



WASHOE COUNTY

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Clerk _____

STAFF REPORT

BOARD MEETING DATE: October 13, 2015

DATE: September 29, 2015
TO: Board of County Commissioners
FROM: Kevin Schiller, Assistant County Manager
Managers Office, 328-2008, kschiller@washoecounty.us

THROUGH: John Slaughter, County Manager

SUBJECT: Discussion and possible direction to the County Clerk to cause notice to be published and posted of an application by NV Energy, doing business as Sierra Pacific Power Company, ("NV Energy") for a Franchise Agreement to provide service and distribution of natural gas service to Washoe County and to set the date for a hearing on the application including any objections thereto for December 8, 2015. (All Commission Districts.)

SUMMARY

This item seeks possible direction from the Board of County Commissioners (Board) to the Washoe County Clerk to cause notice to be published and posted of an application by NV Energy, doing business as Sierra Pacific Power Company pursuant to Nevada Revised Statutes 709.070 for a Franchise Agreement to provide service and distribution of natural gas service to Washoe County and to set the date for a hearing on the application including any objections thereto for December 8, 2015.

Washoe County Strategic Objective supported by this item: Sustainability of our financial, social and natural resources.

PREVIOUS ACTION

On April 24, 1990, the Board approved and entered into a franchise agreement with Sierra Pacific Power Company for a period of twenty-five (25) years to provide gas service and distribution to Washoe County.

BACKGROUND

The power to grant franchise agreements by the Board is contained within the Nevada Revised Statutes (NRS) 709.050 to 709.170 and requires the Board to cause notice of the application upon receipt. The Community Services Department received the attached letter (application) for franchise agreement from NV Energy doing business as Sierra Pacific Power Company. The process for granting a franchise agreement has distinct steps, the first of which is to cause notice of the application and set a public hearing. The notice must contain pertinent information about the application and explain the process for making

AGENDA ITEM # 14

objections. The notice must be published once each week for a total of four consecutive weeks in a general circulation newspaper in the county, in this case the Reno Gazette Journal. The notice must also be posted in three public locations in the county at least 10 days prior to the application hearing, and the County Clerk will prove that notice was given at the meeting when the application hearing occurs and will make that a part of the record.

The attached Exhibit A is the notice prepared for this application from NV Energy. At the date of the hearing the Board may make a decision or may continue the hearing for further proceedings not to exceed 30 days.

Currently NV Energy, doing business as Sierra Pacific Power Company, is operating within Washoe County under a 25 year franchise which expired April 24, 2015. In discussion with the vendor it was determined to bring this franchise application in conjunction with the electric to align the respective application dates. Due to timing required under NRS chapter 709 the current franchise will expire, and if ultimately approved by the Board, the new agreement can be effective retroactive to April 24, 2015.

FISCAL IMPACT

The fiscal impact associated with noticing this application is approximately \$500 in costs for publishing the notice for four consecutive weeks.

RECOMMENDATION

It is recommended the Board of County Commissioners hold a discussion and possibly direct the County Clerk to cause notice to be published and posted of an application by NV Energy, doing business as Sierra Pacific Power Company, for a Franchise Agreement to provide natural gas service to portions of Washoe County and to set the date for a hearing on the application including any objections thereto for December 8, 2015.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to direct the County Clerk to cause notice to be published and posted of an application by NV Energy, doing business as Sierra Pacific Power Company, for a Franchise Agreement to provide electric service to portions of Washoe County and to set the date for a hearing on the application including any objections thereto for December 8, 2015."



RECEIVED

JUL 02 2015

OFFICE OF
C.S.D. ENGINEERING & CAPITAL PROJECTS

June 30, 2015

Mr. Dave Solaro
Washoe County
P.O. Box 11130
Reno, NV 89520

Dear Mr. Solaro:

Re: NV Energy Application for Renewal of Gas Franchise

NV Energy, doing business as Sierra Pacific Power Company, ("NV Energy") is a public utility qualified to do business under the laws of the State of Nevada and qualified to transact business in Washoe County, Nevada (the "County").

NV Energy currently provides gas service in the County pursuant to the Franchise granted April 24, 1990 by the Washoe County Board of County Commissioners, which according to its terms expired on April 24, 2015.

In accordance with NRS 709.050 through 709.170, and to permit the uninterrupted service and distribution of natural gas in Washoe County, NV Energy respectfully requests the renewal of its gas franchise to maintain, use, operate, install, construct, repair and replace its gas system of mains, pipelines and conduits, together with all the appurtenances and facilities within all present and future public rights-of-way of the County, including all streets, roads, highways, bridges, public utility easements and public places in the County. NV Energy requests that the franchise be granted for a term of twenty-five years (25) commencing on or before September 7, 2015.

Enclosed for your consideration is a proposed Franchise agreement between the County and NV Energy. We respectfully require that this application be set for hearing at the Board's next regular meeting or as soon as possible thereafter.

If you have any questions please do not hesitate to contact me at (702)334-5601.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Caudill".

Paul Caudill
NV Energy President and CEO

Enc: Draft Gas Franchise

Exhibit A

Notice of Filing Application

NV Energy, has filed an application with the Board of County Commissioners of Washoe County, Nevada for a franchise permitting the said applicant to permit the service and distribution of natural gas in Washoe County to maintain, use, operate, install, construct, repair and replace its gas system of mains, pipelines, and conduits, together with all the appurtenances and facilities within all present and future public rights-of way of the County, including all streets, roads, highways, bridges, public utility easements and public places in the County, as more fully set forth in the application of NV Energy on file in the Washoe County Clerk's office.

Any and all interested parties are hereby notified that on the 8th day of December 2015, a public hearing will be conducted in the Commissioner's Chambers, first floor, Washoe County Administrative Building, A, located at 1001 East Ninth Street, Reno, Washoe County, Nevada commencing at ____ A.M. to hear any objections any person may have to the granting of said franchise, right or privilege. Objectors are notified that their objections must be filed in writing with the County Clerk prior to said date, or objectors may appear at the meeting and present their objections at the meeting at that time.

Dated: _____ 2015

Board of County Commissioners,
Washoe County, Nevada

By: Nancy Parent
County Clerk