

## CRC Hoover Allocation

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**From:** Jacob Smoot <Jacob.Smoot@academicanv.com>  
**Sent:** Monday, March 30, 2015 10:41 AM  
**To:** info@crchoovertimeallocation.com  
**Subject:** RE: Post-2017 Hoover Allocation  
**Attachments:** Academica Nevada Growth Chart 3-30-15.pdf

Mr./Mrs. Executive Director,

Academica Nevada would like to comment on the Draft Order issued on March 9, 2015. Due to the years that were asked to be included in the Hoover Dam Schedule D Allocation Application, energy consumption figures were only submitted for four of our current schools. However we have a total of seven sites with five new buildings under construction making a total of 12 schools that will be in operation by August 2015. Not only is that eight more schools than submitted but we have forecasted an additional 4 sites to be completed by summer of 2016. When completed, projected student count is estimated to be just over 16,000 students. Please see attached file.

Only four schools were submitted for consideration because the remaining sites were not in operation until after the requested years of energy consumption. We ask that additional consideration be given as our current usage at all eight of our existing schools is over 1 MW, and the growth we are seeing is substantial.

With this allocation the students at these schools will be given greater ability to learn and grow as students. With energy bills lower, savings can be forwarded directly to the students with better paid teachers, better curriculum, and more resources to help them grow. Imagine 16,000 well educated students from these schools entering the work force empowered with knowledge and the ability to grow and adapt, that is a substantial benefit to the state that cannot be over looked.

If you have further questions feel free to contact me directly.

Thank You,

Jacob Smoot  
Academica Nevada  
1378 Paseo Verde Pkwy Ste 200  
Henderson, NV 89012

P: 702.431.6260

F: 702.431.6250

[Jacob.Smoot@academicanv.com](mailto:Jacob.Smoot@academicanv.com)

**Growth of Academica Managed Charter Schools in Nevada**

	2010-2011:	2012-2013:	2013-2014:	2014-2015:	2015-2016	2016-2017
<u>Somerset Academy of Las Vegas</u>	1000 Students	1475 Students	3000 Students	4523 Students	5700 Students	6900 Students**
<u>Doral Academy of Nevada</u>	-	-	760 Students	1655 Students	2630 Students	4600 Students**
<u>Pinecrest Academy of Nevada</u>	-	760 Students	860 Students	937 Students	2350 Students	3800 Students**
<u>Mater Academy of Nevada</u>	-	-	-	280 Students	600 Students	750 Students**
<u>SLAM Nevada</u>	-	-	-	-	-	400 Students**
<b>Totals:</b>	1000 Students	2235 Students	4620 Students	7395 Students	11430 Students	16450 Students

\*\*Projected Student Count

**Nevada School Performance Framework(Star Rating)**

	2010-2011:	2012-2013:	2013-2014:	2014-2015:	2015-2016:	2016-2017:
<u>Somerset Academy of Las Vegas</u>	5 Star School	4 Star School	5 Star School	TBD	TBD	TBD
<u>Doral Academy of Nevada</u>	-	-	5 Star School	TBD	TBD	TBD
<u>Pinecrest Academy of Nevada</u>	-	3 Star School	4 Star School	TBD	TBD	TBD
<u>Mater Academy of Nevada</u>	-	-	-	1st Year of Operation (TBD)	TBD	TBD
<u>SLAM Nevada</u>	-	-	-	Opening 2016-2017	Opening 2016-2017	TBD

\*State Testing for the 2014-2015 school year will occur in April of 2015 and the results of that testing will not be finalized until June of 2015

## CRC Hoover Allocation

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**From:** Jacob Smoot <Jacob.Smoot@academicanv.com>  
**Sent:** Tuesday, April 07, 2015 5:18 PM  
**To:** info@crchoverallocation.com  
**Subject:** RE: Post-2017 Hoover Allocation  
**Attachments:** Academica Nevada Load Verification worksheet.xlsx

Mr./Mrs. Executive Director,

Academica Nevada would also like to add to our official comment listed below sent to you Monday March the 30<sup>th</sup>. We request a review of our application based on our original comment and that our current load is over 1 MW. Our application does not show usage numbers for all existing schools, and if such was allowed to provide usage for all current school sites you will find our load is over the minimum of 1 MW. Attached you will find the calculator provided us by Craig Pyper for our original application.

If you have further questions feel free to contact me.

Thank you,

Jacob Smoot  
Academica Nevada  
1378 Paseo Verde Pkwy Ste 200  
Henderson, NV 89012

P: 702.431.6260

F: 702.431.6250

[Jacob.Smoot@academicanv.com](mailto:Jacob.Smoot@academicanv.com)

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**From:** Jacob Smoot  
**Sent:** Monday, March 30, 2015 10:41 AM  
**To:** 'info@crchoverallocation.com'  
**Subject:** RE: Post-2017 Hoover Allocation

Mr./Mrs. Executive Director,

Academica Nevada would like to comment on the Draft Order issued on March 9, 2015. Due to the years that were asked to be included in the Hoover Dam Schedule D Allocation Application, energy consumption figures were only submitted for four of our current schools. However we have a total of seven sites with five new buildings under construction making a total of 12 schools that will be in operation by August 2015. Not only is that eight more schools than submitted but we have forecasted an additional 4 sites to be completed by summer of 2016. When completed, projected student count is estimated to be just over 16,000 students. Please see attached file.

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empowered with knowledge and the ability to grow and adapt, that is a substantial benefit to the state that cannot be over looked.

If you have further questions feel free to contact me directly.

Thank You,

Jacob Smoot  
Academica Nevada  
1378 Paseo Verde Pkwy Ste 200  
Henderson, NV 89012

P: 702.431.6260

F: 702.431.6250

[Jacob.Smoot@academicnv.com](mailto:Jacob.Smoot@academicnv.com)

## CRC Hoover Allocation

---

**From:** Suzette Wheeler <Suzette.Wheeler@cityofhenderson.com>  
**Sent:** Monday, March 23, 2015 4:02 PM  
**To:** info@crchoverallocation.com  
**Cc:** cpyper@crc.nv.gov  
**Subject:** Thank you letter from the City of Henderson for Hoover Power  
**Attachments:** 20150323 CRC Hoover Power D Proposed Allocation Thank You.pdf

Dear Ms. Harkins and Mr. Pyper,

Please find the attached thank you letter for the opportunity to receive an allocation of Hoover Power beginning in October 2017.

Thank you,

Suzette Wheeler  
Sr. Utility Business Analyst  
City of Henderson Utility Services  
702-373-7833



**CITY OF HENDERSON**  
240 Water Street  
P. O. Box 95050  
Henderson, NV 89009-5050

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March 23, 2015

Jayne Harkins, P.E.  
Executive Director  
Colorado River Commission of Nevada  
555 E. Washington Ave., Suite 3100  
Las Vegas, NV 89101-1065

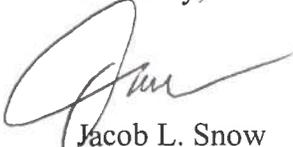
Subject: Post-2017 Hoover Allocation

Dear Ms. Harkins:

On behalf of the City of Henderson, we would like to thank the Colorado River Commission of Nevada for proposing an allotment of 1 MW of Hoover Power D to the City of Henderson.

We remain committed to be one of the premier communities in the Country. This allocation would enable the City to achieve significant cost savings, which in turn would benefit everyone who lives, works and recreates within the City. We appreciate your assistance in our effort to obtain this allocation of power.

Sincerely,



Jacob L. Snow  
City Manager

PH:jdv

cc: Craig Pyper, Hydropower Program Manager, Colorado River Commission  
Priscilla Howell, Director of Utility Services  
Kyle Okamura, Utility Planning and Operations Manager, Utility Services  
Suzette Wheeler, Sr. Utility Business Analyst, Utility Services



April 8, 2015

Jayne Harkins, PE  
Executive Director – Colorado River Commission of Nevada  
555 E. Washington Ave #3100  
Las Vegas, NV 89101

RE: Post-2017 Hoover Allocation

Dear Ms. Harkins:

LAS VEGAS  
CITY COUNCIL

CAROLYN G. GOODMAN  
MAYOR

STAVROS S. ANTHONY  
MAYOR PRO TEM

LOIS TARKANIAN  
STEVEN D. ROSS  
RICKI Y. BARLOW

BOB COFFIN  
BOB BEERS

ELIZABETH N. FRETWELL  
CITY MANAGER

Thank you for the opportunity to comment on the Draft Order Establishing Allocations of Power from the Post-2017 Resource Pool for the Boulder Canyon Project. As the first municipality in southern Nevada to become a major customer of the Colorado River Commission (CRC), the city has enjoyed excellent service from the CRC and its staff, resulting in a relationship that benefits the citizens of southern Nevada.

The city of Las Vegas objects to the CRC's allocation of Hoover power to only eight of sixteen applicants, and strongly objects to the CRC allocating well over fifty percent of the power allocation to three applicants--UNLV, the Las Vegas Valley Water District and Olin Chlor Alkali Products, Inc. It is unclear how the criteria were applied to the applications to determine the proposed allocations. A more equitable allocation would provide one megawatt of allocation to the City of Las Vegas and still leave an allocation for UNLV, LVVWD and Olin Chlor Alkali Products, Inc., a private for profit entity.

For the reasons listed below, the city of Las Vegas respectfully requests the draft allocation be reconsidered and that the city of Las Vegas receive an allocation of at least 1 megawatt of Hoover power.

- 1) An allocation of Hoover power will generate cost savings that will be used to help small businesses in southern Nevada to control energy costs while creating jobs. Based on estimates provided by the CRC, a minimum allocation of 1 megawatt will save the CRC energy customers around \$50,000 annually. In our application, the city of Las Vegas proposed establishing an energy conservation program with these savings that provides assistance to small businesses in low-income communities and downtown. This program will address small commercial businesses such as retail and restaurants that have limited energy management capacity and are located in older commercial and office space without extensive professional management. Challenges to energy management include:
  - Little to no staff with energy management training and capacity.
  - Little to no service providers serving the sector who actively seek out energy management projects.
  - Rarely use utility programs.

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495 S. MAIN STREET  
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011  
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[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

Jayne Harkins, PE  
April 8, 2015  
Page 2

These buildings vary in extent and quality of management practices, but opportunities to cost-effectively save energy exist in virtually all buildings. Based on estimates reported in a study by Massachusetts Institute of Technology for the city of Las Vegas, small commercial and retail buildings in Downtown Las Vegas spend an estimated \$16 million annually on energy.

Benefits of this program include:

- Utilities often comprise the largest non-labor operating costs for buildings in most regions. Energy and water account for 22 percent of office operating expenses, equating to about \$2.25 / ft<sup>2</sup> according to a 2013 report from the Rocky Mountain Institute. The effect on net profits can be greater for businesses with low profit margins, and if energy costs make up a large percentage of operating costs. According to the National Trust for Historic Preservation, restaurants and grocery stores in older buildings have low profit margins and high energy costs; they can realize significant increases in their net operating income by reducing energy spending; the percentage increase in office property profits are not as great, though they can still result in large savings in aggregate and significant enhancements to the value of the property.
- Lower operating costs add value to building values and rents, as occupants are willing to pay more to locate in such buildings. The Institute for Market Transformation has national studies investigating the impact of LEED and ENERGY STAR ratings on real estate performance and have found consistently positive premiums on rents, sales price, and occupancy.
- There's also the benefit of job creation – new green jobs created to conduct assessments, install measures, and perform benchmarking.

The city's proposal is similar to what has been done in several other communities – notably New York City's Greener, Greater Buildings Plan (part of PlaNYC). The New York City program partners with banks, financing institutions and energy service companies to finance energy improvements and generate energy savings. Minnesota has a statewide program, CEE, which operates in a similar way. Both programs have generated business opportunities, helped businesses save energy and save money, leveraged resources to create substantial capital investment that is increasing property values and helping small businesses become successful.

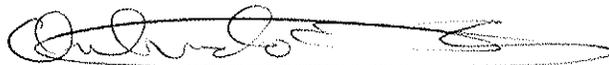
While the city isn't a water purveyor as other selected applicants are, it does treat wastewater, which should be an equally important factor of consideration in the

Jayne Harkins, PE  
April 8, 2015  
Page 3

- 2) determination of an allocation. As our application noted, the city of Las Vegas is responsible for providing wastewater treatment with facilities that operate 24 hours a day, 7 days a week that return treated water back to Lake Mead for reuse – this accounts for approximately one-third of the city’s total utility consumption and costs. Having an additional allocation of Hoover Schedule D Power will directly benefit the citizens of Las Vegas, as the application Statement of Use notes, and by further reducing annual electric expenses of \$9.8 million, which was a justification for an allocation for other applicants. An allocation of Hoover power will have similar benefits for each local government, making unclear the justification for treating other applicants differently.
  
- 3) The city’s application met all general eligibility criteria and addressed the allocation criteria that supported the public policy goals of the state of Nevada, as well as the other factors listed that the Commission would consider.

For the reasons stated, the city believes its application has merit and should receive an allocation. The city has proposed a program for energy efficiency that meets the stated goals, it will use its allocation to reduce energy costs for wastewater treatment operations, and it met all criteria in the application outlined by the Commission. Further, reducing amounts allocated to the top three recommended allottees will provide the benefits of an allocation of Hoover power while spreading the allocation to other local government agencies that meet all criteria. We therefore respectfully request the Commission reconsider its Draft Order and determine an allocation that addresses the factors argued here.

Sincerely,



Orlando Sanchez  
Deputy City Manager  
City of Las Vegas  
495 S. Main Street  
Las Vegas, NV 89101  
702.229.6501  
osanchez@lasvegasnevada.gov

Cc: Carolyn G. Goodman, Mayor  
Elizabeth N. Fretwell, City Manager  
Ted Olivas, Chief of Staff

## CRC Hoover Allocation

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**From:** Thomas Minwegen <tminwegen@cleanwaterteam.com>  
**Sent:** Wednesday, April 08, 2015 2:26 PM  
**To:** 'info@crchoovertime.com'  
**Subject:** CCWRD Appeal to the CRC Hoover Allocation Draft Order of May 12, 2015  
**Attachments:** CCWRD Appeal to the CRC Draft Order of March 9, 2015 for Final Hearing on May 12, 2015-.pdf

Please accept the attached letter from the Clark County Water Reclamation District as an Appeal to the CRC Hoover Allocation Draft Order of March 9, 2015 set to be heard for Final Order on May 12, 2015. The District will plan on attending the May 12, 2015 meeting. Thank you for your consideration in this matter. Please feel free to call should you like to discuss matters further.

Thomas (Tom) Minwegen, PE  
General Manager  
[tminwegen@cleanwaterteam.com](mailto:tminwegen@cleanwaterteam.com)  
Office: (702) 668-8063  
Cell: (702) 275-5503



COLORADO RIVER  
COMMISSION

APR - 8 2015  
HAND DELIVERED  
RECEIVED  
10:11 AM

April 6, 2015

Colorado River Commission of Nevada  
555 E. Washington Avenue  
Las Vegas, NV 89101

Attention: Executive Director, RE: Post-2017 Hoover Allocation

SUBJECT: ALLOCATION OF HOOVER SCHEDULE D POWER – APPEAL THE CRC DRAFT  
ORDER OF MARCH 9, 2015 FOR FINAL HEARING ON MAY 12, 2015

Clark County Water Reclamation District (District) is an “End-Use power entity” that is responsible for managing all facets of wastewater collection and treatment in unincorporated Clark County. The District operates and maintains seven (7) wastewater treatment facilities that operate 24 hours a day, 7 days a week. Each day, the District’s treatment facilities use a combined average of approximately 291,000 KWH to meet and exceed state and federal requirements to ensure daily that over 100 million gallons of wastewater are treated and safely returned to the Las Vegas Wash, Lake Mead and re-use customers.

We believe the District’s application meets the criteria for greatest possible benefit to this state. The District would leverage Schedule D Hoover power by utilizing the allocation at its Flamingo Water Resource Center in the Las Vegas Valley, enabling the approved Western Area Power Administration allocation to be utilized in facilities serving the communities of Blue Diamond, Laughlin, Moapa Valley and Searchlight. As a general improvement district serving customers in unincorporated Clark County, the District’s operational and maintenance expenses are borne by the ratepayers. A savings in the expense of operating pump stations and treatment facilities that serve the community in treating more than 100,000,000 gallons of wastewater each day in the different communities directly benefits the people served by the District. The District serves over 245,000 customer accounts, encompassing a population of approximately 880,000 people and serves the world famous Las Vegas Strip. The District’s collection and treatment operations generates over 27% of the Las Vegas Valley’s daily water supply resource in the form of return flow credits; and coupled with the City of Las Vegas’ wastewater operations, the two agencies combine for nearly 39% of the Southern Nevada communities’ average daily water supply resource recognized by return flow credits. In July 2013, at the direction of our Clark County Water Reclamation District Board of Trustees, the District passed its operational efficiencies onto its customer base in the manner of a 4% rate reduction for its annual sewer service charge.

The District respectfully requests the Colorado River Commission Board reconsider the District’s application and allocate a fair share of the schedule D Hoover power to the Clark County Water Reclamation District.

Sincerely,

  
Thomas A. Minwegen  
General Manager

cc: Lawrence Brown, CCWRD Chairman

BOARD OF TRUSTEES  
Lawrence L. Brown III, *Chair*. Steve Sisolak, *Vice Chair*.  
Susan Brager. Tom Collins. Chris Giunchigliani. Mary Beth Scow. Lawrence Weekly.  
Thomas A. Minwegen, *General Manager*

5857 East Flamingo Road, Las Vegas, Nevada 89122 (702) 668-8888, (800) 782-4324  
cleanwaterteam.com

**Brian Sandoval**  
*Governor*



**James R. Wells, CPA**  
*Director*

**Gustavo "Gus" Nunez**  
*Administrator*

**Carson City Offices:**  
515 East Musser Street, Ste. 102  
Carson City, Nevada 89701-4263

*Public Works Section*  
(775) 684-4141 | Fax (775) 684-4142

*Buildings & Grounds Section*  
(775) 684-1800 | Fax (775) 684-1821

**STATE OF NEVADA**  
**DEPARTMENT OF ADMINISTRATION**  
*Public Works Division*

**Las Vegas Offices:**  
*Public Works Section*  
1830 East Sahara, Ste. 204  
Las Vegas, Nevada 89104-3739  
(702) 486-5115 | Fax (702) 486-5094

*Buildings & Grounds Section*  
2621 East Sahara Avenue  
Las Vegas, Nevada 89104-4136  
(702) 486-4300 | Fax (702) 486-4308

April 2, 2015

Executive Director  
Colorado River Commission of Nevada  
555 E. Washington Ave. Suite 3100  
Las Vegas, NV 89101-1065  
(702) 486-2670  
Ms. Jayne Harkins P.E

Re: Post – 2017 Hoover Allocation  
State Public Works Division of the Department of Administration Comments and  
Request for Reconsideration of Staff's denial of the State Public Works  
Application for Hoover Dam Schedule D Power

Executive Director:

I am the Administrator for the State Public Works Division of the Department of Administration (DOA) and am submitting these comments and request the Commission's reconsideration of staff's recommended denial of DOA's Application for an allocation of Hoover Dam Schedule D power. As set forth in our Application, DOA meets all Allocation Criteria supporting an allocation of Hoover Dam Schedule D power by the Colorado River Commission (CRC). Unfortunately, DOA submitted their application late and solely on that basis, staff denied DOA's application. Based upon DOA's meeting all criteria including the stated public policy that the allocation provide 'the greatest possible benefit to this state,' on behalf of DOA, I respectfully request that the Commission exercise its discretion and reconsider staff's recommendation and approve an allocation of Hoover Dam Schedule D power to DOA.

DOA has a history of implementing energy savings measures in the construction of public works projects. DOA implements energy conservation measures on a continual basis when equipment has reached the end of its useful life with available CIP funding. From 2009 through 2012, DOA used \$7 million dollars in American Recovery and Reinvestment Act (ARRA) to implement lighting, solar photovoltaic and mechanical projects in state owned buildings throughout Nevada resulting in annual measurable energy savings of \$1.25 million. After the expenditure of the ARRA funding, DOA implemented the installation of 4,292 kW of Solar Photovoltaic arrays using NV Energy rebate program, resulting in an estimated annual savings to the State of \$660,000. An allocation for Hoover Dam Schedule D power for 21 buildings serving 20 state agencies is consistent with DOA's implementation of energy conservation measures with associated savings to the state and Nevada taxpayers.

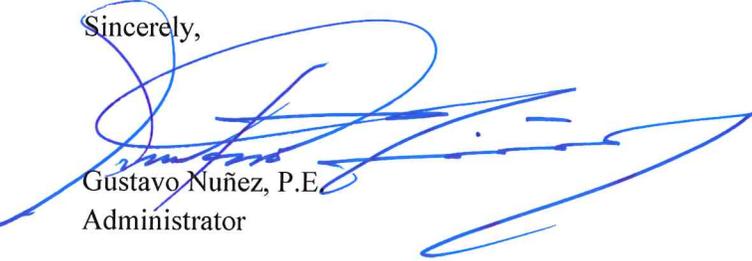
As noted, DOA will use the Allocation of Hoover Dam Schedule D power to provide power to 21 state buildings, serving over 20 state agencies, ranging from office buildings to warehouse space, including ten buildings that house the Nevada Department of Motor Vehicles with a combined annual power consumption of 11,177,966 kWh. Allocation of Hoover Dam Schedule D power will result in significant savings to the State. For example, an allocation of 1000 kW which is the equivalent to 2.1 million kWh which at five cents per kWh the State would save \$100,000 annually with a total savings over the life of the allocation of \$5,000,000 dollars (unadjusted for inflation). Clearly, passing these savings on to the Nevada taxpayers qualifies as an achievement 'for the greatest possible benefit to this state.' NRS 538.161(2)

Despite the stated value that this allocation would provide for Nevada, our application was denied because it was submitted late. Upon receipt of the November 17, 2014 Notice, Ward Patrick, Chief of Planning overlooked the deadline for the submission of application and for that reason, DOA's application was late. Please see Mr. Patrick's statement attached.

DOA meets all the criteria for an allocation of Hoover Dam Schedule D power, and the loss of this valuable benefit to the State due to a late application is disproportionate consequence resulting in a disservice to the State of Nevada taxpayers. For that reason, on behalf of the State Public Works Division, I respectfully request that the Commission reconsider staff's recommendation to deny DOA's application and allow for an allocation of Hoover Dam Schedule D power to DOA.

Your consideration of this request is appreciated.

Sincerely,



Gustavo Nuñez, P.E.  
Administrator

/gn

**Brian Sandoval**  
*Governor*



**James R. Wells, CPA**  
*Director*

**Gustavo "Gus" Nunez**  
*Administrator*

**Carson City Offices:**  
515 East Musser Street, Ste. 102  
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**STATE OF NEVADA**  
**DEPARTMENT OF ADMINISTRATION**  
*Public Works Division*

**Las Vegas Offices:**  
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1830 East Sahara, Ste. 204  
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(702) 486-5115 | Fax (702) 486-5094

*Buildings & Grounds Section*  
2621 East Sahara Avenue  
Las Vegas, Nevada 89104-4136  
(702) 486-4300 | Fax (702) 486-4308

April 2, 2015

Executive Director  
Colorado River Commission of Nevada  
555 E. Washington Ave. Suite 3100  
Las Vegas, NV 89101-1065  
(702) 486-2670  
Ms. Jayne Harkins P.E

Re: Post – 2017 Hoover Allocation  
State Public Works Division of the Department of Administration Comments and  
Request for Reconsideration of Staff's denial of the State Public Works  
Application for Hoover Dam Schedule D Power

Executive Director:

I am Ward Patrick, Chief of Planning for the State of Nevada Public Works Division. I am part of a team of employees dedicated to SPWD's goal of reducing state energy expenditures by 20% by seeking out energy efficient and cost effective programs for the State. In line with this goal, I was responsible for coordinating SPWD's submittal of our Application for an allocation of Schedule D Hoover power.

Unfortunately I overlooked the deadline noted on page 2, of the November 17, 2014 Notice of Public Meetings on Allocation Criteria For Marketing Nevada's Share of Hoover Schedule D Power and Call for Applications.

Prior notices and associated deadlines related to the Schedule D allocation were prominently featured. When I viewed the November 17, 2014 notice I mistakenly believed that it merely contained dates, times and locations for public meetings and completely missed the deadline for the submittal of our allocation.

Upon learning that I had missed the deadline, I immediately reported it to Chris P. Chimits, Deputy Administrator for SPWD and together we followed up with CRC for immediate submittal of our late application.

Sincerely,

A handwritten signature in cursive script that reads "Ward Patrick".

Ward Patrick

## CRC Hoover Allocation

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**From:** Craig Chinery <cchinery@doc.nv.gov>  
**Sent:** Thursday, March 19, 2015 2:23 PM  
**To:** cpyper@crc.nv.gov; info@crchooverallocation.com  
**Cc:** Kent LeFevre  
**Subject:** Re: Notice and Request for Comments on Draft Commission Order Establishing Allocations of Power from the Post-2017 Resource Pool for the Boulder Canyon Project  
**Attachments:** CRC Hoover Dam Response Letter March 2015.pdf

Craig,

Here is NDOC's response letter we spoke about earlier in the week as requested by CRC.  
Thank you for your consideration.

Craig

Craig Chinery CEM, CEA, LEED AP  
Energy Efficiency Manager  
Nevada Department of Corrections  
5500 Snyder Ave., Carson City, NV 89702  
phone 775-887-3348  
fax 775-887-3368  
[cchinery@doc.nv.gov](mailto:cchinery@doc.nv.gov)

This e-mail contains the thoughts and opinions of Craig Chinery.

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>>> "CRC Hoover Allocation" <[info@crchooverallocation.com](mailto:info@crchooverallocation.com)> 3/9/2015 11:38 AM >>>

Pursuant to regulations adopted by the Commission on June 10, 2014, staff of the Colorado River Commission of Nevada is required to prepare a draft order addressing the allocation of Hoover Schedule D power in Nevada. Attached you will find a draft order reflecting Staff's recommendations to the Commission for allocating Schedule D Hoover power.

Comments on this draft order are due to Commission staff on or before close of business on April 8, 2015. After April 8, Staff will review and consider all comments received. A final draft order, along with all comments received, will be presented to the Commission at a hearing on May 12, 2015.

We will be posting the attached material at the Commission's website at <http://crc.nv.gov/> and <http://www.crchoverallocation.com>.

Craig N. Pyper  
Hydropower Program Manager  
Colorado River Commission of Nevada  
(702) 486-2681  
[cpyper@crc.nv.gov](mailto:cpyper@crc.nv.gov)

Board of State  
Prison Commissioners

BRIAN SANDOVAL  
Governor

BARBARA CEGAVSKE  
Secretary of State

ADAM PAUL LAXALT  
Attorney General



STATE OF NEVADA  
DEPARTMENT OF CORRECTIONS



Northern Administration  
Plant Operations  
5500 Snyder Avenue, Carson City, NV 89702  
Phone: (775) 887-3285 - Fax: (775) 887-3138

Southern Administration  
Plant Operations  
3955 W. Russell Road, Las Vegas, NV 89118  
Phone: (702) 486-9938 - Fax: (702) 486-9961

BRIAN SANDOVAL  
Governor

JAMES G. COX  
Director

March 17, 2015

Colorado River Commission of Nevada

555 E. Washington Ave. Suite 3100

Las Vegas, NV 89101-1065

(702) 486-2670

Mr. George F. Ogilvie III, Chairman

Dear Mr. Ogilvie III:

As requested at the Meeting of the Colorado River Commission of Nevada held on March 10, 2015. The Department of Corrections has included a copy of our testimony and comments on why the application from NDOC should be considered for inclusion into the CRC allocation.

**Written Testimony as Follows:**

Commission Chairman and Members: Thank you for your time today. For the record my name is Scott Sisco, and I am the Deputy Director with the Department of Corrections. And here with me is Kent LeFevre, the Departments' Chief Engineer.

I'm here today to comment on item number I of your agenda. In particular Staff's implementation of the provisions in the Hoover Power Allocation Act of 2011.

Back on November 17, 2014 the Commission provided a Notice of Public Meeting on Allocation Criteria for Marketing Nevada's Share of Hoover Schedule D Power and Call for Applications. Within that two page meeting notice, it was proposed that The Commission accept applications between December 5, 2014, and January 9, 2015.

Ultimately an order was released which indicated "The Commission approves the allocation criterial and application form proposed by Commission staff in Exhibit B, as amended by the Commission in Exhibit C, and finds that utilization of these criteria and this application form for allocation of Hoover Schedule D power will serve "the greatest possible benefit to this state" as required by NRS 5.161.

The Application for Allocation of Hoover Schedule D Power forms (7 pages) were then created and made available to applicants.

Yesterday the Department of Corrections received a Draft Order relative to this meeting specifically stating under section F. Rejection of Late-Filed Applications. The narrative of that section indicates that applications for the Department of Administration and the Department of Corrections did not submit their applications until January 29 and February 2, respectively. Staff recommends these applications be rejected as non-compliant with the filing requirements.

Unfortunately there has been considerable confusion for certain State agencies regarding those due dates. Other than in the original November 17, 2014 Notice of Public Meeting notification previously referenced, the Department of Corrections was unable to find the due dates in:

- The Commission's Order
- The Application for Allocation for Hoover Schedule D Power (itself)
- In other documents we've been able to secure

Coming back to the reference to the due date in the original November 17, 2014 public meeting notification, the public notice states "The Commission reserves the right to not consider any applications received after this date." The Department would urge the commission to understand the confusion caused by such an important date missing on the Commission's Order as well as the application itself, and utilize the flexibility the Commission wrote itself into that meeting notice, and accept these two late applications. Thank you and I'll be happy to answer any questions you may have.

### **End of Testimony**

The Nevada Department of Corrections disagrees with the CRC staff's recommendation that its application be rejected for the following reasons:

The email that was sent out on November 17<sup>th</sup>, 2014 calling for applications was not readily noticeable or expressed in a format that could not be missed. The subject of the email was "Notice of Public Meetings and Call for Applications" which was in a similar format to emails that were sent to us before that was for public meetings that did not require any urgent due dates be met.

Contrast this with the March 7<sup>th</sup>, 2014 email sent out by CRC for the Western Area Power Administration allocation that showed the due date boldly in the text of the email. The two examples are below.

### **March 7<sup>th</sup>, 2014 email for Western Area Power Administration allocation**

*"To all who are submitting applications to Western for Hoover power post 2017.*

*Please see that attached memo regarding Western's application and explanations. As we have discussed, we are willing to assist you and review your applications before you submit them to Western. Remember, **WESTERNS DUE DATE IS MARCH 31.***

*Please forward to anyone you believe might also need this information.*

*Please feel free to call us if you have any questions".*

**November 17<sup>th</sup>, 2014 email for CRC Nevada allocation**

*"Good afternoon,*

*Attached please find CRC's Notice of Public Meetings on Allocation Criteria for Marketing Nevada's Share of Hoover Schedule D Power, and Call for Applications. The CRC Staff will host three public meetings on December 4 - 5, 2014 at the following locations and times:*

*December 4, 2014 – Overton, NV*

*10:00 a.m. – 12:00 p.m. PST*

*Moapa Valley Community Center*

*320 North Moapa Blvd.*

*Overton, NV 89040*

*December 5, 2014 – Pahrump, NV*

*10:00 a.m. – 12:00 p.m. PST*

*Bob Ruud Community Center, Room B*

*150 North Highway 160*

*Pahrump, NV 89060*

*December 5, 2014 – Las Vegas, NV*

*2:00 p.m. – 4:00 p.m. PST*

*Grant Sawyer Office Building, Suite 1100*

*555 East Washington Avenue*

*Las Vegas, NV 89101*

*If you plan to attend a public meeting, please register on-line at [www.crchoovertime.com](http://www.crchoovertime.com) or RSVP to Carla Miguel at [\(702\) 486-2692](tel:7024862692) at least five days before the meeting.*

*We look forward to your participation at the meetings, please call [\(702\) 486-2670](tel:7024862670) if special accommodations or assistance is needed.”*

The actual due date was on the second page of a PDF document included in the November 17<sup>th</sup> email (shown below) that was not even highlighted so that it would stand out. For an opportunity that only comes around every 50 years we feel that a better method of communicating this deadline could have been implemented.

**Second page of PDF document sent on November 17<sup>th</sup>, 2014**

*Notice of Public Meetings on Final Allocation Criteria for November 17, 2014  
Marketing Nevada's Share of Hoover Schedule D Electric Power Page 2  
and Call for Applications*

***Commission Order, Allocation Criteria and  
Application Form***

*A copy of the Commission Order which sets forth the Hoover Schedule D power  
allocation*

*criteria and application form is available on the Commission's Post-2017 Hoover  
Remarketing*

*website [www.crchoovertime.com](http://www.crchoovertime.com), and at the Commission's office at 555 E.  
Washington*

*Avenue, Suite 3100, Las Vegas, NV 89101 during normal business hours (Monday  
through*

*Friday, 8:00 a.m. to 5:00 p.m.).*

*This notice requests applications from qualified entities seeking to apply for an  
allocation of*

*Hoover Schedule D power from the Commission. Entities applying for an allocation  
of*

*Hoover Schedule D power must submit an application on the form provided by the  
Commission, be signed by the applicant, and include the applicant's full name,*

*mailing*

*address, and any facts and exhibits required by law.*

*The Commission will accept applications between December 5, 2014 and January 9, 2015.*

*The Commission reserves the right to not consider any applications received after this date.*

*Applications may be submitted by email to [info@crchoverallocation.com](mailto:info@crchoverallocation.com), by fax to (702)*

*486-2695, or delivered by mail or in person at the Commission's office at 555 E. Washington*

*Avenue, Suite 3100, Las Vegas, NV 89101 during normal business hours (Monday through*

*Friday, 8:00 a.m. to 5:00 p.m.).*

*This call for applications has been posted at the following locations:*

- City of Las Vegas City Hall, 495 South Main Street, Las Vegas, NV*
- City of North Las Vegas City Hall, 2250 Las Vegas Blvd. North, North Las Vegas, NV*
- Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, NV*
- State of Nevada Grant Sawyer Building, 555 East Washington Avenue, Las Vegas, NV*

*This call for applications has been faxed and/or sent via electronic mail with posting verified at*

*the following locations:*

- The Capitol Building, 101 North Carson Street, Carson City, NV*
- Nevada State Legislature Building, 401 South Carson Street, Carson City, NV*
- City of Boulder City Hall, 401 California Avenue, Boulder City, NV*
- City of Henderson City Hall, 240 Water Street, Henderson, NV*
- Laughlin Chamber of Commerce, 1725 Casino Drive, Laughlin, NV*
- Laughlin Town Manager's Office, 101 Civic Way, Laughlin, NV*
- Esmeralda County, Courthouse, 233 Crook Avenue, Goldfield, NV*
- Eureka County, 10 South Main Street, Eureka, NV*
- Lincoln County, 181 North Main Street, Pioche, NV*
- Mineral County, 105 South "A" Street, Hawthorne, NV*
- Nye County, 1520 East Basin Avenue, Pahrump, NV*
- White Pine County Courthouse, 801 Clark Street, Ely, NV*

It seems a disservice to the State of Nevada taxpayers that the Department of Corrections be ineligible to receive Hoover power for another 50 years because a one-time email didn't boldly show the due date for application submission. We feel that the two (2) allocation due dates were presented to NDOC in extremely different ways.

Again, we would like the opportunity to work alongside of CRC Nevada our sister agency in reducing the state's electric expenditures and reducing the cost of electricity that will be shouldered by the taxpayers of Nevada for the next 50 years.

Your consideration of this request will be greatly appreciated.

Sincerely,



Scott Sisco, DDSS  
Deputy Director, Support Services



Craig Chinery,  
Energy Efficiency Manager



Kent LeFevre,  
Chief Engineer

## CRC Hoover Allocation

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**From:** Webb, Lloyd B CLEV <LBWebb@olin.com>  
**Sent:** Tuesday, March 31, 2015 1:21 PM  
**To:** info@crchoverallocation.com  
**Subject:** RE: Olin Comments on Hoover Schedule D Power Allocation  
**Attachments:** Colorado River Commission Allocation of Schedule D Power - Olin Comments March 31 2015.pdf

Meant to send the PDF version for posting on the CRC website.

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**From:** Webb, Lloyd B CLEV  
**Sent:** Tuesday, March 31, 2015 4:17 PM  
**To:** [info@crchoverallocation.com](mailto:info@crchoverallocation.com)  
**Subject:** Olin Comments on Hoover Schedule D Power Allocation

Please find attached our comments.

Best regards,

The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this message and any attachments in error and that any review, dissemination, distribution, copying or alteration of this message and/or its attachments is strictly prohibited. If you have received this message in error, please notify the sender immediately by electronic mail, and delete the original message.

## COLORADO RIVER COMMISSION

### PIONEER AMERICAS LLC d.b.a. OLIN CHLOR ALKALI PRODUCTS COMMENTS ON THE PROPOSED ALLOCATION FOR MARKETING NEVADA'S SHARE OF SCHEDULE D HOOVER POWER

Pioneer Americas LLC d.b.a. Olin Chlor Alkali Products (Olin) appreciates the Colorado River Commission's consideration of an allocation of 2,000 kW of capacity and 4,363,684 kWh of energy to our industrial facility located in the Black Mountain Industrial complex in Henderson, Nevada. Olin's facility has long been an important industrial presence in Southern Nevada and we hope to continue this commitment to the State of Nevada. The above allocation will support our future viability as an industrial operating in Nevada thereby supporting the criteria of "for the greatest possible benefit to this state".

RESPECTFULLY SUBMITTED



Lloyd Webb  
Director Energy  
Olin Chlor Alkali  
350 Fourth Street  
Henderson, Nevada 89015

To: Jayne Harking, P.E., Executive Director, CRC      c: K. Reynolds  
From: Donald W. Land, P.E., Facilities Engineer, UNLV      J. Van Antwerp  
Subject: RE: Post-2017 Hoover Allocation      S. Wallace  
Date: April 7, 2015

The University of Nevada, Las Vegas is pleased and would like to convey gratitude and commitment to the CRC and its constituents in regards to its Hoover Schedule "D" allocation of 3 megawatts of power (CRC Draft Order, March 19, 2015). Mr. Craig Pyper and his staff were an exemplary knowledge source and demonstrated professionalism that played a major role in our application process. As an experienced facilities management organization, we look forward to continue applying industry best practices as they emerge while helping support knowledge based academic programs at UNLV that aim to move Nevada's economy forward with energy cost savings realized through CRC and WAPA. Moreover, I am elated to add Hoover Allocation energy cost savings to my organization's efficiencies and effectiveness portfolio that is centered on being good stewards for UNLV and the state of Nevada.

Sincerely,

Donald W. Land, P.E.  
Facilities Engineer  
Office: 702-895-1471  
Fax: 702-895-4174  
Cell: 702-371-2801  
Email: donald.land@unlv.edu

**BEFORE THE COLORADO RIVER COMMISSION OF NEVADA**

**THE STATE OF NEVADA**

April 8, 2015

DRAFT COMMISSION ORDER  
ESTABLISHING ALLOCATIONS OF  
POWER FROM THE POST-2017 RESOURCE  
POOL FOR THE BOULDER CANYON  
PROJECT (HOOVER DAM)

**COMMENTS OF VALLEY ELECTRIC ASSOCIATION, INC.**

**I. INTRODUCTION**

Valley Electric Association, Inc. (“VEA”) respectfully submits these comments in response to the March 9, 2015 Draft Order Establishing Allocations of Power from the Post-2017 Resource Pool for the Boulder Canyon Project (Hoover Dam) (the “Draft Order”), submitted by the Staff (“Staff”) of the Colorado River Commission of Nevada (“CRC”).

In the Draft Order, Staff proposes allocating a portion of capacity and energy from the Schedule D Hoover Power (“Schedule D”) to an applicant titled “Nye County.” The application for “Nye County” contains an aggregation of 108 separate accounts for both Nye County and the Nye County School District, two entirely separate and distinct political subdivisions located in Nye County, Nevada (together, and for purposes herein only, the “Nye Entities”).

VEA is a Nevada non-profit cooperative utility that provides its member-owner consumers with electric service in portions of Clark, Nye, Mineral, and Esmeralda Counties in Nevada, and Inyo and Mono counties in California. VEA receives hydro-electric capacity and energy allocations from Hoover Schedule A, Hoover Schedule B, Parker-Davis, and CRSP/AHP/WRP (the “Hydro”).

Staff's Draft Order was brought before VEA's Board of Directors at the March 2015 regular director meeting. After a review of Staff's recommendation, and a discussion of the points outlined below, VEA has determined that it must formally oppose Staff's recommendation to allocate a portion of Schedule D power to the Nye Entities. The following facts and analysis are provided in support of VEA's position in this regard.

## **II. SUPPORTING FACTS AND ANALYSIS**

### **A. VEA SUPPORTS CRC'S PUBLIC POLICY GOALS WITH RESPECT TO ALLOCATING THE SCHEDULE D RESOURCE TO NEVADA ENTITIES.**

VEA supports CRC's Schedule D allocation criteria, which were approved by CRC on November 17, 2014. VEA specifically agrees with CRC's policy initiatives of fostering economic development, advancing education, and supporting state, local and tribal governmental entities through the allocation of this low-cost resource. As a Nevada member-owned cooperative business, VEA operates in concordance with similar objectives each and every day. VEA serves its member-owner consumers with reliable energy at cost, in rural and economically disadvantaged areas. VEA's "cooperative" business structure helps reduce expenses for all VEA member-owner consumers equitably, including rural schools and governmental entities.

### **B. NO GUARANTEES ARE IN PLACE TO ENSURE THAT RURAL EDUCATION WILL BE DIRECTLY BENEFITED BY THE LOW-COST SCHEDULE D POWER IF ALLOCATED TO THE NYE ENTITIES.**

As noted above, CRC has established a policy initiative of fostering and advancing education through the allocation of the Schedule D resource. CRC notes in the Draft Order that an allocation of Schedule D power to Nye Entities would support education. Indeed, the Nye Entities state in their application that an allocation would allow them to "*...divert moneys to support education, economic development and support vital county services.*" However, there appears to be no mechanism in place to ensure that the Nye Entities will actually use that allocation to support education. VEA is unclear as to how this resource will be allocated to

education given the aggregation of these 108 accounts across two separate entities, both with independent objectives.

**C. AS MEMBER-OWNER CONSUMERS OF VEA, THE NYE ENTITIES ALREADY RECEIVE AN ALLOCATION OF HYDRO POWER FROM THE COLORADO RIVER SYSTEM.**

VEA receives approximately 21% of its total power resource from federal Hydro resources. The Nye Entities, as member-owner consumers of VEA, receive direct benefit from these resources. In the Draft Order, Staff recommends denying an allocation to the National Nuclear Security Administration and the Las Vegas Paiute Tribe because each already receives capacity from certain hydro-power resource, but seeks to provide benefit to the Nye Entities, who also already receive an allocation through their member-owned cooperative utility. This analysis, as understood, is inconsistent, flawed, and creates an inequitable result. Further, it produces many unanswered questions, including:

- Is CRC allowing the Nye Entities to knowingly “double-dip” and receive multiple allocations of Hydro energy?
- Is VEA responsible for subtracting the existing Hydro allocations from the retail rates of the Nye Entities?
- Will this jeopardize the existing Hydro allocations to the remaining VEA member-owner consumers?
- Will CRC indemnify VEA from all actions including financial losses relating to this Order?

**D. CRC’S APPROVAL OF THE DRAFT ORDER WOULD CREATE ADVERSE CONSEQUENCES FOR VEA AND IMPOSE UPON VEA’S RELATIONSHIP WITH ITS MEMBER-OWNER CONSUMERS.**

VEA’s primary concern with Staff’s Draft Order is the precedential impact it could have upon VEA and VEA’s relationship with its member-owner consumers. This concern can be separated into three distinct categories, more particularly explained below.

1. *Transmission System Concerns*

In January of 2013, VEA, along with VEA's wholly-owned subsidiary, Valley Electric Transmission Association LLC, registered as a Participating Transmission Owner and Load Serving Entity with the California Independent System Operator (CAISO), becoming part of the CAISO balancing area. As a result, the use of VEA's transmission system is subject to CAISO's FERC-approved tariff. To date, VEA is not aware of either of the Nye Entities or CRC making an application to CAISO for capacity rights over VEA's transmission system.

2. *Distribution System Concerns*

The Nye Entities' accounts are all distribution-level, retail consumer accounts of VEA. Should the Nye Entities be allocated this Schedule D resource, the Nye Entities would be required to obtain wholesale transmission customer status and authority to demand retail wheeling over a utility distribution system.

3. *Membership Equity Concerns*

VEA has additional concerns pertaining specifically to how CRC's decision to follow Staff's recommendations would affect VEA's membership. First, VEA has already made the power purchases necessary to accommodate the Nye Entities' loads for the period of 2017 through 2024. This accommodation includes all necessary scheduling for transmission and energy, along with all contractual arrangements for base-load power, Hydro power, peaking products, shaping products, resource adequacy, as well as all other agreements, regulatory compliance requirements, costs, fees, taxes and other charges necessary to provide service to the Nye Entities. Has the CRC adopted a position on stranded cost in relation to Staff's recommendation? Second, VEA, as a member-owned organization, provides for fair and equitable treatment of all member-owner consumers. Should CRC adopt the Draft Order, CRC would attempt to directly usurp the authority of the VEA Board of Directors, allowing CRC to set policy in regard to the use and operation of VEA's electrical system. If VEA then accepted that decision, VEA would be forced to offer open access across its entire network to all

members. Finally, this would create an unprecedented administrative liability for VEA and all parties involved.

### III. CONCLUSION

VEA opposes Staff's recommendation to allocate a portion of Hoover Schedule D power to the Nye Entities for the reasons described above. VEA implores CRC to reject Staff's recommendation based upon the facts and analysis described above. If CRC follows Staff's recommendation, VEA will respectfully deny access to VEA's distribution and transmission system in order to protect the interest of VEA's member-owner consumers, including the Nye Entities.

Respectfully submitted on April 8, 2015.

VALLEY ELECTRIC ASSOCIATION, INC.

*/s/ Curt R. Ledford*

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Curt R. Ledford, Esq., General Counsel  
and Emily Schneider, Esq., Staff Counsel  
Valley Electric Association, Inc.  
800 E. Highway 372, PO Box 237  
Pahrump, NV 89041  
Phone: 775-727-5312