

General Order No. 3, Rules of Practice and
Procedure before the Public Service Commission

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RULE 25

Construction Permits - Utility Environmental Protection Act

25.010 Scope

This rule applies to an application by a public utility for a permit to construct utility facilities, as defined in NRS 704.860. The requirements of this rule are in addition to other rules pertaining to pleadings.

25.020 Form and contents of application

1. An applicant for a construction permit pursuant to NRS 704.820 to 704.900, inclusive, shall submit an environmental analysis statement (EAS) as part of its permit application. The purpose of an EAS is to provide a standard format for the submission of information required by NRS 704.870 and to provide a full and fair discussion of significant environmental impacts associated with the construction and operation of the proposed utility facility and with all reasonable alternatives, including the "no action" alternative. An EAS shall be clear and concise and shall comply with the spirit of NRS 704.820 to 704.900, the Utility Environmental Protection Act.

2. An EAS shall include the following sections in the following order:

- a. Cover sheet. The cover sheet shall include the name of the applicant, the name of the proposed utility facility, the name of a contact at the utility for further information, a one paragraph abstract of the EAS, the date of public notice of the application pursuant to subsection 4 of NRS 704.870, and the date by which interested persons must notice or petition the Commission for intervention in the permit proceeding.
- b. Summary. The summary shall include a general description of the proposed utility facility, a general description of the location of the proposed utility facility with respect to the utility's certificated service area, major conclusions of the EAS, and areas of controversy.
- c. Utility facility location. This section shall include a detailed description of the location of the proposed utility facility, a description of the proposed associated equipment and location, diagrams of the structures involved in the proposed utility facility, and appropriately scaled maps of the location of the proposed utility facility.
- d. Purpose and need. This section shall include a description of the proposed utility facility over its expected life, a general description of the need for the proposed utility

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.. facility which includes, as appropriate, load forecasting and peak load projections, the anticipated construction schedule of the utility facility, the consequences of delaying construction of the utility facility, an analysis and comparison of the costs and benefits associated with the proposed utility facility and alternative actions, and a cost breakdown of the utility facility.

- e. The proposed utility facility and alternatives. This section shall include an evaluation and comparison of all reasonable locations for the proposed utility facility, an evaluation and comparison of all reasonable designs for the proposed utility facility, an evaluation of the "no action" alternative, and maps of appropriate scale showing all reasonable locations. The evaluation of all locations and designs shall include:
 - (1) Affected environment. A description of the regional environmental characteristics in sufficient detail to provide an understanding of the environment existing at the time of the application and the impact that each alternative would have on that environment. The data and analyses shall be commensurate with the significance of the anticipated impacts.
 - (2) Environmental consequences. An evaluation of significant effects on the quality of the human environment, significant environmental impacts, means to mitigate adverse environmental impacts, and, as appropriate, energy requirements and natural or depletable resource requirements.
 - (3) Decision by the utility. A statement as to why the utility decided that the primary location and design selected by the utility are best suited for the utility facility.
- f. Study summary. This section shall list and summarize all studies that have been made of the environmental impact of the proposed utility facility.
- g. Contributors. This section shall list the name, qualifications, and professions of each contributor having primary responsibility for the preparation of the EAS, the federal, state, and local government agencies and private individuals and groups who have provided comments or input in the preparation of the EAS, and a bibliography.

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- h. Other required approvals. This section shall list all federal, state, regional, and local agencies whose approval for the proposed utility facility is required and the types of permits to be issued. This list shall be correct as of the date of the application, shall give the status of each approval required, and shall be updated as any deletions or additions are required as federal, state, regional, or local laws change.

25.030 Service of application

Each application shall be accompanied by proof of service of a copy of the application on the clerk of each local government in the area in which any portion of the proposed utility facility is to be located, as primarily and as alternatively proposed, and on the chairperson of the state Environmental Commission created pursuant to NRS 445.451.

25.040 Publication of notice of application

Each application shall also be accompanied by proof that public notice of the application was given to persons residing in municipalities entitled to receive a copy of the application in accordance with Rule 25.030 by the publication of a summary of the application in newspapers published or distributed in the area in which the utility facility is proposed to be located.

25.050 Parties to permit proceeding

1 (a) The parties of record in a permit proceeding shall include:

1. The applicant.
2. The state Environmental Commission.
3. Each local government and state agency entitled to receive service of a copy of the application under Rule 25.030, if it has filed with the Commission a petition for leave to intervene pursuant to Rule 6.020 within forty-five (45) days after the date it was served with a copy of the application.
4. Any person residing in the jurisdiction of a local government entitled to receive service of a copy of the application under Rule 25.030, if that person has been granted leave to intervene pursuant to Rule 6 within forty-five (45) days after the date of the published notice.
5. Any domestic nonprofit corporation or association formed in whole or in part to promote conservation of natural beauty, to protect the environment,

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personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the areas in which the utility facility is to be located, if that corporation or association has filed with the Commission a petition for leave to intervene pursuant to Rule 6.020 within forty-five (45) days after the date of the published notice.

b. Any person may attend as a protestant pursuant to Rule 4.070.

c. The Commission may, for good cause shown, grant an untimely filed petition for leave to intervene to a municipality, government agency, or person or organization identified in paragraphs 2, 3, 4, or 5 of subsection a. of this rule.

2. A petition for leave to intervene under this rule shall be filed with the Commission with a proof of service of a copy of the petition on each party of record.