance with Senate Bill 299 (2019).

19-06008 Rulemaking to amend, adopt, and/or repeal regulations in accordance with Senate Bill 300 (2019).

19-06009 Investigation and Rulemaking to amend, adopt, and/or repeal regulations in accordance with Senate Bill 329 (2019).

19-06010 Rulemaking to amend, adopt, and/or repeal regulations in accordance with Senate Bill 358 (2019).

19-06013 Notice by FracTel, LLC of its intent

to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

19-06011 Joint Petition of the Regulatory Operations Staff and Las Vegas Electric, Inc. ("Las Vegas Electric") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Las Vegas Electric.

19-06012 Filing by Churchill County Board of Commissioners d/b/a CC Communications of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304.

19-06016 Filing by Rio Virgin Telephone Company d/b/a Reliance Connects of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304.

19-06015 Joint Petition of the Regulatory Operations Staff and Coons Construction LLC ("Coons Construction") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Coons Construction.

19-06021 Notice by Filer Mutual Telephone Company that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

19-06022 Filing by Filer Mutual Telephone Company of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304.

19-06017 Application of Southwest Gas Corporation for authority to expand its gas infrastructure, recover costs of the gas infrastructure expansion project through alternative cost-recovery methodologies, and amend Certificate of Public Convenience and Necessity ("CPC") 2627 Sub 6 to expand its service territory to include areas located in Spring Creek, Nevada.

19-06018 Filing by Moapa Valley Telephone Company of annual report of high-cost recipient pursuant to the requirements of 47 CFR 54.313, annual data regarding Connect America Fund Inter-carrier Compensation ("CAF ICC") Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304, supplemental TRP data pursuant to the requirements of 47 CFR 51.909, and annual certifications regarding CAF ICC data reported to the Federal Communications Commission pursuant to the requirements of 47 CFR 57.917.

19-06019 Filing by Lincoln County Telephone System, Inc. of annual report of high-cost recipient pursuant to the requirements of 47 CFR 54.313, annual data regarding Connect America Fund Inter-carrier Compensation ("CAF ICC") Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304, supplemental TRP data pursuant to the requirements of 47 CFR 51.909, and annual certifications regarding CAF ICC data reported to the Federal Communications Commission pursuant to the requirements of 47 CFR 57.917.

19-06020 Filing by Rural Telephone Company of annual report of high-cost recipient pursuant to the requirements of 47 CFR 54.313, annual data regarding Connect America Fund Inter-carrier Compensation ("CAF ICC") Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304, supplemental TRP data pursuant to the requirements of 47 CFR 51.909, and annual certifications regarding CAF ICC data reported to the Federal Communications Commission pursuant to the requirements of 47 CFR 57.917.

19-06023 Filing by Southwest Gas Corporation of revised rate for transportation customer Nevada Power Company d/b/a NV Energy previously approved in Docket No. 95-3052.

19-06024 Filing by Beehive Telephone Co., Inc., Nevada of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304.

19-06025 Joint Petition of the Regulatory Operations Staff and A & K Earth Movers Inc. ("A&K") requesting the Commission accept a stipulation

regarding violations of Nevada's One Call Law by A&K.

19-06026 Filings by Eligible Telecommunications Carriers related to Federal Communications Commission ("FCC") Form 481 to comply with the FCC's annual reporting requirements pursuant to 47 CFR 54.314.

19-06027 Application of Network Billing Systems, L.L.C. for approval of a change of name to Fusion Connect LLC for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2399 Sub 1.

19-06028 Rulemaking to amend, adopt, and/or repeal regulations in accordance with Assembly Bill 465 (2019).

19-06029 Rulemaking to amend, adopt, and/or repeal regulations in accordance with Senate Bill 547 (2019).

19-06030 Joint Petition of the Regulatory Operations Staff and Vantage Concepts, LLC ("Vantage Concepts") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Vantage Concepts.

19-06031 Filing by Avalon Geothermal, Inc. of an executed Service Agreement for customer The Reno Sparks Convention and Visitors Authority pursuant to the Order issued in Docket No. 19-03006.

19-06032 Filing by Frontier Communications of the Southwest Inc. and Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304 and annual certification that price cap carrier is not seeking duplicative Eligible Recovery pursuant to the requirements of 47 CFR 51.915.

19-06033 Staff report on Gold Country Water Company, Inc. pursuant to the provisions of NAC 704.627.

19-06034 Staff report on Pahump Utility Company, Inc. pursuant to the provisions of NAC 704.627.

19-06035 Staff report on Spirit Mountain Utility Company, Inc. pursuant to the provisions of NAC 704.627.

19-06036 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

19-06043 Filing by Filer Mutual Telephone Company of annual report of high-cost recipient pursuant to the requirements of 47 CFR 54.313.

19-06014 Application of Masergy Cloud Communications, Inc. for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-06038 Petition of the Regulatory Operations Staff to open an investigatory and rulemaking docket to amend certain regulations contained in Chapter 704 of the Nevada Administrative Code regarding alternative sellers of natural gas service.

19-06039 Joint Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for approval of the third amendment to its 2018 Joint Integrated Resource Plan to update and modify the renewable portion of the Supply-Side Action Plan and the Transmission Action Plan.

19-06047 Notice by Atlantic Specialty Insurance Company on behalf of U.S. TelePacific Corp. d/b/a TPX Communications of a bond cancellation for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2436 Sub 3.

19-06041 Water Conservation Plan of Old River Water Company filed pursuant to NRS 704.662 through 704.662A.

19-06042 Joint Petition of the Regulatory Operations Staff and XL Concrete Masonry, LLC and XL Landscape Development LLC ("XL") requesting the Commission accept a stipulation regarding

violations of Nevada's One Call Law by XL.

19-06046 Filing by Oregon-Idaho Utilities, Inc. d/b/a Humboldt Telephone Company of annual report of high-cost recipient pursuant to the requirements of 47 CFR 54.313.

19-06040 Joint Petition of Central Telephone Company d/b/a CenturyLink and Southwest Telephone Company for approval of an Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-06044 Filing by Commnet of Nevada, LLC of Federal Communications Commission Form 690 pursuant to 47 CFR 54.1009.

19-06045 Joint Petition of the Regulatory Operations Staff and Q&D Construction LLC ("Q&D") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Q&D.

19-06048 Joint Petition of the Regulatory Operations Staff and Topp Equipment Service ("Topp Equipment") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Topp Equipment.

19-06050 Show Cause Proceeding to determine why Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy should not be administratively fined pursuant to NRS 703.380 and examining other potential remedies to address the funding shortfall for energy storage incentives.

19-06051 Filing by Desert Utilities, Inc. requesting assistance of the Regulatory Operations Staff in preparing an application for a general rate change.

19-07001 Public Utilities Commission of Nevada-sponsored Consumer Session to be held in Washoe County, Nevada, pursuant to NRS 704.069(2).

19-07002 Public Utilities Commission of Nevada-sponsored Consumer Session to be held in Clark County, Nevada, pursuant to NRS 704.069(2).

19-07003 Public Utilities Commission of Nevada-sponsored Consumer Session to be held in Elko County, Nevada.

19-07004 Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for approval of their 2019 Combined Annual Electric Demand Side Management Update Report as it relates to the Action Plan of their 2019-2038 Joint Integrated Resource Plan.

19-07005 Application of Sierra Pacific Power Company d/b/a NV Energy for approval of its 2019 Natural Gas Conservation and Energy Efficiency Plan Annual Report.

19-07006 Application of Oregon-Idaho Utilities, Inc. d/b/a Humboldt Telephone Company for authority to establish its annual revenue requirement for telephone service rates, set a new rate design, modify draws from the Nevada Universal Service Fund, reflect changes in the cost of capital, modify depreciation rates, and for other relief properly related thereto.

19-06037 Joint Petition of Teleport Communications America, LLC and Churchill County Board of Commissioners d/b/a CC Communications for approval of an Interconnection and Reciprocal Compensation Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-06049 Filing by Southwest Gas Corporation of revised rate for transportation customer NV Energy (LV2), previously Las Vegas Cogeneration II, LLC, pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

19-07007 Informational Report of Prospector Pipeline Company concerning its natural gas resource planning activities.

19-07008 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-19-07, for the Tonopah Division to revise Tariff No. 1-B to introduce Vacation Get

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19-07009 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-19-06, for the Elko Division to revise Tariff No. 1-B to introduce Vacation Get Away Service for residential customers.

19-07010 Rulemaking to amend, adopt, and/or repeal regulations in accordance with Assembly Bill 163 (2019).

19-07011 Application of Integration Technologies, LLC d/b/a INTECH for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-07012 Joint Petition of the Regulatory Operations Staff and The Fishel Company ("Team Fishel") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Team Fishel.

19-07013 Joint Petition of the Regulatory Operations Staff and V.T. Construction, Inc. ("V.T.") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by V.T.

19-07014 Joint Petition of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy to establish a regulatory asset and to defer costs associated with the expense and capital spending to implement Senate Bill 329 (2019).

19-07015 Application of Southwest Gas Corporation for approval of its Solar Thermal Systems Demonstration Program Annual Plan for Program Year 2020.

19-07016 Lee Canyon Ski Lifts, Inc. vs. Central Telephone Company d/b/a CenturyLink ("CenturyLink"). Complaint regarding CenturyLink's failure to provide reasonably continuous and adequate service as the Provider of Last Resort and prolonged outages.

19-07017 Investigation and Rulemaking to consider amending certain regulations contained in Chapter 704 of the Nevada Administrative Code relating to alternative sellers of discretionary natural gas service.

19-07019 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to introduce Vacation Get Away Service for residential customers.

19-07018 Application of GridLiance West LLC, under the provisions of the Utility Environmental Protection Act, for permits to construct the Trout Canyon Substation consisting of a new 230 kV substation, a 230 kV transmission line, and associated facilities to be located approximately 10 miles southeast of Pahrump in Clark County, Nevada.

19-07020 Notice by Solar Partners XI, LLC, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct four temporary meteorological stations and associated access roads for the Gemini Solar Project, to be located approximately 25 miles northeast of Las Vegas in Clark County, Nevada.

19-07021 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and CSC Wireless, LLC d/b/a Altice Mobile and Altice USA Wireless for approval of a Two-Way CMRS Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-07022 Application of Legent Comm LLC d/b/a Long Distance America d/b/a Long Distance Services to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2944 Sub 1.

19-08001 Filings by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy of its monthly financial statements and quarterly calculations of its earned rate(s) of return and returns on equity for the Nevada jurisdiction pursuant to the Order issued in Docket No. 13-07021.

19-08002 Joint Petition of the Regulatory Operations Staff and ICG Construction LLC ("ICG") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by ICG.

19-08003 Application of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale, filed under Advice Letter No. 2064, to revise Access Tariff No. C2-A to increase the Cost Assessment Charge for business customers subscribing to AT&T Dedicated Ethernet service.

19-08004 Filing by Rosemount Water Company requesting assistance of the Regulatory Operations Staff in preparing an application for a general rate change.

19-08005 Application of Mitel Cloud Services, Inc. to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 1096 Sub 4.

19-08006 Joint Petition of CenturyTel of the Gem State, Inc. d/b/a CenturyLink and Teliix, Inc. for approval of the Carrier Partner for Interconnected VoIP Provider Amendment to the Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-08007 Joint Petition of CenturyTel of the Gem State, Inc. d/b/a CenturyLink and Teliix, Inc. for approval of an Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-08008 Notice by Exiant Communications LLC, of its intent to request numbering resources for the Las Vegas and Reno rate centers from the North American Numbering Plan Administrator.

19-08009 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to introduce a promotional offering for new Digital Phone customers who purchase qualifying broadband services.

19-08010 Petition of Cypress Creek Renewables, LLC for an Advisory Opinion or Declaratory Order as to whether a solar bifacial test facility constitutes a utility facility pursuant to NRS 704.860(1).

19-08011 Notice by Fusion Cloud Services, LLC, Fusion Connect, Inc., Fusion LLC, and Telecom Holdings LLC of a transaction that will result in a transfer of control of telecommunication companies.

19-08012 Application of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale, filed under Advice Letter No. 2065, to revise its Guidebook to modify the Lifeline service description and incorporate the adoption of the National Lifeline Eligibility Verifier.

19-08013 Joint Petition of the Regulatory Operations Staff and Sunstate Companies, LLC ("Sunstate") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Sunstate.

19-08014 Joint Petition of the Regulatory Operations Staff and Sommercial Construction Inc. ("Sommercial Construction") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Sommercial Construction.

19-08015 Application of Great Basin Water Co., filed under Advice Letter No. 3, to revise Tariff No. 1-W to consolidate and coordinate tariffs for its Pahrump and Spring Creek Divisions.

19-08016 Nevada Power Company d/b/a NV Energy filed Notice No. 19-03 to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective October 1, 2019.

19-08017 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 19-03(E) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective October 1, 2019.

19-08018 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 19-03(G) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective October 1,

2019.

19-08020 Application of AmeriGas Propane, L.P. for authority to provide liquefied petroleum gas service to Pineview Estates in Gardnerville, Nevada.

19-08021 Petition of the Regulatory Operations Staff to open an investigatory and rulemaking docket to amend certain regulations contained in Chapter 703 of the Nevada Administrative Code regarding annual leak surveys of distribution pipelines transporting natural gas and/or liquefied petroleum gas.

19-08022 Petition of Arrow Canyon Solar, LLC for an Advisory Opinion or Declaratory Order as to whether a renewable energy facility of less than 70 MW is considered a utility facility pursuant to NRS 704.860(1) when it is part of a larger project that is not required to obtain a Utility Environmental Protection Act Permit.

19-08019 Petition of UC Won, L.L.C. for a Declaratory Order finding that a renewable energy facility that delivers energy on a retail basis to only one customer is not subject to regulation by the Commission and not subject to the requirements of Chapter 704 of the Nevada Revised Statutes.

19-08025 Notice by Ooma, Inc of its intent to begin providing Interconnected Voice-over Internet Protocol services.

19-08024 Petition of Nevada Gold Mines LLC for a waiver of the material requirements for the construction of a new natural gas pipeline from the Ruby Pipeline to the Long Canyon Mine.

19-08026 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to include rate increases to certain Custom Calling Service features.

19-08027 Report by Solix, Inc., as Administrator of the Nevada Universal Service Fund, regarding fiscal year 2020 assessment recommendation concerning the minimum annual contribution and assessment rate on the intrastate retail revenues of all obligated providers of telecommunication services in Nevada.

19-08028 Petition of the Regulatory Operations Staff to open an investigation and rulemaking docket for regulations contained in Chapter 455 of the Nevada Administrative Code regarding information provided to the association of operators on the location of subsurface installations.

19-08029 Notice by FracTel, LLC of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

19-08030 Informational Report of Sierra Pacific Power Company d/b/a NV Energy concerning its natural gas resource planning activities.

19-08033 Notice by Lithium Nevada Corp. of Plan of Operations submitted to Bureau of Land Management to construct and operate the Thacker Pass Project in northern Humboldt County, Nevada.

19-08023 Filing by i-wireless, LLC d/b/a Access Wireless of updated Advisory Tariff No. 1 that includes revisions to wireless Lifeline plans.

19-08034 Joint Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for acceptance of their Joint Energy Supply Plan Update for 2020-2021.

19-08035 Southwest Gas Corporation filed Notice, under Advice Letter No. 516, to adjust Northern and Southern Nevada Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective October 1, 2019.

19-09001 Joint Petition of the Regulatory Operations Staff and R & N Construction LLC ("R & N Construction") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by R & N Construction.

19-09002 Application of Harry Allen Solar Energy LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct a temporary water pipeline associated with

the Harry Allen Solar Energy Center Project to be located approximately 15 miles north of Las Vegas in Clark County, Nevada.

19-08031 Notice by TracFone Wireless, Inc. d/b/a SafeLink Wireless, Simple Mobile, NET10, Total Wireless, Page Plus Cellular, TelCel, and Straight Talk of a change in terms and conditions of service for Lifeline customers of SafeLink Wireless.

19-09006 Notice by Combined Public Communications, LLC of its intent to do business in the State of Nevada as a provider of inmate services.

19-08032 Notice by Zayo Group, LLC, Electric Lightwave, LLC d/b/a Integra Telecom and Front Range TopCo, Inc. of a transaction that will result in a transfer of control of telecommunication companies.

19-09004 Joint Petition of the Regulatory Operations Staff and Curtis & Sons Construction, Inc. ("Curtis & Sons Construction") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Curtis & Sons Construction.

19-09005 Application of Electric Lightwave, LLC d/b/a Integra Telecom for approval of a change of fictitious business name to Allstream for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2232 Sub 3.

19-09007 Joint Petition of the Regulatory Operations Staff and Northwest Landscape & Maintenance LLC ("Northwest") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Northwest.

19-09008 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and WANRack, LLC for approval of an Interconnection and/or Resale Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-09009 Biannual filing by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy regarding the Solar Program, providing a status update and a summary of discussion from a meeting with industry stakeholders pursuant to NAC 701B.145.

19-09010 Application of Combined Public Communications, LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-09011 Investigation and Rulemaking to consider, amend, and/or adopt regulations establishing increased leak survey requirements for distribution pipelines transporting natural gas and/or liquefied petroleum gas.

19-09003 Application of Local Access LLC to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 3030.

19-09012 Petition of Pilot Pipeline LLC for a non-emergency special permit to deviate from certain state and federal pipeline safety regulations regarding use of composite pipe in building and operating a gas transmission pipeline.

19-09015 Filing by Frontier Communications of the Southwest Inc. and Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada of annual data regarding Connect America Fund Intercarrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304 and annual certification that price cap carrier is not seeking duplicative Eligible Recovery pursuant to the requirements of 47 CFR 51.915.

19-09016 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

19-09019 Joint Petition of Central Telephone Company d/b/a CenturyLink and NHC Communications for approval of an Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

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19-09020 Joint Petition of Central Telephone Company d/b/a CenturyLink and NHC Communications for approval of a Local Wholesale Solutions Complete Service Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-09017 Amended Petition of Southwest Gas Corporation ("SWG") requesting the Commission determine whether completion of certain gas infrastructure replacement ("GIR") projects approved by the Commission in Docket No. 18-06004 are required to be completed on an accelerated basis, whether the decelerated completion of these GIR projects would exacerbate a safety and reliability concern and negatively affect SWG's ability to provide safe and reliable service, and whether these projects may instead be replaced in the normal course of business.

19-09013 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-19-08, for the Elko Division to revise Tariff No. 1-B to grandfather certain residential bundles and to change language for Frontier Digital Phone Unlimited and Frontier Digital Phone Unlimited Plus making non-recurring charges no longer applicable for establishing service.

19-09014 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-19-09, for the Tonopah Division to revise Tariff No. 1-B to grandfather certain residential bundles and to change language for Frontier Digital Phone Unlimited and Frontier Digital Phone Unlimited Plus making non-recurring charges no longer applicable for establishing service.

19-09018 Investigation and Rulemaking to consider amending certain regulations contained in Chapter 455 of the Nevada Administrative Code regarding information provided to the association of operators on the location of subsurface installations.

19-09022 Application of Central Telephone Company d/b/a CenturyLink, filed under Advice Letter No. 19-11, to revise its Guidebook to modify the Federal Lifeline terms and conditions in support of the launch of the National Lifeline Eligibility Verifier to comply with Federal Communications Commission Docket No. FCC 16-38.

19-09023 Application of CenturyTel of the Gem State, Inc. d/b/a CenturyLink, filed under Advice Letter No. 19-11, to revise Tariff No. 1A to modify the Federal Lifeline terms and conditions in support of the launch of the National Lifeline Eligibility Verifier to comply with Federal Communications Commission Docket No. FCC 16-38 and to delete references to de-tariffed IntraLATA Wide Area Telecommunications Services.

19-10001 Amended Application of Southwest Gas Corporation for authority to recover costs of gas infrastructure replacement projects through the gas infrastructure replacement mechanism.

19-10002 Joint Petition of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for approval of their Energy Storage Device Data and Metering Report pursuant to the Order issued in Docket Nos. 17-06014 and 17-06015.

19-09021 Petition of Teleport Communications America, LLC for the Commission to overturn a denial by Somos, Inc., the North American Numbering Plan Administrator, for one 1,000 number block for use in the Carson City rate center.

19-10003 Registration of Mint Mobile LLC as a commercial mobile radio service provider.

19-10004 Notice by Arrow Canyon Solar, LLC, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct a 200 MW photovoltaic solar energy generation facility, generation-tie transmission lines, and associated facilities to be located approximately 25 miles northeast of Las Vegas in Clark County, Nevada.

19-10005 Show Cause Proceeding to determine why Certificates of Public Convenience and Necessity, Licenses, or Permits should not

be revoked, why administrative fines should not be imposed, and/or why administrative action should not be taken on certain companies that did not timely meet their regulatory obligations for calendar year 2018 and/or the period July 1, 2018, through June 30, 2019.

19-10006 Application of Nevada Power Company d/b/a NV Energy for authority to establish debt issuance authorizations based on a debt ceiling of \$3,200.0 million.

19-10007 Application of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale to voluntarily relinquish designation as an eligible telecommunications carrier in the State of Nevada.

19-10008 Application of Safelink Internet LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-10009 Joint Petition of the Regulatory Operations Staff and Terra Contracting, Inc. ("Terra Contracting") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Terra Contracting.

19-10013 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-19-10, for the Elko Division to revise Tariff No. 1-B to reduce the Federal Lifeline discount for Lifeline customers who do not subscribe to a Lifeline eligible broadband product pursuant to Federal Communications Commission Docket No. FCC 16-38.

19-10014 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-19-11, for the Tonopah Division to revise Tariff No. 1-B to reduce the Federal Lifeline discount for Lifeline customers who do not subscribe to a Lifeline eligible broadband product pursuant to Federal Communications Commission Docket No. FCC 16-38.

19-10010 Notice by Fatbeam, LLC, Fatbeam Holdings, LLC, and SDC Capital Partners, LLC of a transaction that will result in a transfer of control of a telecommunication company.

19-10011 Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 496, to revise Tariff No. 1-B to implement Market Price Energy Schedule No. MPE to allow eligible customers to receive bundled electric service, reflecting market price of energy, using energy resources that will not subject the customer to the imposition of an impact fee.

19-10012 Application of Nevada Power Company d/b/a NV Energy for approval of an Energy Supply Agreement with LV Stadium Events Company, LLC and LVR Real Property, LLC.

19-10015 Application of Central Telephone Company d/b/a CenturyLink, filed under Advice Letter No. 19-13, to revise its Guidebook to reduce the Federal Lifeline credit when the credit is applied toward a qualifying voice service and to add clarifying language regarding qualifying services pursuant to Federal Communications Commission Docket No. FCC 16-38.

19-10016 Application of CenturyTel of the Gem State, Inc. d/b/a CenturyLink, filed under Advice Letter No. 19-13, to revise Tariff No. 1A to reduce the Federal Lifeline credit when the credit is applied toward a qualifying voice service and to add clarifying language regarding qualifying services pursuant to Federal Communications Commission Docket No. FCC 16-38.

19-10017 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to include rate increases to certain Directory Listing rates and to modify language regarding nonrecurring charges for Frontier Digital Phone Unlimited bundles.

19-10018 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 621-E, to revise Electric Tariff No. 2 to cancel Schedule Nos. LCSPP86 and LCSPP87.

19-10019 Filing by Spark Energy Gas, LLC of

updated corporate officer listing.

19-10020 Application of Digital Technology Solutions, Inc. for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-09024 Application of Claro Enterprise Solutions, LLC. for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-10021 Application of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale, filed under Advice Letter No. 2066, to revise its Guidebook to reduce the Federal Lifeline discount for Lifeline customers pursuant to Federal Communications Commission Docket No. FCC 16-38 and to modify language to improve readability.

19-10022 Joint Petition of the Regulatory Operations Staff and RLO Equipment, Inc. d/b/a Apache Electric ("Apache Electric") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Apache Electric.

19-10023 Joint Petition of the Regulatory Operations Staff and Gradex Construction Company ("Gradex Construction") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Gradex Construction.

19-10024 Petition of ACT Commodities, Inc. for an Advisory Opinion or Declaratory Order as to whether a Demand Side Management Credit may be used for compliance purposes, pursuant to NRS 704.7821, by an entity that is different from the entity that originally generated the credit.

19-10025 Application of Moapa Valley Telephone Company, filed under Advice Letter No. 20, to revise Tariff No. 2A to reduce the Federal Lifeline discount for Lifeline customers pursuant to Federal Communications Commission Docket No. FCC 16-38.

19-10026 Application of Lincoln County Telephone System, Inc., filed under Advice Letter No. 22, to revise Tariff No. 1A to reduce the Federal Lifeline discount for Lifeline customers pursuant to Federal Communications Commission Docket No. FCC 16-38.

19-10031 Registration of iTalk Mobile Corporation as a commercial mobile radio service provider.

19-10028 Application of Rural Telephone Company, filed under Advice Letter No. 39, to revise Tariff No. 1 to reduce the Federal Lifeline discount for Lifeline customers pursuant to Federal Communications Commission Docket No. FCC 16-38.

19-10027 Application of 325MK 8me LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct the Eagle Shadow Mountain Interconnection Facilities consisting of a 230 kV terminal addition and associated facilities within the Reid Gardner Substation located in Clark County, Nevada.

19-10029 Notice by Great Basin Water Co. of its intent to file an application for adjustment in rates for its Pahrump Division.

19-10030 Notice by Great Basin Water Co. of its intent to file an application for adjustment in rates for its Spring Creek Division.

19-11001 Joint Petition of the Regulatory Operations Staff and Campbell Construction Co., Inc. ("Campbell Construction") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Campbell Construction.

19-11002 Filing by Southwest Gas Corporation of tax adjustment pursuant to the Order issued in Docket No. 00-1028.

19-11003 Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 497, to revise Tariff No. 1-B to modify the Electric Vehicle Recharge Rider ("EVRR") to add Critical Peak Program ("CPP") and CPP with Daily Demand Pricing as time of use schedules eligible for EVRR and to remove reference to cancelled Net Metering schedules.

19-11004 Application of Sierra Pacific Power

Company d/b/a NV Energy, filed under Advice Letter No. 622-E, to revise Electric Tariff No. 1 to modify the Electric Vehicle Recharge Rider ("EVRR") to add Critical Peak Program ("CPP") and CPP with Daily Demand Pricing as time of use schedules eligible for EVRR and to remove reference to cancelled Net Metering schedules.

19-11006 Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 498, to revise Interruptible Agricultural Irrigation Water Pumping Schedule No. IAIWP to increase the IAIWP rate.

19-11007 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 623-E, to revise Interruptible Irrigation Service Schedule No. IS-2 to increase the IS-2 rate.

19-11008 Joint Petition of the Regulatory Operations Staff and Cruz Construction Company, Inc. ("Cruz Construction") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Cruz Construction.

19-11005 Notice by Mpower Communications Corp. d/b/a TPx Communications, U.S. TelePacific Corp. d/b/a TPx Communications, U.S. TelePacific Holdings Corp., and Tango Private Holdings II, LLC of a transaction that will result in a transfer of control of telecommunication companies.

19-11009 Notice by Securus Technologies, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

19-11010 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to introduce Live Operator fee when a customer chooses to connect to a live operator.

19-11011 Joint Petition of the Regulatory Operations Staff and Granite Construction Company ("Granite Construction") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Granite Construction.

19-11012 Application of Occidental Energy Marketing, Inc. to voluntarily discontinue service as an alternative seller of natural gas conducted under License No. G-7.

19-11013 Filing by Virgin Mobile USA, L.P. of updated Informational Tariff No. 1 that includes revisions to Lifeline Assistance Broadband Plan.

19-11014 Notice by Hamel Renewables, LLC, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct the Rough Hat Nye County Solar Project consisting of an up to 500 MW photovoltaic solar energy generation facility, generation-tie transmission lines, and associated facilities to be located in Nye County, Nevada.

19-11015 Notice by Hamel Renewables, LLC, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct the Rough Hat Clark County Solar Project consisting of an up to 400 MW photovoltaic solar energy generation facility, generation-tie transmission lines, and associated facilities to be located in Clark County, Nevada.

19-11016 Nevada Power Company d/b/a NV Energy filed Notice No. 19-04 to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective January 1, 2020.

19-11017 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 19-04(E) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective January 1, 2020.

19-11018 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 19-04(G) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective January 1, 2020.

19-11019 Investigation to revise Nevada Power Company d/b/a NV Energy's and Sierra Pacific Power Company d/b/a NV Energy's NV GreenEnergy Rider schedules as appropriate.

19-11021 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T

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Wholesale and Metropolitan Telecommunications of Nevada, Inc. d/b/a MetTel for approval of Amendment No. 4 to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

19-11020 Notice by HD Carrier LLC of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

19-11022 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 624-E, for approval of a Portfolio Charge to be applicable to Newmont Mining Corporation under Rate Schedule GS-4-NG for calendar year 2020 to recover the additional costs required to meet the Nevada Portfolio Standard.

19-11024 Proceeding to revoke Commercial Mobile Radio Service ("CMRS") provider registration number CMRS 134 and Eligible Telecommunications Carrier status held by Blue Jay Wireless, LLC pursuant to the Order issued in Docket No. 18-09010.

19-11025 Application of Rio Virgin Telephone Company d/b/a Reliance Connects, filed under Advice Letter No. 73, to revise Tariff No. 1 to reduce the Federal Lifeline discount for Lifeline customers pursuant to Federal Communications Commission Docket No. FCC 16-38.

19-11023 Application of Operator Service Company, LLC to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 1048 Sub 2.

19-11026 Joint Petition of the Regulatory Operations Staff and VersaGrade, Inc. ("VersaGrade") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by VersaGrade.

19-11027 Application of CallCatchers Inc. d/b/a FreedomVoice Systems to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 3037.

19-11029 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to include an increase to Feature Pack rates for residential bundles.

19-11030 Notice by Telnex LLC of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

19-11031 Southwest Gas Corporation filed Notice, under Advice Letter No. 517, to adjust Northern and Southern Nevada Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective January 1, 2020.

19-11028 Notice by TracFone Wireless, Inc. d/b/a SafeLink Wireless, Simple Mobile, NET10, Total Wireless, Page Plus Cellular, TelCel, and Straight Talk of a change in terms and conditions of service for Lifeline customers of SafeLink Wireless.

19-12002 Application of Common Point LLC to voluntarily discontinue telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2988.

19-11032 Application of Frontier Communications of the Southwest Inc., filed under Advice Letter No. NV-19-01, to revise Tariff No. 4-C to reduce the Federal Lifeline discount for Lifeline customers who do not subscribe to a Lifeline eligible broadband product pursuant to Federal Communications Commission Docket No. FCC 16-38.

19-12001 Filing by Spark Energy Gas, LLC to update license information regarding a settlement agreement between the Connecticut Public Utilities Regulatory Authority and an affiliate.

19-12003 Filing by Virgin Mobile USA, L.P. of updated Informational Tariff No. 1 that includes revisions to Lifeline Assistance Plan to include a charge for the replacement of a lost or stolen phone.

19-12006 Joint Petition of Frontier Communications of the Southwest Inc. and NGA 911, L.L.C. for approval of an Interconnection and Traffic Interchange Agreement for Commercial Mobile Radio Service pursuant to Section 252 of the Telecommunications Act of 1996.

19-12011 Filing by American Broadband and Telecommunications Company of updated service offerings to wireless Lifeline plans.

19-12005 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to remove multi-party and measured service customer language from Vacation Get Away Service.

19-12008 Application of Frontier Communications of the Southwest Inc., filed under Advice Letter No. NV-19-02, to revise Tariff No. 3-B to conform Wholesale services to the Federal Communications Commission Docket No. FCC 18-141.

19-12009 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-19-12, for the Elko Division to revise Tariff No. 1-B to remove multi-party and measured service customer language from Vacation Get Away Service.

19-12010 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-19-13, for the Tonopah Division to revise Tariff No. 1-B to remove multi-party and measured service customer language from Vacation Get Away Service.

19-12012 Filing by TAG Mobile, LLC of revised Lifeline wireless service plans.

19-12013 Notice by Allegiant Networks, LLC of its intent to begin providing Interconnected Voice-over Internet Protocol services.

19-12014 Filing by Global Connection Inc. of America d/b/a STAND UP WIRELESS of updated Tariff No. 1 that includes revisions to wireless Lifeline plans.

19-12017 Application of Nevada Power Company d/b/a NV Energy for approval of an Energy Supply Agreement with Lumen Group LLC.

19-12016 Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 500, to revise Tariff No. 1-B to implement Large Customer Market Price Energy Schedule No. LCMPE to allow eligible customers to receive bundled electric service, reflecting market price of energy, using energy resources that will not subject the customer to the imposition of an impact fee.

19-12018 Filing by TerraCom Inc. of updated Advisory Tariff No. 1 that includes updates to Wireless Lifeline Program.

19-12019 Investigation to determine if Chapter 704 of the Nevada Administrative Code needs to be amended to allow for a review of long-term natural gas procurement contracts.

19-12020 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

19-12021 Application of Securus Technologies, Inc. for approval of a change of name to Securus Technologies, LLC for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2407 Sub 3.

19-12022 Filing by Southwest Gas Corporation of its 2019 Status Report on the Mesquite Expansion Project.

19-12023 Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 499, to revise Electric Line Extensions Rule No. 9 to adjust the Tax Gross-up Rate.

19-12024 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 625-E, to revise Electric Line Extensions Rule No. 9 to adjust the Tax Gross-up Rate.

19-12025 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice

Letter No. 332-G, to revise Gas Main Extensions Rule No. 9 to adjust the Tax Gross-up Rate.

19-12026 Rulemaking to consider amending NAC 704.660 and 704.662 to allow the Commission more flexibility in considering cost-of-service studies in advance of Nevada Power Company d/b/a NV Energy's 2020 general rate case.

19-12015 Application of Correct Solutions, LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

19-12027 Notice by Southwest Gas Corporation of its intent to file an application for adjustment in rates.

19-12028 Klondike Holding, LLC vs. Great Basin Water Co., Spring Creek Division. Complaint regarding Great Basin Water Co. refusing to provide water service due to insufficient water right allocation.

19-12029 Application of Great Basin Water Co. for authority to adjust its annual revenue requirement for water and sewer service rates charged to all classes of customers in the Pahmup Division and for other relief properly related thereto.

20-01001 Reports from public utilities operating in Nevada of accidents or significant service outages occurring during calendar year 2020 pursuant to NRS 704.190 and NAC 704.230.

20-01002 Annual Reports for calendar year 2019 submitted by Electric, Natural Gas, LPG, Geothermal, Alternative Sellers, and Railroad companies operating in Nevada pursuant to NRS 703.191 and NAC 704.225.

20-01003 Annual Reports for calendar year 2019 submitted by Water and Wastewater companies operating in Nevada pursuant to NRS 703.191, NAC 703.199, and NAC 704.225.

20-01004 Annual Reports for calendar year 2019 submitted by Mobile Home Parks operating in Nevada pursuant to NRS 704.960 and NAC 704.987.

20-01005 Annual Reports for calendar year 2019 submitted by Telecommunication companies operating in Nevada pursuant to NRS 703.191 and NAC 704.7483.

20-01006 One Call Enforcement Actions and Inspection Reports by the Regulatory Operations Staff pursuant to NRS 455 for calendar year 2020.

20-01007 Pipeline Safety Enforcement Actions and Inspection Reports by the Regulatory Operations Staff pursuant to 49 CFR 191 and 192 for calendar year 2020.

20-01008 Rail Safety FRA Form 96 Inspection Reports for calendar year 2020.

20-01009 Reports from electric and gas utilities operating in Nevada of transactions and calculations affecting the deferred energy accounts pursuant to NAC 704.195 for calendar year 2020.

20-01010 Applications for calendar year 2020 received by a utility under the Solar Energy Systems Incentive Program.

20-01011 Filings by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy of its monthly financial statements and quarterly calculations of its earned rate(s) of return and returns on equity for the Nevada jurisdiction pursuant to the Order issued in Docket No. 13-07021.

20-01012 Filing by Assist Wireless, LLC to update information.

19-12004 Application of Matrix Telecom, LLC d/b/a Clear Choice Communications, Excel Telecommunications, and VarTec Telecom for approval to add fictitious business name Lingo for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 994 Sub 6.

20-01013 Joint Petition of the Regulatory Operations Staff and Landscape Specialties Inc d/b/a LSI ("LSI") requesting the Commission accept a

stipulation regarding violations of Nevada's One Call Law by LSI.

20-01016 Salvatore Veltre Jr. vs. Nevada Power Company d/b/a NV Energy ("NV Energy"). Compliant regarding customer being denied electric service provided by NV Energy.

19-12007 Joint Petition of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada and NGA 911, L.L.C. for approval of an Interconnection and Traffic Interchange Agreement for Commercial Mobile Radio Service pursuant to Section 252 of the Telecommunications Act of 1996.

20-01017 Notice by Lingo Telecom of the West, LLC, Lingo Communications, LLC, Matrix Telecom, LLC d/b/a Clear Choice Communications, Excel Telecommunications, and VarTec Telecom, and Garrison LM LLC of a transaction that will result in a transfer of control of telecommunication companies.

20-01015 Application of Tolas Mobile Home Park to withdraw \$22,036.50 from the tenant service charge account for reimbursement of expenses incurred to upgrade the electric distribution system.

20-01014 Application of Deluxe Mobile Home Park to withdraw \$14,982.35 from the tenant service charge account for reimbursement of expenses incurred to upgrade the electric distribution system.

20-01018 Registration of Bell Atlantic Mobile Systems LLC as a commercial mobile radio service provider.

20-01019 Filing by Telrite Corporation d/b/a Life Wireless of updated Informational Tariff No. 2 that includes updates to Wireless Lifeline Program.

20-01021 Notice by HFA Services LLC d/b/a Call48 of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

20-01022 Application of Rosemount Water Company for authority to increase rates and charges for water service.

20-01023 Application of Gentry Place Mobile Home Park to withdraw \$949.75 from the tenant service charge account for reimbursement of expenses incurred to repair and maintain the electrical system.

20-01020 Complaint of PHWLVL, LLC d/b/a Planet Hollywood Las Vegas against Nevada Power Company d/b/a NV Energy regarding the amounts paid for electric service.

20-01024 Application of CEI Switch Citadel OpCo, LLC under the provisions of the Utility Environmental Protection Act, for a permit to construct the Citadel Solar Project consisting of a 250 MW alternating current photovoltaic solar electric generating facility, two 120 kv generation-tie power lines, and associated facilities to be located approximately 10 miles east of Reno in Storey County, Nevada.

20-01025 Filings by Eligible Telecommunications Carriers of Federal Communications Commission ("FCC") Form 555 to comply with the FCC's annual reporting requirements.

20-01026 Filing by Spark Energy Gas, LLC of updated legal counsel contact information.

20-01027 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to include an increase to residential and business non-recurring service charges.

20-01028 Application of the Department of Health and Human Services Aging and Disability Services Division for approval of a State Fiscal Year ("SFY") 2021 telecommunication device for the deaf surcharge that is calculated based on its legislatively approved budget for SFY 2021.

20-01030 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and CBTS Technology Solutions LLC for approval of an Interconnection and/or Resale Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

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20-01029 Application of West Safety Communications Inc. for approval of a change of name to Intrado Safety Communications, Inc. for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2689 Sub 2.

20-01031 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and Enteleget Solutions, Inc. for approval of Amendment No. 1 to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

20-01032 Petition of the Regulatory Operations Staff to open an investigation and rulemaking docket to adopt a new regulation in Chapter 455 of the Nevada Administrative Code regarding damage to subsurface installations while using hand tools.

20-01033 Joint Petition of the Regulatory Operations Staff and Western States Contracting, Inc. ("Western States") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Western States.

20-01034 Application of Securus Technologies, Inc. for approval of a change of name to Securus Technologies, LLC for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2407 Sub 3.

20-01035 Joint Petition of the Regulatory Operations Staff and V.T. Construction, Inc. ("VT Construction") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by VT Construction.

20-01036 Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 501, to revise Electric Tariff No. 1-B to reflect the avoided short-term cost rates for purchases from Qualifying Facilities pursuant to Qualifying Facilities Schedule QF - Short Term.

20-01038 Investigation and Rulemaking regarding utility infrastructure colocation issues and associated costs related to implementing Natural Disaster Protection Plans.

20-01039 Petition of Frontier Communications of the Southwest Inc. for review and approval of its 2020 Carrier-to-Carrier Performance Assurance Plan.

20-01037 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 626-E, to revise Electric Tariff No. 2 to submit short-term avoided cost rates for purchases from Qualifying Facilities pursuant to Schedule CSPP - Short-Term.

20-01040 Joint Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for approval of annual plans for the Solar Energy Systems Incentive Program, the Wind Energy Systems Demonstration Program, the Waterpower Energy Systems Demonstration Program, the Energy Storage and Lower Income components of the Solar Program, and the Electric Vehicle Infrastructure Demonstration Program for Program Year 2020-2021.

20-01042 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and BullsEye Telecom, Inc. for approval of Amendment No. 4 to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

20-02001 Notice by Grasshopper Group, LLC, Logan Parent, LLC, and LogMeln, Inc. of a transaction that will result in a transfer of control of a telecommunication company.

20-01041 Application of AmeriGas Propane, L.P. d/b/a Bi-State Propane for approval to use an alternative method to determine margin rates and for a determination that its margin rates for the preceding fiscal year were just and reasonable.

20-02002 Application of Q LINK WIRELESS LLC to expand its designation as an eligible telecommunications carrier in the State of Nevada pursuant to NAC 704.680461 and Section 214 of the Communications Act of 1934.

20-02004 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and WANRack, LLC for approval of Amendment No. 1 to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

20-02005 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and Bandwidth.com CLEC, LLC for approval of Amendment No. 2 to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

20-02003 Registration of Gabb Wireless, Inc. as a commercial mobile radio service provider.

20-02007 Notice by the Regulatory Operations Staff of the 2020 range of reasonable returns on equity for water and sewer utilities.

20-02006 Request of Southwestco Wireless, Inc. d/b/a Verizon Wireless to cancel its commercial mobile radio service registration.

20-02008 Application of Star City Property Owners Association to voluntarily discontinue water service conducted under Certificate of Public Convenience and Necessity ("CPC") 2967.

20-02009 Notice by Machaen Enterprises, Inc. on behalf of IDT America Corp. of a bond renewal.

20-02010 Nevada Power Company d/b/a NV Energy filed Notice No. 20-01 to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective April 1, 2020.

20-02011 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 20-01(E) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective April 1, 2020.

20-02012 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 20-01(G) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective April 1, 2020.

20-02013 Application of Gold Country Water Company, Inc., filed under Advice Letter No. 9, to revise Tariff No. 1 to adjust water rates consistent with the most recent gross domestic product deflator.

20-02014 Application of Spirit Mountain Utility Company, Inc., filed under Advice Letter No. 6, to revise Water Tariff No. 2 to adjust water rates consistent with the most recent gross domestic product deflator.

20-02015 Application of West Telecom Services, LLC for approval of a change of name to Intrado Communications, LLC for telecommunication service conducted under Certificate of Public Convenience and Necessity ("CPC") 2664 Sub 4.

20-02016 Notice by Ton 80 Communications, LLC of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

20-02017 Filing by Nevada Power Company d/b/a NV Energy of annual report on the Economic Development Electric Rate Rider Program pursuant to NAC 704.8958.

20-02018 Filing by Sierra Pacific Power Company d/b/a NV Energy of annual report on the Economic Development Electric Rate Rider Program pursuant to NAC 704.8958.

20-02019 Application of Pahrump Utility Company, Inc., filed under Advice Letter No. 16, to revise Water Tariff No. 1A and Sewer Tariff No. 1A to adjust rates consistent with the most recent gross domestic product deflator.

20-02021 Application of Verdi Meadows Utility Company, Inc., filed under Advice Letter No. 7, to revise Water Tariff No. 1 to adjust water rates consistent with the most recent gross domestic product deflator.

20-02020 Joint Petition of the Regulatory Operations Staff and Southwest Gas Corporation ("SWG") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by SWG.

20-02022 Notice by Vonage Holdings Corp. of its intent to request numbering resources for the

Las Vegas rate center from the North American Numbering Plan Administrator.

20-02024 Investigation and Rulemaking to adopt a new regulation in Chapter 455 of the Nevada Administrative Code regarding damage to subsurface installations while using hand tools.

20-02025 Report of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy on the progress of its Action Plan relative to its 2019-2038 Integrated Resource Plan.

20-02026 Application of Nevada Power Company d/b/a NV Energy for approval of fuel and purchased power expenses and to reset the Temporary Renewable Energy Development charge, reset all components of the Renewable Energy Program Rates, reset the Base Energy Efficiency Program Rates, reset the Base Energy Efficiency Implementation Rates, reset the Energy Efficiency Program Amortization Rate, reset the Energy Efficiency Implementation Amortization Rate, and refund the total amount of Base Energy Efficiency Implementation Rate revenue received in 2019, including carrying charges.

20-02027 Application of Sierra Pacific Power Company d/b/a NV Energy for approval of fuel and purchased power expenses and to reset the Temporary Renewable Energy Development charge, reset all components of the Renewable Energy Program Rates, reset the Base Energy Efficiency Program Rates, reset the Base Energy Efficiency Implementation Rates, reset the Energy Efficiency Program Amortization Rate, reset the Energy Efficiency Implementation Amortization Rate, and refund the total amount of Base Energy Efficiency Implementation Rate revenue received in 2019, including carrying charges.

20-02028 Application of Sierra Pacific Power Company d/b/a NV Energy for approval of natural gas expenses and to transfer any remaining balance in the Renewable Energy Program Rate regulatory asset at the end of the amortization period to the appropriate deferred energy balance.

20-02023 Application of Southwest Gas Corporation for authority to increase its retail natural gas utility service rates for Southern and Northern Nevada.

20-02029 Filing by the Regulatory Operations Staff of calendar year 2019 accounting report for each utility authorized to collect a rate surcharge pursuant to NAC 704.600(6).

20-02030 Southwest Gas Corporation filed Notice, under Advice Letter No. 518, to adjust Northern and Southern Nevada Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective April 1, 2020.

20-02031 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 Joint Natural Disaster Protection Plan.

20-02032 Joint Application of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy for approval of a regulatory asset account to recover costs relating to the development and implementation of their Joint Natural Disaster Protection Plan.

20-03004 Notice by Beehive Telephone Co., Inc., Nevada of its intent to file an application for adjustment in rates.

20-03005 Notice by Lincoln County Telephone System, Inc. of its intent to file an application for adjustment in rates.

20-03001 Application of Cottonwood Mobile Home Park, Inc. to withdraw \$29,176.03 from the tenant service charge account for reimbursement of expenses incurred to repair and maintain the electrical system.

20-03007 Registration of 2600Hz, Inc. d/b/a ZSwitch as a commercial mobile radio service provider.

20-03002 Application of CenturyTel of the Gem State, Inc. d/b/a CenturyLink, filed under Advice Letter No. NV2020-04, to revise Tariff No. 1A to standardize and simplify the discontinuance of ser-

vice provisions for customer-requested termination of residential service.

20-03008 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-20-01, for the Elko Division to revise Tariff No. 1-B to remove the Nevada Universal Service Fund Surcharge percentage rate while retaining the language and explanation of the surcharge.

20-03009 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-20-02, for the Tonopah Division to revise Tariff No. 1-B to remove the Nevada Universal Service Fund Surcharge percentage rate while retaining the language and explanation of the surcharge.

20-03010 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-20-03, for the Elko Division to revise Tariff No. 1-B to remove the Telecommunications Devices for the Speech or Hearing Impaired Fund per line rate while retaining the language and explanation of the surcharge.

20-03011 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-20-04, for the Tonopah Division to revise Tariff No. 1-B to remove the Telecommunications Devices for the Speech or Hearing Impaired Fund per line rate while retaining the language and explanation of the surcharge.

20-03012 Application of Frontier Communications of the Southwest Inc., filed under Advice Letter No. NV-20-01, to revise Tariff No. 3-B to modify language to include transport for Wholesale services pursuant to the Federal Communications Commission Docket No. FCC 18-141.

20-03003 Notice by Fusion Cloud Services, LLC, Fusion Connect LLC, and Fusion Connect, Inc. of a transaction that will result in a transfer of control of telecommunication companies.

20-03006 Application of CenterPoint Energy Services, Inc. ("CES") for approval of a proposed transaction to transfer control of CES to Athena Energy Services Buyer, LLC and for a change of name to Athena Buyer LLC for operations conducted under License No. G-33.

20-03013 Registration of Earthlink, LLC as a commercial mobile radio service provider.

20-03014 Joint Petition of Nevada Bell Telephone Company d/b/a AT&T Nevada and AT&T Wholesale and BCM One, Inc. for approval of Amendment No. 1 to their Resale Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

20-03020 Application of Dutchman Acres Water Company, filed under Advice Letter No. 9, to revise Water Tariff No. 1 to adjust water rates consistent with the most recent gross domestic product deflator.

20-03015 Filing by Southwest Gas Corporation of revised rate for transportation customer Nevada Cogeneration Associates #1 pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

20-03016 Filing by Southwest Gas Corporation of revised rate for transportation customer Nevada Cogeneration Associates #2 pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

20-03017 Filing by Southwest Gas Corporation of revised rate for transportation customer Cyanco Company, LLC pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

20-03019 Registration of STX Group, LLC as a commercial mobile radio service provider.

20-03018 Joint Application of Hesperia Liquid Gas d/b/a Pro Flame, Inc. ("Pro Flame") and AmeriGas Propane, L.P. d/b/a Hesperia Liquid Gas d/b/a Pro Flame, Inc. ("AmeriGas") for approval of the transfer of Certificate of Public Convenience and Necessity ("CPC") 2421 from Pro Flame to AmeriGas.

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20-03021 Emergency Order related to utility service and COVID-19.

20-03022 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

20-03023 Notice by TAG Mobile, LLC of temporary update to Wireless Lifeline Program in response to the COVID-19 pandemic.

20-03024 Application of Nevada Power Company d/b/a NV Energy, filed under Advice Letter No. 505, to revise Tariff No. 1-B to update the Demand Rate Reduction and BTGR Transition Rate in compliance with the transition schedule in Special Condition 3 of the Electric Vehicle Commercial Charging Rider Time-of-Use Schedule No. EVCCR-TOU.

20-03025 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 630-E, to revise Electric Tariff No. 1 to update the Demand Rate Reduction and BTGR Transition Rate in compliance with the transition schedule in Special Condition 3 of the Electric Vehicle Commercial Charging Rider Time-of-Use Schedule No. EVCCR-TOU.

20-03026 Joint Petition of the Regulatory Operations Staff and Gothic Landscaping, Inc. ("Gothic") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Gothic.

20-03029 Revised registration of Virgin Mobile USA, L.P. for a change of name to Assurance Wireless USA, L.P.

20-03028 Filing by Virgin Mobile USA, L.P. of replacement Tariff No. 1 to reflect change of name to Assurance Wireless USA, L.P., update customer service address, and remove reference to the Federal Communication Commission's Lifeline Broadband change customer migration.

20-03030 Application of Gold Country Water Company, Inc. for authority to modify Certificate of Public Convenience and Necessity ("CPC") 956 Sub 4 to expand its water service territory to include one residential lot contiguous to its existing service territory located in Humboldt County, Nevada.

20-04001 Filing by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy of annual report on the quality of service metrics in compliance with the Order issued in Docket No. 15-06064.

20-04002 Application of Desert Utilities, Inc., filed under Advice Letter No. 8, to revise water Tariff No. 1 and sewer Tariff No. 2 to adjust rates consistent with the most recent gross domestic product deflator.

20-04003 Joint Petition of Central Telephone Company d/b/a CenturyLink and XO Communications Services, LLC for approval of the Reciprocal Compensation Bill and Keep Amendment to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

20-04004 Notice by Nevada Power Company d/b/a NV Energy of its intent to file an application for adjustment in electric rates.

20-04005 Joint Petition of the Regulatory Operations Staff and Contri Construction Company ("Contri") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Contri.

20-03027 Petition of Cox Nevada Telcom, LLC for the Commission to overturn a denial by Somos, Inc., the Numbering Pool Administrator, for four 1,000 number blocks for use in the Las Vegas rate center.

20-04006 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to remove the Nevada Universal Service Fund Surcharge percentage rate while retaining the language and explanation of the surcharge.

20-04007 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to remove the Telecommunications Devices for the Speech or Hearing Impaired Fund per line rate

while retaining the language and explanation of the surcharge.

20-04008 Emergency Order regarding limited deviation from Commission regulations that require the mailing of physical copies during the state of emergency.

20-04009 Filing by Spark Energy Gas, LLC of updated corporate officer listing.

20-04010 Biannual filing by Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy regarding the Solar Program, providing a status update and a summary of discussion from a meeting with industry stakeholders pursuant to NAC 701B.145.

20-04011 Application of Pershing Solar, LLC, under the provisions of the Utility Environmental Protection Act, for permits to construct the Pershing Solar Project consisting of a 240 MW alternating current photovoltaic solar electric generating facility, a 180 MW battery energy storage system, transmission lines, a generator-tie line, and associated facilities to be located approximately 4 miles north of Lovelock in Pershing County, Nevada.

20-04012 Filing by Commnet of Nevada, LLC of biennial audit report submitted to the Federal Communications Commission ("FCC") pursuant to the FCC's Final Lifeline Biennial Audit Plan.

20-04013 Annual Report of Tenaska Power Services Co. on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2019.

20-04014 Notice by FracTel, LLC of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

20-04015 Petition of the Regulatory Operations Staff for a Declaratory Order regarding the applicability of Southwest Gas Corporation's Northern Nevada Customer Owned Yard Line replacement program authorized in Docket No. 18-06004.

20-04016 Filing by Virgin Mobile USA, L.P. of biennial audit report submitted to the Federal Communications Commission ("FCC") pursuant to the FCC's Final Lifeline Biennial Audit Plan.

20-04017 Notice by Solar Partners VII, LLC, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct an up to 850 MW photovoltaic solar energy generating facility, including an 850 MW battery energy storage system, and associated facilities to be located approximately 45 miles north of Las Vegas in Clark County, Nevada.

20-04018 Annual Report of Nevada Power Company d/b/a NV Energy and Sierra Pacific Power Company d/b/a NV Energy on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2019.

20-04019 Annual Report of Shell Energy North America (US), L.P. on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2019.

20-04020 Annual Report of Macquarie Energy LLC on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2019.

20-04021 Annual Report of Exelon Generation Company, LLC on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2019.

20-04022 Annual Report of Switch Ltd. on compliance with the Portfolio Standard for Renewable Energy for Compliance Year 2019.

20-04023 Filing by CenturyLink, Inc. of biennial audit report submitted to the Federal Communications Commission ("FCC") pursuant to the FCC's Final Lifeline Biennial Audit Plan.

20-04024 Application of Ryze Renewables Las Vegas, LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct the Ryze Renewables Pipeline Project consisting of a private 6-inch diameter underground natural gas pipeline totaling approximately 2 miles and associated facilities to be located in Clark County, Nevada.

20-04026 Joint Petition of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada and BullsEye Telecom, Inc. for approval of a Local Resale Service Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

20-04025 Notice by Ton 80 Communications, LLC of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

20-04027 Joint Petition of CenturyTel of the Gem State, Inc. d/b/a CenturyLink and BullsEye Telecom, Inc. for approval of a Resale Forbearance Amendment to their Resale Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

20-04028 Joint Petition of Central Telephone Company d/b/a CenturyLink and BullsEye Telecom, Inc. for approval of a Resale Forbearance Amendment to their Interconnection Agreement pursuant to Section 252 of the Telecommunications Act of 1996.

20-04031 Notice by Great Basin Water Co. of its intent to file an application for adjustment in rates for its Spring Creek Division.

20-04032 Notice by Great Basin Water Co. of its intent to file an application for adjustment in rates for its Cold Springs Division.

20-05001 Application of Southwest Gas Corporation for approval of its 2019 Conservation and Energy Efficiency Plan Annual Report.

20-05002 Filing by Frontier Communications Corporation of biennial audit report submitted to the Federal Communications Commission ("FCC") pursuant to the FCC's Final Lifeline Biennial Audit Plan.

20-05003 Application of Nevada Power Company d/b/a NV Energy filed under Advice Letter No. 504 to establish Customer Price Stability Tariff Schedule No. CPST (the "Program") to assist certain qualifying customers during the COVID-19 pandemic and economic downturn, and to address certain customer requests for price stability and potential cost savings in meeting customer-specific business needs and sustainability objectives.

20-05004 Application of Sierra Pacific Power Company d/b/a NV Energy filed under Advice Letter No. 629-E to establish Customer Price Stability Tariff Schedule No. CPST (the "Program") to assist certain qualifying customers during the COVID-19 pandemic and economic downturn, and to address certain customer requests for price stability and potential cost savings in meeting customer-specific business needs and sustainability objectives.

20-04029 Filing by Southwest Gas Corporation of revised rate for transportation customer Saguro Power Company previously approved in Docket No. 94-4050.

20-04030 Filing by Southwest Gas Corporation of revised rate for transportation customer Desert Star Energy Center pursuant to the Opinion issued in Docket Nos. 93-3003, et al.

20-05005 Joint Petition of the Regulatory Operations Staff and F & F Trenching, LLC ("F&F") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by F&F.

20-05006 Filing by Intrado Communications, LLC of updated corporate officer listing and contact information.

20-05007 Registration of Mobi Inc. as a commercial mobile radio service provider.

20-05008 Application of CenturyTel of the Gem State, Inc. d/b/a CenturyLink, filed under Advice Letter No. NV2020-06, to revise Tariff No. 1A to clarify and standardize the Trouble Isolation Charge language.

20-05009 Application of White Cloud Networks NV, LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

20-05010 Nevada Power Company d/b/a NV Energy filed Notice No. 20-02 to adjust the Base

Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective July 1, 2020.

20-05011 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 20-02(E) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective July 1, 2020.

20-05012 Sierra Pacific Power Company d/b/a NV Energy filed Notice No. 20-02(G) to adjust the Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective July 1, 2020.

20-05013 Notice by FracTel, LLC of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

20-05014 Registration of Best Buy Health, Inc. d/b/a GreatCall as a commercial mobile radio service provider, notice of a transaction resulting in the transfer of control of GreatCall, Inc. ("GreatCall"), and request of GreatCall to cancel its commercial mobile radio service registration.

20-05015 Notice by Oregon-Idaho Utilities, Inc. d/b/a Humboldt Telephone Company that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

20-05016 Notice by Moapa Valley Telephone Company that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

20-05017 Notice by Lincoln County Telephone System, Inc. that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

20-05018 Notice by Rural Telephone Company that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

20-05019 Filing by Assurance Wireless USA, L.P. of replacement Informational Tariff No. 1 to reflect change of name, remove the Sprint Corporation parent name, update trademark ownership information, update customer service address, and remove reference to the Federal Communication Commission's Lifeline Broadband change customer migration.

20-05020 Application of CenterPoint Energy Services, Inc. for approval of a change of name to Symmetry Energy Solutions, LLC for discretionary natural gas services conducted under License G-33.

20-05021 Application of Beehive Telephone Co., Inc., Nevada, filed under Advice Letter No. 20-1, to revise Tariff No. 1 to reduce the Federal Lifeline discount for Lifeline customers pursuant to Federal Communications Commission Docket No. FCC 16-38.

20-05022 Application of Beehive Telephone Co., Inc., Nevada, filed under Advice Letter No. 20-2, to revise Tariff No. 1 to modify the TDD surcharge pursuant to the Order issued in Docket No. 18-01033.

20-05023 Joint Application of Frontier Communications Corporation ("Frontier"), Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, Frontier Communications of the Southwest Inc., Frontier Communications of America, Inc., and Frontier Communications Online and Long Distance Inc. for a determination that the restructuring of Frontier to effectuate a pre-arranged plan of reorganization complies with NRS 704.329.

20-05025 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-20-05, for the Elko Division to revise Tariff No. 1-B to remove residential bundles which have no subscribers and are no longer promoted.

20-05026 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-20-06, for the Tonopah Division to revise Tariff No. 1-B to remove residential bundles which have no subscribers and are no longer promoted.

20-05024 Notice by Beehive Telephone Co.,

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Inc., Nevada that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

20-05027 Notice by Filer Mutual Telephone Company that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

20-04033 Application of BRIDGECONNEX, LLC for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

20-05028 Application of Southwest Gas Corporation for authority to establish the Accumulated Deferred Interest rate in Southern Nevada pursuant to the Variable Interest Expense Recovery mechanism, Unrecovered Gas Cost Expense rates, system shrinkage rates, excess Imbalance Commodity and Reservation Charges, Renewable Energy Program Rates, General Revenues Adjustment rates, Conservation and Energy Efficiency rates, and Mesquite Infrastructure Expansion Rates.

20-05029 Petition of RWLV CUP LLC ("RWLV CUP") for a Declaratory Order finding that the water services, natural gas, and electric services to be provided by RWLV CUP to the Resorts World Las Vegas Entertainment Complex do not constitute public utility services, nor is RWLV CUP required to obtain a Certificate of Public Convenience and Necessity or other exemption or permit from the Commission.

20-05035 Filing by Beehive Telephone Co., Inc., Nevada of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304.

20-05031 Joint Application of the Regulatory Operations Staff and Dutchman Acres Water Company ("DAWC") for authority to increase an existing rate surcharge to fully fund the principal and interest payments on DAWC's State Revolving Fund loan debt, establish a cash reserve pursuant to NAC 704.600(1)(b), fund administrative fees, maintain a minimum bank balance to avoid maintenance fees, and for other relief properly related thereto.

20-05033 Joint Petition of the Regulatory Operations Staff and Lincoln County Telephone System, Inc. ("Lincoln") requesting the Commission accept a stipulation establishing Lincoln's Nevada Universal Service Fund support amount for years 2021 and 2022, requesting a waiver of the Order issued in Docket No. 16-01021, and requesting deviation from NAC 704.68048(2).

20-05034 Joint Petition of the Regulatory Operations Staff and Beehive Telephone Co., Inc., Nevada ("Beehive") requesting the Commission accept a stipulation establishing Beehive's Nevada Universal Service Fund support amount for year 2021 and requesting deviation from NAC 704.68048(2).

20-05036 Filing by Filer Mutual Telephone Company of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304.

20-05030 Southwest Gas Corporation filed Notice, under Advice Letter No. 519, to adjust Northern and Southern Nevada Base Tariff Energy Rates and Deferred Energy Account Adjustment Rates effective July 1, 2020.

20-06001 Notice by Windstream Holdings, Inc., Broadview Networks, Inc., McLeodUSA Telecommunications Services, L.L.C. d/b/a PAETEC Business Services, PaeTec Communications, LLC, Talk America, LLC, Windstream NuVox, LLC, Windstream Communications, LLC, DeltaCom, LLC d/b/a EarthLink Business I, and EarthLink Business, LLC of a transaction that will result in a transfer of control of telecommunication companies.

20-06003 Application of Nevada Power Company d/b/a NV Energy for authority to adjust its annual revenue requirement for general rates charged to all classes of electric customers and for relief properly related thereto.

20-06004 Application of Sierra Pacific Power Company d/b/a NV Energy for approval to adjudicate and establish the cost recovery mechanism for the One Nevada Transmission Line reallocated revenue requirement pursuant to the Order issued in Docket No. 19-05002.

20-06005 Notice by Prospector Pipeline Company, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct the TS Pipeline Project consisting of a private 12 to 16-inch diameter underground natural gas pipeline facility totaling approximately 22 miles and associated facilities to be located in Eureka and Elko Counties, Nevada.

20-06006 Notice by Embarq Corporation, CenturyLink Public Communications, Inc. d/b/a CenturyLink, and Inmate Calling Solutions, LLC d/b/a ICSolutions of a transaction that will result in a transfer of control of a telecommunication company.

20-06007 Filing by Churchill County Board of Commissioners d/b/a CC Communications of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304.

20-05032 Informational Report of Southwest Gas Corporation concerning its near-term natural gas resource planning activities.

20-06008 Notice by Frontier Communications of the Southwest Inc. of Service Catalog updates to grandfather residential service offerings.

20-06009 Application of Gold Country Water Company, Inc. for approval to withdraw \$14,519.18 in funds from its surcharge funds account to pay for replacement of the failed submersible motor, pump, and appurtenances at Well 2.

20-06010 Filing by T-Mobile West LLC d/b/a T-Mobile to update information.

20-06011 Filing by MetroPCS Nevada, LLC d/b/a Metro by T-Mobile to update information.

20-06015 Filing by Desert Utilities, Inc. requesting assistance of the Regulatory Operations Staff in preparing an application for a general rate change.

20-06012 Filing by Sprint Spectrum L.P. d/b/a Sprint, Nextel or Sprint/Nextel to update information.

20-06013 Filing by Assurance Wireless USA, L.P. to update information.

20-06014 Application of Nevada Gold Energy LLC, under the provisions of the Utility Environmental Protection Act, for a permit to construct the TS Solar Project consisting of an approximately 200 MW alternating current photovoltaic solar electric generating facility, a 120 kV on-site substation, a 120 kV generation-tie line, an optional battery energy storage system, and associated facilities to be located in Eureka County, Nevada.

20-06002 Registration of DISH Wireless L.L.C. as a commercial mobile radio service provider.

20-06016 Joint Petition of the Regulatory Operations Staff and Henderson Masonry, LLC ("Henderson Masonry") requesting the Commission accept a stipulation regarding violations of Nevada's One Call Law by Henderson Masonry.

20-06017 Registration of DISH Wireless L.L.C. as a commercial mobile radio service provider.

20-06018 Notice by Rio Virgin Telephone Company d/b/a Reliance Connects that current switched access service rates comply with Federal Communications Commission Docket No. FCC 11-161.

20-06021 Filing by Oregon-Idaho Utilities, Inc. d/b/a Humboldt Telephone Company of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304.

20-06019 Application of Sierra Pacific Power Company d/b/a NV Energy, under the provisions of the Utility Environmental Protection Act, for a per-

mit to construct the South Reno Second Source Gas Project consisting of a 16-inch diameter steel high pressure distribution gas pipeline totaling 16 miles and multiple pressure regulating stations to be located in Storey and Washoe Counties, Nevada.

20-06020 Application of Gentry Place Mobile Home Park to withdraw \$12,890.78 from the tenant service charge account for reimbursement of expenses incurred to repair and maintain the electrical system.

20-06022 Filing by Q LINK WIRELESS LLC of updated Tariff No. 1 that includes revisions to wireless Lifeline plans and Tariff No. 2 to replace its Lifeline Advisory Tariff to reflect a change of company address.

20-06023 Filing by Lincoln County Telephone System, Inc. of annual data regarding Connect America Fund Inter-carrier Compensation ("CAF ICC") Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304, supplemental TRP data pursuant to the requirements of 47 CFR 51.909, and annual certifications regarding CAF ICC data reported to the Federal Communications Commission pursuant to the requirements of 47 CFR 57.917.

20-06024 Filing by Rural Telephone Company of annual data regarding Connect America Fund Inter-carrier Compensation ("CAF ICC") Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304, supplemental TRP data pursuant to the requirements of 47 CFR 51.909, and annual certifications regarding CAF ICC data reported to the Federal Communications Commission pursuant to the requirements of 47 CFR 57.917.

20-06025 Filing by Moapa Valley Telephone Company of annual data regarding Connect America Fund Inter-carrier Compensation ("CAF ICC") Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304, supplemental TRP data pursuant to the requirements of 47 CFR 51.909, and annual certifications regarding CAF ICC data reported to the Federal Communications Commission pursuant to the requirements of 47 CFR 57.917.

20-06027 Filings by Eligible Telecommunications Carriers related to Federal Communications Commission ("FCC") Form 481 to comply with the FCC's annual reporting requirements pursuant to 47 CFR 54.314.

20-06028 Filing by Frontier Communications of the Southwest Inc. and Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304 and annual certification that price cap carrier is not seeking duplicative Eligible Recovery pursuant to the requirements of 47 CFR 51.915.

20-06029 Filing by Sierra Pacific Power Company d/b/a NV Energy of changes in rates within its Gas Tariff Schedule No. INGR pursuant to NAC 704.522 and NAC 704.526.

20-06033 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-20-07, for the Elko Division to revise Tariff No. 1-B to grandfather Stay Connected Seasonal Offering.

20-06034 Application of Citizens Telecommunications Company of Nevada d/b/a Frontier Communications of Nevada, filed under Advice Letter No. NV-20-08, for the Tonopah Division to revise Tariff No. 1-B to grandfather Stay Connected Seasonal Offering.

20-06026 Filing by Rio Virgin Telephone Company d/b/a Reliance Connects of annual data regarding Connect America Fund Inter-carrier Compensation Replacement funding eligibility pursuant to the requirements of 47 CFR 54.304.

20-06030 Filing by Boomerang Wireless, LLC d/b/a enTouch Wireless of Informational Tariff No. 1 that includes revisions to Wireless Lifeline Program.

20-06031 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 619-E, to revise Electric Tariff No. 1 to implement Market Price Energy Schedule No. MPE to allow eligible customers to receive bundled electric service, reflecting market price of energy, using energy resources that will not subject the customer to the imposition of an impact fee.

20-06032 Application of Sierra Pacific Power Company d/b/a NV Energy, filed under Advice Letter No. 631-E, to revise Electric Tariff No. 1 to implement Large Customer Market Price Energy Schedule No. LCMPE to allow eligible customers to receive bundled electric service, reflecting market price of energy, using energy resources that will not subject the customer to the imposition of an impact fee.

20-06036 Filing by Oregon-Idaho Utilities, Inc. d/b/a Humboldt Telephone Company of annual report of high-cost recipient pursuant to the requirements of 47 CFR 54.313.

20-06035 Notice by Highlands Wireless Inc. of a transaction that will result in a transfer of control of a telecommunication company.

20-06037 Notice by 326FW 8me LLC, under the provisions of the Utility Environmental Protection Act, of an application to a federal agency for approval to construct the Arida-Mohave Transmission Project consisting of a 500 kV transmission line associated with the Arida Solar Project, to be located near Laughlin in Clark County, Nevada.

20-06038 Notice by Twilio International, Inc. of its intent to request numbering resources for various rate centers from the North American Numbering Plan Administrator.

20-06039 Application of Cathet Communications, Inc. for authority to operate as a competitive supplier of telecommunication service within the State of Nevada.

20-06040 Application of the Nevada Department of Transportation for authority to alter the existing UPRR and 4th Street bridges, Bridge Nos. G-1233L and G-1233, over the Union Pacific Railroad tracks located at the I-580 crossing in Reno, Nevada.