COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM A
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: Roll Call / Conformance to Open Meeting Law.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION: None.

STAFF COMMENTS AND BACKGROUND:

Announcement of actions taken to conform to the Open Meeting Law will be reported at the meeting.

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM B
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: Comments from the public. Members of the public are invited to comment on items on the meeting agenda. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action).
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION: None.

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM C
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: *For Possible Action:* Approval of minutes of the December 9, 2025, meeting.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION: None.

STAFF COMMENTS AND BACKGROUND:

The minutes of the December 9, 2025, meeting is enclosed for your review.

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

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Special Counsel, Attorney General	Michelle D. Briggs
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COMMISSION STAFF IN ATTENDANCE

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OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
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COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
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COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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D.	*For Possible Action*: To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800	1
E.	*For Possible Action*: To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860	2
F.	*For Possible Action:* To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.....	3

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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K. *For Possible Action:* Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00 8

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P. Comments and questions from the Commission members 11

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R. Adjournment 11

The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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R. Adjournment 11

The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

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Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

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Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

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He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

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Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

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Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

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Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

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Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, December 9, 2025, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.

COMMISSIONERS IN ATTENDANCE

Chairwoman	Puoy K. Premsrirut
Commissioner	Steve Walton

COMMISSIONERS PRESENT VIA TELECONFERENCE

Vice Chairwoman	Kara J. Kelley
Commissioner	Marilyn Kirkpatrick
Commissioner	Allen J. Puliz
Commissioner	Cody Winterton

COMMISSIONER NOT IN ATTENDANCE

Commissioner	Dan H. Stewart

DEPUTY ATTORNEY(S) GENERAL

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David W. Newton

COMMISSION STAFF IN ATTENDANCE

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Joseph Stubitz
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Power Systems Operations Manager	Walter Shupe
Assistant Hydropower Manager	Matthew Alinsod
Energy Management Data Analyst	Rebecca Suafoa
Hydropower Analyst	Elissa Emery
Senior Energy Accountant	Hyelim Hong
System Coordinator	Chris Smith
Natural Resources Specialist	Danielle Collins
Natural Resources Specialist	Kristina Sasser
Executive Assistant Manager	Gina L. Goodman
Administrative Assistant IV	Elsa Nava
Administrative Assistant IV	Marissa Russell
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland
Administrative Assistant II	Bobby Hickman
Administrative Assistant II	Thyandra Lewis

OTHERS PRESENT: REPRESENTING

Commercial Energy Services and Supply dba CESS	David Welch
Commercial Energy Services and Supply dba CESS	Coy Wheeler
Liaison Business Support Services	Michael F. Parra
NV Energy	Abigail Bowdish
NV Energy	Jana Stewart
R.I.S.E.	Christian Soloman-Lomu
Silver Basin Strategies, LLC	Noah Fischel

COLORADO RIVER COMMISSION OF NEVADA

MEETING OF

DECEMBER 9, 2025

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Puoy Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

A. Conformance of Open Meeting Law.

Executive Director, Eric Witkoski, confirmed that the meeting was posted in compliance with the Open Meeting Law.

B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action).

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

C. *For Possible Action*: Approval of minutes of August 12, 2025, meeting.

Chairwoman Premsrirut asked if there were any comments or questions regarding the minutes. If not, I'll entertain a motion?

Vice Chairwoman Kara Kelley, I have a ministerial revision on the top of page 5 first line, a reference to Keith. It should be Mr. Simovic. With that change, I am moving to approve.

Vice Chairwoman Kelley moved to approve the minutes of the August 12, 2025, meeting. The motion was seconded by Commissioner Steve Walton and approved by unanimous vote.

D. *For Possible Action:* To approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800.

Mr. Witkoski introduced Agenda Item D and mentioned Michelle Briggs, Special Counsel has some updates.

Ms. Briggs advised the Commission that the selected vendor had notified Staff of a change in the delivery schedule. Ms. Briggs explained that the delivery timeframe would be extended from 46 weeks to 64 weeks, as reflected in Section 3 of the contract, and that Section 600 would be amended to revise the work schedule to allow delivery to occur on or after March 1, 2027, and on or before April 1, 2027. She noted that the final acceptance date of December 6, 2027, would remain unchanged and that the project schedule could accommodate the revised delivery timeline.

Chairwoman Premsrirut confirmed that there had been only one response to the bid solicitation.

Commissioner Walton asked whether the contract included construction labor or was limited to procurement.

Joseph Stubitz, Assistant Director, Engineering and Operations, explained that the contract was for procurement of two circuit breakers to protect and isolate the main transformers at the City of Boulder City Substation No. 3 as part of the interlocal agreement between the Commission and the City of Boulder City. Mr. Stubitz clarified that while testing is included as part of the fabrication process, the contract does not include on-site construction labor.

Commissioner Walton moved to approve Contract No. CRCBC-05 between successful bidder, Commercial Energy Services and Supply, LLC dba CESS and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3445 for two (2) 69 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $218,000 and authorize a change order contingency in an amount not to exceed $21,800. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

E. ***For Possible Action:*** **To approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860.**

Mr. Witkoski introduced Agenda Item E and noted that Mr. Stubitz would provide additional background. Mr. Witkoski also acknowledged that Mr. Stubitz recently joined the Commission following the departure of Shae Pelkowski.

Chairwoman Premsrirut welcomed Mr. Stubitz to the Commission and noted that the Commission was fortunate to hire an individual with extensive experience. She then requested background information on Agenda Item E.

Mr. Stubitz thanked the Chairwoman and expressed appreciation for the opportunity to join the Commission team. He explained that the proposed contract was for the purchase of nine (9) 15 kV voltage class circuit breakers for the future City of Boulder City Substation No. 3. He stated that the breakers will be used to protect and isolate the main ties and feeders at the new substation.

Chairwoman Premsrirut noted that four proposals were received in response to the bid solicitation and requested additional explanation regarding Staff's selection of Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, so that unsuccessful bidders and future respondents could better understand the evaluation criteria.

Mr. Stubitz explained that the price and manufacturer type were significant factors in the evaluation process. He stated that one proposal was deemed non-responsive because it did not meet the Commission's technical requirements and did not provide realistic pricing.

Mr. Stubitz added that Staff also considered prior experience, vendor reliability, schedule, and established working relationships when selecting the successful bidder.

Commissioner Walton asked whether the delivery timeline for this equipment was subject to delays like other equipment purchases.

Mr. Stubitz responded that the 15 kV breakers have an estimated lead time of approximately 27 weeks and are not subject to the same level of delay as higher-voltage equipment.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. CRCBC-06 between the successful bidder, Sonepar Mountain Holdings, LLC, dba Codale Electric Supply, and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S446 for nine (9) 15 kV voltage class circuit breakers for the City of Boulder City Substation #3 Rebuild in the amount of $348,600 and authorize a change order contingency in an amount not to exceed $34,860. The motion was seconded by Commissioner Walton and approved by unanimous vote.

F. ***For Possible Action:*** **To approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in an amount not to exceed $78,650 with a contract ending date of December 31, 2027.**

Mr. Witkoski introduced Agenda Item F.

Mr. Stubitz explained that the goal of the Power Delivery Group is to digitize and standardize the Commission's substation inspection processes. He stated that the proposed system will provide actionable corrective actions, enhance asset management of critical power delivery infrastructure, and extend the useful life of Commission equipment.

Chairwoman Premsrirut asked whether the system's severity rankings would assist Staff in prioritizing repairs based on risk and potential impacts.

Mr. Stubitz confirmed that the platform evaluates risk and impact of failure to support prioritization of maintenance and corrective actions.

Chairwoman Premsrirut asked if there were any additional questions or comments from Commission members. There were none.

Vice Chairwoman Kelley moved to approve Contract No. SA-25-HEE between successful bidder, High Energy Engineering, LLC and the Colorado River Commission of Nevada, based on Bid Solicitation No. 69CRC-S3481 for High Voltage System – Digital Substation Inspection Platform in the amount not to exceed $78,650 with a contract ending date of December 31, 2027. The motion was seconded by Commissioner Walton and approved by unanimous vote.

G. *For Possible Action:* By the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744.

Mr. Witkoski introduced Agenda Item G for possible action regarding the annual adjustment of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026, pursuant to NAC 538.744.

He explained that Staff conducts this review annually and noted that there were minimal changes proposed for the upcoming year.

Mr. Witkoski stated that the collateral amounts for Henderson Water Company, LHOIST, and TIMET would remain at their current levels, which are slightly above the 25 percent threshold, due to payment history considerations.

He further explained that the collateral requirement for EMD Bormann would be reduced to 25 percent of annual purchases based on the contractor's strong payment history.

He also noted that Olin's collateral requirement would be slightly increased to reflect increased load, while remaining at 25 percent of gross annual purchases.

Chairwoman Premsrirut asked whether EMD Bormann was satisfied with the refund associated with the collateral adjustment.

Mr. Witkoski confirmed that it was.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members regarding the proposed collateral adjustments. There were none.

Commissioner Walton moved to approve the Colorado River Commission of Nevada (Commission) to adjust the amount of collateral posted by the Commission's retail industrial contractors for Calendar Year 2026 per NAC 538.744. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

H. *For Possible Action:* Consideration and possible action to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski introduced Agenda Item H for possible action regarding an increase to the Commission's hydropower administrative charge, either through adoption of a fixed budget allocation method pursuant to NAC 538.610(3) or by increasing the per kilowatt-hour rate from $0.00122 to $0.00215.

Mr. Witkoski explained that the hydropower administrative charge was last increased in January 2019 and has not been adjusted in nearly seven years. He noted that in 2022, the Commission amended its regulations to allow a budget allocation methodology similar to that used for the Water Administrative Charge and Power Delivery budgets.

Staff evaluated the necessary increase and determined that the budget allocation approach would best align with existing Commission practices. He further noted that the proposal was presented to hydropower contractors at the October 2025 annual meeting, where questions were raised but no objections were received.

Douglas N. Beatty, Chief of Finance and Administration, provided additional background, explaining that the hydropower administrative charge funds the Commission's hydropower-related activities and that current financial projections show cash reserves reaching minimum levels by the end of the current fiscal year. He stated that Staff presented financial projections to customers at the October meeting and recommended transitioning to the budget allocation methodology, which mirrors the Commission's Water Administrative Charge, Power Delivery cost recovery, market power purchases, and federal billing practices for Hoover Dam power.

Mr. Beatty explained that the budget allocation method provides greater predictability and stability by reducing exposure to hydrological variability and market fluctuations. Under the current volumetric rate, revenues are higher in early years and lower in later years, resulting in reserve depletion and rate volatility. In contrast, the budget methodology aligns charges with actual expenses, allows for gradual adjustments, and avoids rate shocks. He further noted that costs would be allocated annually based on the higher of each contractor's allocation or prior-year actual usage, with customers notified of charges before the start of each budget year. Five-year comparisons and customer-specific analyses showed that total collections and individual impacts would be similar under either methodology, and no negative feedback was received.

Chairwoman Premsrirut confirmed that while customers asked questions regarding cost drivers, no objections were raised. She noted that the timing of the proposed increase was consistent with past Commission practice and aligned with other Commission cost-recovery methods. She then asked if there were any additional questions or comments. There were none.

Commissioner Allen Puliz moved to approve an increase in the Commission's hydropower administrative charge and allow for a fixed budget allocation method as provided for in NAC 538.610 (3) or provide an increase in the per kilowatt-hour rate from $0.00122 to $0.00215. The motion was seconded by Vice Chairwoman Kelley and approved by unanimous vote.

I. *For Information Only:* Consideration and possible action regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for allocations of hydropower and related contracts to be effective October 1, 2028.

Mr. Witkoski introduced Agenda Item I for information only regarding a Staff update on the Parker-Davis Project (P-DP) hydropower allocation process for post-2028 hydropower contracts, which are anticipated to become effective October 1, 2028.

Mr. Witkoski provided an overview of the allocation process and noted that in August 2025, the Commission approved the application criteria for the P-DP allocation process. Applications were issued thereafter, with a submission deadline of September 18, 2025.

Staff received fourteen (14) applications, with total requests exceeding the available hydropower supply.

He explained that Staff conducted an initial review of the applications to evaluate applicant needs and utilization history and that the purpose of the presentation was to provide the Commission with a preliminary overview of Staff's analysis and proposed allocation framework.

He noted that Staff would issue a draft allocation order in January 2026, after which applicants would have twenty (20) days to provide comments. Following review of comments, Staff anticipates returning to the Commission in February 2026 with a recommended final allocation order for consideration.

Mr. Witkoski further explained that preliminary findings indicate that the BMI complex has underutilized its Parker-Davis hydropower allocation over the past three years. As a result, Staff is evaluating the reallocation of a portion of the BMI allocation to other eligible contractors, with a preliminary approach that would allocate approximately fifty percent of the reallocated capacity to Southern Nevada Water Authority (SNWA) member agencies and approximately fifty percent to rural electric utility contractors.

Matthew Alinsod, Assistant Hydropower Program Manager, provided a detailed presentation on the post-2028 Parker-Davis remarketing process. He explained that all seven existing Parker-Davis contractors reapplied and were joined by seven new applicants. Contractors were grouped into three categories: BMI contractors, SNWA member agencies, and rural electric utilities.

Mr. Alinsod reviewed current allocations, requested percentages, and Staff's preliminary recommended allocations for each group.

Mr. Alinsod explained that Staff's recommendations for BMI contractors were based on historical utilization data from fiscal years 2022 through 2024, which showed sustained underutilization by certain contractors.

He indicated Staff recommended reduced allocations for those contractors to better align hydropower supply with demonstrated load, minimize market purchases, control electricity costs, and provide a hedge against declining Hoover Dam generation.

He further explained that Henderson Water Company was not recommended to receive a post-2028 allocation due to its lack of pumping activity and anticipated continued non-use.

Mr. Alinsod also reviewed Staff's preliminary recommendations for SNWA member agencies and rural electric utilities, noting that these contractors met eligibility criteria and demonstrated sufficient load to utilize additional hydropower.

He explained that recommended allocations were based on the size of each contractor's load and available capacity within their power portfolios and were intended to promote rate stability, diversification of power resources, and long-term budget predictability.

Chairwoman Premsrirut thanked Mr. Alinsod and Staff for the comprehensive presentation and noted that the proposed allocation framework appeared fair, consistent, and transparent. She emphasized the importance of clearly communicating the criteria and rationale for allocation decisions to applicants.

Vice Chairwoman Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She indicated she would consult with legal counsel on any future agenda items that may directly affect the City of Las Vegas and confirmed that she would participate in the discussion of this item.

Mr. Witkoski clarified that although Agenda Item I was listed as a possible action item, the presentation was informational only, unless the Commission wished to provide specific direction. He reiterated that formal Commission action on the Parker-Davis allocations is anticipated in February 2026.

Commissioner Cody Winterton asked about the anticipated term of the post-2028 Parker-Davis contracts.

Mr. Witkoski responded that Staff expects the contracts with the Western Area Power Administration to be for a twenty-year term and that contractors would be offered corresponding twenty-year agreements. He further explained that any future expansion of eligible recipients for hydropower allocations would require statutory changes.

Chairwoman Premsrirut confirmed that the item was for information only and reiterated that Staff would circulate a draft allocation order for applicant review prior to returning to the Commission for final action.

J. *For Possible Action:* Consideration of and possible action to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role.

Mr. Witkoski introduced Agenda Item J.

Chairwoman Premsrirut provided background on Mr. Stubitz's qualifications and professional experience. She noted that Mr. Stubitz brings extensive leadership experience in public utilities and critical infrastructure that aligns directly with the work of the Commission and the needs of the Colorado River Basin. She stated that Mr. Stubitz most recently served as Utilities Director for the City of Boulder City, where he oversaw electric, water, wastewater, and landfill operations, and was responsible for daily operations, long-term planning, budgeting, capital improvements, regulatory compliance, and customer service across multiple utility divisions.

Chairwoman Premsrirut further noted that under Mr. Stubitz's leadership, Boulder City earned the American Public Power Association's Certificate of Excellence in Reliability in both 2022 and 2024. She highlighted his role in advancing initiatives focused on reliability and modernization, including implementation of an outage management system and a pilot advanced metering infrastructure program. She also noted that Mr. Stubitz managed complex utility budgets of up to $60 million annually and led teams of engineers, analysts, and utility professionals.

Chairwoman Premsrirut stated that prior to his service with the City of Boulder City, Mr. Stubitz worked at the Bureau of Reclamation, where he served as an electrical engineer and reliability compliance advisor, supporting NERC and WECC requirements and contributing to operational readiness, commissioning, and safety improvements at facilities including Hoover Dam and Davis Dam. She noted that Mr. Stubitz is a Nevada-licensed professional engineer with an electrical power background and brings both executive-level management and technical expertise to the Commission.

Commissioner Walton commented that while Mr. Stubitz's departure from the City of Boulder City was a loss to the community, he expressed strong support for Mr. Stubitz's role with the Commission and his appointment to the SSEA Board, noting the alignment of goals and continued collaboration.

Commissioner Walton moved to appoint Joseph Stubitz as a Board Member from the Colorado River Commission of Nevada to serve on the Silver State Energy Association (SSEA) Board of Directors and approve Mr. Stubitz to serve, if selected by the SSEA board, as its chairman or alternatively appoint another person to fulfill the role. The motion was seconded by Commissioner Allen Puliz and approved by unanimous vote.

K. ***For Possible Action:*** **Approval of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00.**

Mr. Witkoski introduced Agenda Item K.

Mr. Stubitz, provided additional background on the proposed amendment. He explained that the final completion date of the project was extended due to delays in the delivery of circuit breakers required for the project.

Mr. Stubitz stated that the amendment covers additional construction requirements associated with the TS2 interconnection, addresses project impacts related to vandalism of the control house, includes costs for contractor demobilization and remobilization due to the breaker delays, and provides for updated site security features.

Chairwoman Premsrirut asked what portion of the contract price increase was attributable to an expanded scope of work.

Mr. Stubitz responded that the majority of the increase is related to the expanded scope, primarily the TS2 interconnection work and additional security measures resulting from vandalism. He noted that the remaining portion of the increase is associated with contractor demobilization and remobilization related to the breaker delivery delay.

Chairwoman Premsrirut noted that a detailed change order description was included in the Commission's materials and asked whether there were any questions or comments from Commission members regarding the amendment. There were none.

Commissioner Allen Puliz moved to approve of Amendment No. 2 to Boulder Flats Solar Interconnection Project Documents Contract No. CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., for changes to the work to accommodate the TS2 Interconnection and other work detailed therein, increase the contract price by $2,205,696.10, and authorize a change order contingency in an amount not to exceed $220,569.00. The motion was seconded by Commissioner Walton and approved by unanimous vote.

L. *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 2024 and Fiscal Year 2025.

Mr. Witkoski introduced Agenda Item L for information only regarding an update on the financial audit and preparation of the Annual Comprehensive Financial Report (ACFR) for Fiscal Years 2024 and 2025.

Douglas N. Beatty, Chief of Finance and Administration, provided an update and explained that as reflected in the August 2025 meeting minutes, the Commission had previously been awaiting information from the Nevada State Controller's Office that was necessary to complete the Fiscal Year 2024 ACFR.

He stated that Staff coordinated with the Governor's Office, which assigned personnel to assist in completing the State's Fiscal Year 2023 ACFR. The State issued its Fiscal Year 2023 ACFR in September 2025, allowing the Controller's Office to focus on Fiscal Year 2024 information.

Mr. Beatty reported that Staff has now received all required information for the Commission's Fiscal Year 2024 ACFR. He stated that the audit team recently completed fieldwork for the Fiscal Year 2024 audit and reviewed available Fiscal Year 2025 information to the extent possible. He noted that a draft Fiscal Year 2024 ACFR is expected to be available in mid-January 2026.

Mr. Beatty further explained that the State Controller's Office is still in the process of completing its Fiscal Year 2024 audit, and as a result, certain information required for the Commission's Fiscal Year 2025 ACFR is not yet available. He stated that Staff and the auditors have progressed as far as possible on Fiscal Year 2025 in the absence of that information.

Chairwoman Premsrirut confirmed that the Commission has completed all actions within its control and that further progress is dependent upon receipt of information from the State Controller's Office. Mr. Beatty confirmed that this was correct and acknowledged that while progress has been made, it will take additional time to fully bring the audits up to date.

Chairwoman Premsrirut asked if there were any questions or comments from Commission members. There were none.

M. ***For Information Only:*** **Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.**

Mr. Witkoski introduced Agenda Item M for information only, providing an update on pending legal matters including filings before the Federal Energy Regulatory Commission and Public Utilities Commission of Nevada filings in federal legislation. At this time, there were no updates.

N. ***For Information Only:*** **Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Agenda Item N for information only.

Warren Turkett, Assistant Director, Natural Resources, provided a brief update on hydrological conditions, including precipitation, temperature, snowpack, and water use in Southern Nevada.

O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.

Chairwoman Premsrirut invited public comment from those present in the chamber and participating remotely.

Michael Parra, representing Liaison Business Support Services and General Realty Group, commented on ongoing Colorado River Basin negotiations and suggested that the Commission consider long-term water conveyance concepts, including potential pipeline options to Lake Mead. Staff advised Mr. Parra that he could submit his ideas in writing for review.

Christian Solomon-Lomu, a Clark County resident, commented on statutory requirements under NRS 538.161 regarding the allocation of federal hydropower for the greatest possible benefit to the State of Nevada. He expressed concerns regarding current hydropower allocations and encouraged the Commission to consider future allocation strategies that promote affordability and direct public benefit.

Chairwoman Premsrirut thanked the speakers for their comments. No further public comments were received.

P. Comments and questions from the Commission members.

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members.

Q. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:30 p.m. on January 13, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155

R. Adjournment.

The meeting was adjourned at 2:35 p.m.

_____
Eric Witkoski, Executive Director

APPROVED:

_____
Puoy K. Premsrirut, Chairwoman

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM D
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: For Possible Action: Selection of Vice Chair of the Commission, pursuant to NRS 538.111, that requires selection at the first meeting of the new year.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION:

STAFF COMMENTS AND BACKGROUND:

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM E
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: *For Possible Action*: Public Hearing for comment and consideration of the allocation of Parker-Davis Project power contracts commencing October 1, 2028, including action to revise, approve, or reject, in whole or in part, the allocation of the hydropower resource in the Draft Order prepared by staff pursuant to NAC 538.455 (9).
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION: Move to approve the Draft Order prepared by staff.

STAFF COMMENTS AND BACKGROUND:

A. Background

Staff issued notice of the Commission's approved criteria and application to apply for a Parker Davis Project allocation on August 14, 2025, with applications due September 18, 2025.

The Commission received fourteen (14) applications in response to the notice to apply. Staff reviewed and analyzed the applications and presented preliminary recommendations to the Commission on December 9, 2025, during the Commission meeting.

Subsequently, staff issued a Draft Order containing staff's recommendations on December 19, 2025, pursuant to NAC 538.455 (8), with comments due January 12, 2026. Staff received no comments on the draft order and proposed allocations.

Subsequently, staff made minor editorial refinements to the Draft Order, but the recommendations remained unchanged from those posted on December 19, 2025. The Draft Order was posted on January 20, 2026, providing public notice that the Draft Order would be considered by the Commission at a Public Hearing on February 10, 2026.

B. Draft Order for Consideration

The Draft Order, along with the applications, and notices for this allocation process are attached for review and consideration. At the meeting, staff will provide an overview of the Draft Order for the Commission discussion and consideration. The Commission may revise, approve, or reject the Draft Order, in whole or in part.

APPLICATIONS

PROPOSED ALLOCATIONS

Applicant:	Allocation Percentage:
Borman Specialty Materials	9.6%
City of Boulder City	7.0%
City of Henderson	2.5%
City of Las Vegas	2.5%
City of North Las Vegas	2.5%
Clark County Water Reclamation District	3.0%
Henderson WC, LLC	0.0%
Las Vegas Valley Water District	5.0%
Lhoist North America Inc.	0.4%
Lincoln County Power District	4.0%
Overton Power District	14.0%
Southern Nevada Water Authority	24.0%
Titanium Metals Corporation	5.0%
Valley Electric Association	20.5%

BEFORE THE
COLORADO RIVER COMMISSION OF NEVADA

In the Matter Of:

ALLOCATION OF PARKER-DAVIS PROJECT HYDROPOWER POST 2028

ORDER

At a meeting of the Colorado River Commission of Nevada ("Commission") held February 10, 2026, a public hearing was held pursuant to NAC 538.455(9) regarding the allocation of Parker-Davis Project (P-DP) hydropower post 2028:

PRESENT: Chairwoman Puoy K. Premsrirut
Vice Chairwoman Kara J. Kelley
Commissioner Marilyn Kirkpatrick
Commissioner Allen J. Puliz
Commissioner Dan H. Stewart
Commissioner Cody T. Winterton
Commissioner Steve Walton
Executive Director Eric Witkoski

I. BACKGROUND

The Commission represents and acts for the State of Nevada in the negotiation and execution of contracts with Western Area Power Administration (WAPA) for the purchase of hydropower from federal generation facilities. *See* NRS 538.161. WAPA markets and transmits P-DP hydroelectric power pursuant to, *inter alia*, the Reclamation Project Act of August 4, 1939, ch. 418, 53 Stat. 1187. These federal generation facilities are operated by the United States Bureau of Reclamation (Reclamation). This Order concerns the federal hydroelectric facilities known as the Parker Dam Power Project and the Davis Dam Project consolidated to form the Parker-Davis Project (P-DP).

The Commission as part of its negotiations, execution and allocation of the hydropower contracts looks to achieve "the greatest possible benefit to this state." NRS 538.161, *see also* NRS 538.181. The Commission received fourteen (14) applications for

the Post 2028 P-DP hydropower from existing P-DP customers: EMD Acquisition d/b/a Borman Specialty Materials (Borman), Henderson WC, LLC (HWC), Lhoist North America Inc. (Lhoist), Overton Power District No. 5 (OPD), Southern Nevada Water Authority (SNWA), Titanium Metals Corporation (Timet), Valley Electric Association, Inc. (VEA); and from new applicants: the City of Boulder City (BC), Clark County Water Reclamation District (CCWRD), the City of Henderson (COH), the City of Las Vegas (CLV), the City of North Las Vegas (CNLV), Lincoln County Power District No. 1 (LCPD), and Las Vegas Valley Water District (LVVWD). For good cause appearing, the Commission finds the following.

II. FINDINGS OF FACT

1. On February 10, 2026, the Commission held a public hearing in the above-entitled matter in compliance with the provisions of the Nevada Open Meeting Law Chapter 241 of the Nevada Revised Statutes (NRS), NRS 538 and Chapter 538 of the Nevada Administrative Code (NAC).

2. The Commission represents and acts for the State of Nevada in the negotiation and execution of contracts for the purchase of hydropower from federal generation facilities for the greatest possible benefit to this State pursuant to NRS 538.161, NRS 538.181 and NAC Chapter 538.

3. The United States Bureau of Reclamation (Reclamation) owns and operates hydroelectric facilities known as the Parker Dam Power Project and the Davis Dam Project which are consolidated and operated as a single integrated project known as the Parker-Davis Project (P-DP).

4. The Western Area Power Administration (WAPA) markets the hydropower generated at Reclamation's facilities at P-DP pursuant to federal law and regulation.

5. The Commission's current Contract with WAPA for Electric Service from the P-DP will expire on September 30, 2028.

6. The Commission has seven (7) existing contracts with Nevada contractors, EMD Acquisition d/b/a Borman Specialty Materials (Borman), Henderson WC, LLC (HWC), Lhoist North America Inc. (Lhoist), Overton Power District No. 5 (OPD), Southern Nevada Water Authority (SNWA), Titanium Metals Corporation (Timet), and Valley Electric Association, Inc. (VEA) that will also expire on September 30, 2028.

7. WAPA issued its Final 2028 Parker-Davis Project Power Marketing Plan and Call for Resource Pool Applications on November 12, 2024 published at 89 Fed. Reg. 88999 (Nov. 12, 2024).

8. Applying the Power Market Initiative (as part of the Energy and Planning Management Program (10 CFR Part 905)), WAPA proposes to allocate 2 MW of firm electric capacity to two new federal contractors through its resource pool, with the remaining capacity and energy to be allocated to existing federal contractors, including the Commission. *See* 2028 Resource Pool – Parker Davis Project, Proposed Power Allocations, 90 Fed. Reg. 42576 (Sept 3, 2025).

9. Based on the Power Market Initiative and resource pool allocation, the Commission reasonably anticipates it will receive an allocation of P-DP hydroelectric power from WAPA consisting of a fixed amount of capacity, referred to as Contract Rate of Delivery (CROD) in the amount of 41,107 kW for the Winter Season and 56,939 kW for the Summer Season, subject to final contract terms and federal approval.

10. WAPA will not provide a guaranteed amount of firm energy as provided in the current contract. Rather WAPA will offer quarterly energy offers, three months at a time based on forecasted P-DP generation, and such energy deliveries will vary based on

hydrological and operational conditions.

11. The Commission intends to negotiate and execute a contract with WAPA for P-DP power post-2028, and the contract will be for deliveries of P-DP hydropower from October 1, 2028 through September 30, 2048.

12. Concurrent with executing the federal post-2028 contract, the Commission will contract with approved applicants to sell the P-DP hydropower purchased from WAPA subject to the terms of the federal contract.

13. Commission staff commenced the process to allocate power from the P-DP by preparing a draft notice containing the criteria and application for an allocation of available power, consistent with NAC 538.455.

14. Pursuant to NAC 538.455(3), Commission staff noticed a public meeting to consider the draft notice on June 13, 2025.

15. Commission staff held the public meeting on July 1, 2025 to solicit comments from the public regarding the draft notice, and to receive input from interested persons.

16. On or before July 11, 2025, the deadline for written comments, the Commission staff received no comments from the public or its customers but received one question from NV Energy. Staff responded to the question and made no changes to the draft notice, finding no basis for modification.

17. On August 12, 2025, at a properly noticed meeting, the Commission reviewed, considered and approved the draft notice prepared by staff containing the criteria and application to apply for an allocation of P-DP generation.

18. On August 14, 2025, Commission staff issued the Public Notice to Eligible Applicants of Opportunity to Apply for an Allocation of Hydropower from the Parker-Davis Project in accordance with NAC 538.455(5).

19. According to the public notice, applications were due no later than 4:00 p.m. on September 18, 2025.

20. Commission staff received all fourteen (14) applications prior to the application deadline.

21. The criteria for an allocation of P-DP generation as approved by the Commission is attached at Exhibit A (the "Approved Criteria") and are incorporated herein by reference.

22. Each application for an allocation of P-DP power post-2028 was reviewed for completeness and creditworthiness, verification of electric load data, and general eligibility criteria in accordance with the Approved Criteria.

23. In developing its recommendations regarding the proposed allocations, Commission staff considered how an applicant's use of the P-DP power post-2028 would fulfill the Commission's Approved Criteria and provide the "greatest possible benefit to this state," as required by NRS 538.161.

24. On December 9, 2025, as part of a Commission meeting, staff presented its preliminary recommendations to the Commission for comment and guidance.

25. Commissioner Kelley disclosed for the record that she was appointed on September 30, 2025, to serve as the Las Vegas City Councilwoman for Ward 2 in a temporary capacity. She stated that her service on the Commission remains in her role as a gubernatorial appointee and that she had reviewed applicable ethics guidance. She confirmed that she would participate in the discussion of the allocation of P-DP power even though the City of Las Vegas is an applicant.

26. On December 19, 2025, in accordance with NAC 538.455(8), Commission staff provided all applicants with a draft copy of this order and notified them of their right to

provide comments no later than January 12, 2026.

27. Commission staff received no comments from the applicants regarding the draft order.

A. DISCUSSION OF APPLICATIONS

1. BLACK MOUNTAIN INDUSTRIAL COMPLEX APPLICANTS

a. Past Resource Usage

28. Timet, Borman, and HWC are the only three applicants that did not have sufficient load to use all of their hydropower resources during the last three federal fiscal years (2022-2024).

29. Timet currently holds a 26.56% allocation of P-DP; Timet requested 15% for post-2028. Timet also has 5.37% from the Commission's Hoover Dam resource under contract until September 30, 2067. Based on historical loads remaining the same, in fiscal year 2029, Timet would have excess power during nine months of the year without any resources from P-DP.

30. Borman currently holds a 29.49% allocation of P-DP; Borman requested 25% for post-2028. Borman also has 4.43% from the Commission's Hoover Dam resource under contract until September 30, 2067. Based on historical loads remaining the same, in fiscal year 2029, Borman would have excess power during two months of the year without any resources from P-DP.

31. HWC, successor to Basic Water Company as of November 2023, has had almost no load since receiving an assignment from Basic Water Company of its hydropower resources consisting of Hoover Dam and P-DP resources.

32. HWC's electrical load is driven by its ability to pump water from Lake Mead for delivery to the BMI contractors which it is not currently doing.

33. HWC holds a 2.29% allocation of P-DP; HWC requested 5% post-2028. HWC also has 1.21% from the Commission's Hoover Dam resource under contract until September 30, 2067. Currently, 100% of HWC's P-DP resources and 93% of its Hoover Dam resources are being laid off.

34. Lhoist had just enough resources to meet their needs during 2022-2024. Lhoist currently holds a 0.51% allocation of P-DP; Lhoist requested 0.4%. Based on historical loads remaining the same, in fiscal year 2029, Lhoist will need additional resources every month to meet its needs without any resources from P-DP.

b. Widespread Beneficial Use

35. Timet, Borman, and Lhoist produce products that are used in a wide variety of industries including defense, water treatment, environmental protection, construction, and battery and semiconductor manufacturing.

c. Continued Health and Economic Viability

36. Timet's, Borman's, and Lhoist's processes are electricity intensive, and electricity cost is a large component of their total operating cost.

37. Managing costs allows them to stay competitive and honor contractual commitments which, in turn, affects their economic health and viability.

38. Managing costs also enables continued investment in plant upgrades and operational improvements.

39. Long-term cost stability helps insulate their operations from inflationary trends and future uncertainty.

d. Portfolio Diversification

40. Timet's, Borman's, and Lhoist's needs are met primarily by Hoover Dam

resources, but Hoover Dam resources are expected to decline with worsening drought conditions.

2. SOUTHERN NEVADA WATER AUTHORITY AND MEMBER AGENCIES

41. SNWA is currently allocated 17.67% of P-DP power and is entitled to receive at least that much post-2028 based on the Approved Criteria. SNWA requested 36% of P-DP post-2028.

42. SNWA pumps water from Lake Mead, treats it, and delivers it to its member agencies.

43. Electricity is a significant cost component of the product that SNWA provides.

44. SNWA self-supplies its own electricity by constructing projects, contracting directly with energy suppliers and purchasing power through arrangements with the Silver State Energy Association.

45. SNWA's electricity costs are passed through to the member agencies, along with other operating costs, in the water rates charged to the member agencies.

46. Electricity cost savings help keep downward pressure on the water rates SNWA charges the member agencies.

47. SNWA member agencies (City of Las Vegas (CLV), City of North Las Vegas (CNLV), City of Henderson (COH), Las Vegas Valley Water District (LVVWD), and Clark County Water Reclamation District (CCWRD)) currently receive no P-DP allocation. Collectively, they applied to receive 49.78% of P-DP post-2028.

48. CLV, CNLV, COH, CCWRD, and LVVWD are entitled to receive an allocation of power from the Commission only for water and wastewater services they provide to their consumers.

49. Electricity is a significant cost component of the product that the SNWA member agencies provide.

50. For water pumping and wastewater services, the SNWA member agencies self-supply their own electricity by constructing their own projects, contracting directly with energy suppliers and purchasing power through arrangements with the Silver State Energy Association.

51. Electricity cost savings help keep downward pressure on water pumping and wastewater rates.

a. Widespread Beneficial Use

52. SNWA is the wholesale water supplier for its seven member agencies. Collectively, the member agencies provide water and wastewater services to over 2 million people in the Las Vegas Valley including residents, businesses, and tourists.

b. Continued Health and Economic Viability

53. Water pumping and wastewater treatment is very electricity intensive and electricity is a major component of SNWA's and its member agencies' total operating costs.

54. Reducing costs allows more investment in needed infrastructure and conservation efforts.

55. Long-term, predictable costs promote budget and rate stability.

56. SNWA member agencies are public utilities with rate setting ability. Affordable power costs help keep downward pressure on rates.

57. High or unstable rates impacts municipal water and wastewater users in many ways, including:

a. Imposing a financial burden on households, sometimes disproportionately felt

by low-income customers.

b. Imposing a financial burden on businesses and eventually consumers, particularly those that rely heavily on water.

c. Discouraging businesses and residents from locating to Las Vegas.

d. Increasing delinquent accounts and debt which can negatively impact the ability to borrow money for infrastructure improvements.

c. Portfolio Diversification

58. A significant portion of the resources that supply SNWA and its member agencies come from non-renewable, market purchases. This increases their exposure to price volatility and financial risk.

59. About 12% of SNWA's energy needs are met with resources from Hoover Dam and P-DP.

60. SNWA and its member agencies have a strong commitment to renewable resources and are investing in renewable technologies.

61. Hydropower is an ideal companion to other renewables because it can be used to serve load during times when other renewable resources are not producing.

62. SNWA's member agencies receive no P-DP allocation currently. About 14% of their energy needs are met with energy from Hoover Dam.

63. An allocation from P-DP would benefit SNWA and the member agencies who are all public entities that provide essential public services to Southern Nevadans.

3. ELECTRIC UTILITIES

64. Overton Power District No. 5 (OPD) is a quasi-municipal electric utility that serves a large, rural portion of northeastern Clark County, including the City of Mesquite.

65. OPD is currently allocated 8.3% of P-DP power and is entitled to receive at least that much post-2028 based on the Approved Criteria. OPD requested 100% of P-DP post-2028.

66. OPD receives approximately 16% of its total resources from Hoover Dam, Salt Lake City Area Integrated Project, and P-DP. OPD's demand grew by approximately 7.5% between Fiscal Year 23 and Fiscal Year 24.

67. Lincoln County Power District No. 1 (LCPD) is a quasi-municipal electric utility that serves Lincoln County and surrounding areas.

68. LCPD does not currently have a P-DP allocation; LCPD requested 23% of P-DP post-2028.

69. LCPD receives approximately 69% of its resources from Hoover Dam which has steadily declined since the start of the drought. They have not experienced significant load growth during the last three years.

70. Valley Electric Association, Inc. (VEA) is a member-owned electric utility cooperative that serves customers in Clark, Nye, Mineral, and Esmeralda counties.

71. About 15% of VEA's energy needs are met with resources from Hoover Dam, Salt Lake City Area Integrated Project, and P-DP.

72. VEA is currently allocated 15.19% of P-DP power; VEA requested 50% of P-DP post-2028.

73. The City of Boulder City (BC) is a municipality serving its residents. BC is a member of SNWA, but was a customer of the Commission prior to July 16, 1997 and is not limited in its use of power from the Commission for water and wastewater operations.

74. BC does not currently have a P-DP allocation; BC requested 12% of P-DP post-2028.

75. BC receives approximately 50% of its resources from Hoover Dam and Salt Lake City Area Integrated Project. BC's load has not grown materially in the last 3 years.

a. Widespread Beneficial Use:

76. The electric utilities provide power to remote and sparsely populated areas of Nevada. Geographically, they have large service territories and serve customers in several counties including Clark, Lincoln, Nye, Mineral, and Esmeralda.

77. They provide electricity to a wide range of economic sectors including residential, industrial, commercial, and agricultural.

b. Continued Economic Health and Viability

78. The electric utilities depend on hydropower resources to serve their constituents and rely on those resources to control their overall cost of service.

79. Controlling power costs allows them to invest in infrastructure, including significant transmission facilities that are required to reach remote customers.

80. Long-term, predictable costs promote budget and rate stability.

81. The electric utilities' rates are driven by their cost to procure and deliver electricity.

82. High or unstable electricity rates have negative consequences including:

a. Imposing a financial burden on financially stressed households in rural Nevada, contributing to the inability to pay for food and other necessities.

b. Imposing a financial burden on businesses which are eventually passed on to consumers.

c. Impacting the mission of public power utilities to provide an affordable product to their consumers.

d. Deterring economic growth by disincentivizing businesses and residents from locating in Nevada.

e. Increasing delinquent accounts and debt which may impact the ability to borrow money needed for investment.

c. Portfolio Diversification

83. All of the electric utilities rely on market purchases to some degree, which increases their volatility and financial risk.

84. VEA has the largest load and is the most heavily reliant on market purchases.

85. LCPD has the smallest load and is the least reliant on market purchases.

86. All of the electric utilities are investing in renewable technologies.

87. Hydropower is an ideal companion to other renewables because it can be used to serve load during times when other renewable sources are not producing.

III. FINDINGS, CONCLUSIONS AND ORDER

Based on the foregoing, the Commission makes the following findings and conclusions, and enters the following order.

88. The Commission has authority pursuant to NRS and NAC Chapters 538 to allocate hydropower resources from the P-DP.

89. The most direct route to the consumer, and therefore, the best way of achieving the most widespread beneficial use, is through the electricity rates charged by the utilities and rates charged to consumers by SNWA's member agencies.

90. An allocation to the Black Mountain Industrial Complex Applicants is necessary for their economic viability, but allocating any applicant more than they can use does not meet the Approved Criteria, including the statutory requirement to provide the

greatest possible benefit to the State.

91. To achieve the greatest possible benefit to the State, it is appropriate to:

a. Reduce the Black Mountain Industrial Complex applicants' current allocation to an amount that more closely represents their demonstrated historical usage and projected electrical needs;

b. Evenly split the unused portion of the Black Mountain Industrial Complex applicants' allocation between the electric utilities, collectively, and SNWA and its member agencies, collectively, in a manner consistent with the Approved Criteria.

c. Allocate the P-DP resource among the electric utilities based on a combination of their relative size and their ability to use the resource after considering other long-term resources in their portfolios, including other hydropower resources from the Commission.

d. Allocate the P-DP resource among the SNWA and member agencies based on a combination of their relative size and their ability to use the resource after considering other long-term resources in their portfolios, including other hydropower resources from the Commission.

92. Therefore, based on the Approved Criteria, the applications received, and the administrative record, the Commission approves and adopts the following allocations of P-DP generation post-2028 as percentages of the Commission's total P-DP allocation, as follows:

Applicant:	Allocation Percentage:
Southern Nevada Water Authority	24.0%
Valley Electric Association, Inc.	20.5%
Overton Power District No. 5	14.0%
EMD Acquisition d/b/a Borman Specialty Materials	9.6%
City of Boulder City	7.0%
Las Vegas Valley Water District	5.0%
Titanium Metals Corporation	5.0%
Lincoln County Power District No. 1	4.0%
Clark County Water Reclamation District	3.0%
City of Henderson	2.5%
City of Las Vegas	2.5%
City of North Las Vegas	2.5%
Lhoist North America Inc.	0.4%
Henderson WC LLC	0.0%
Total	**100%**

93. Upon execution of this Order, Commission staff shall cause the notice required by NRS 538.181(4) and NAC 538.455(10) to be published in the manner required by law.

IT IS SO ORDERED.

Dated this ____ day of _____, 2026.

By the Commission,

_____
Puoy K. Premsrirut
Chairwoman

Exhibit A
Approved Criteria

The CRCNV will review the applications and allocate resources in a manner the Commission deems appropriate, consistent with the established criteria, and achieves the greatest possible benefit to the State pursuant to NRS 538.161(2). To be considered for a hydropower allocation, Applicants must meet the following criteria:

A. Statutory Requirements for Applicants:

1. The Applicant must be an entity that the CRCNV has the statutory authority to serve under NRS 704.787. That includes:
    a. Any customer that the CRCNV was serving or had a contract to serve on July 16, 1997, including any successor in interest to such customers; or
    b. The Southern Nevada Water Authority (SNWA) or a member agency of SNWA that will use the power for water and wastewater operations.

B. Regulation Requirements for Applicants:

1. Applicants must comply with NAC 538.410. If the Applicant is an electric utility, it must satisfy the requirements of NAC 538.410(5) which states that the electric utility:
    a. has a peak demand of at least 8 megawatts;
    b. is located within Western's defined marketing area in this State for the Parker-Davis Project;
    c. is eligible to receive preference power under the applicable provisions of federal law relating to preference power. Preference entities include cities and towns, irrigation districts, public utility districts, and rural electric cooperatives.

C. General Requirements:

1. The Applicant must have a need for the resource to meet its load after considering all resources that are owned or purchased under long-term contracts,[1] including other hydropower resources from the CRCNV.
2. To determine whether existing contract holders have demonstrated a need for a P-DP allocation, an assessment will be made of the Applicant's past usage of the P-DP allocation, including the last three federal fiscal years (2022-2024).
3. The award of resources to the Applicant will not place an excessive administrative burden on the CRCNV.
4. Applicant must be willing to execute a Contract with the CRCNV by March 1, 2028 for power deliveries beginning on October 1, 2028.
5. The Applicant must demonstrate, by March 1, 2028, that it will have all necessary transmission, scheduling and distribution arrangements in place prior to delivery.
6. The Applicant must be able to make its own, independent assessment of the need for optional energy products offered under the P-DP Electric Service Contract.
7. The Applicant must be creditworthy and in compliance with its current Commission contracts and may be required to post collateral in accordance with the CRCNV's statutes and regulations.
8. CRCNV reserves the right to ask for audited financial statements or other documentation to support creditworthiness.

[1] A long-term contract is a contract with a term of 10 years or longer.

D. Existing Contract Holders and Future Allottees

1. Any electric utility or water purveyor that is a current P-DP contractor in Nevada, who applies, meets the above criteria, and whose load and resource data during federal fiscal years 2022 through 2024[2] shows that they have fully utilized the resource, will automatically be granted, as a *minimum*, their existing percentage share of the P-DP electric power resource. The current percentages for each of the CRCNV's contractors is posted on the CRCNV's website at https://crc.nv.gov.
2. Any eligible contractor who applies may be considered for a future allocation. In awarding the resource to eligible contractors, the CRCNV will consider the degree to which awarding the allocation will:
   a. Promote the widespread beneficial use of the resource;
   b. Support the continued economic health and viability of the Applicant;
   c. Promote utility rate stability for public entities;
   d. Promote diversification of the Applicant's energy portfolio.

[2] Federal fiscal years 2022 through 2024 means the period from October 1, 2021 through September 30, 2024.

APPLICATIONS

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	EMD Acquisition d/b/a Borman Specialty Materials
Address	560 W. Lake Mead Pkwy
City, State, Zip	Henderson, NV, 89015

b. Person(s) representing Applicant:

Contact Person	Curtis Yao
Title	Process Engineer
Address	560 W. Lake Mead Pkwy
City, State, Zip	Henderson, NV, 89015
Telephone	702-651-2307
Fax	
Email Address	curtis.yao@bormansm.com

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a _X_

1.b _____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

__25__%

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	15,785	14,487	15,888	15,182	14,586	14,910
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	14,538	15,193	15,415	13,070	12,985	12,126

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	12,023	10,032	9,084	8,695	9,456	9,163
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	8,930	8,822	8,968	8,501	8,432	9,317

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	9,065	9,908	8,542	9,489	8,936	8,709
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	8,250	8,236	8,086	8,447	7,550	7,847

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	3,767,482	3,815,873	2,988,793	3,806,638	3,610,857	6,061,069
Parker-Davis (kWh)	4,201,000	4,066,000	4,201,000	4,201,000	3,793,994	8,355,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	703,723	381,852	1,812,406	(223,130)	307,165	(5,850,680)
Load (kWh) Total of Resources Above	8,672,205	8,263,725	9,002,199	7,784,508	7,712,016	8,565,389
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	5,378,792	6,307,826	4,077,775	4,750,817	3,210,431	3,100,720
Parker-Davis (kWh)	8,086,000	8,355,000	8,086,000	8,355,000	8,355,000	7,793,169
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(5,286,542)	(6,040,341)	(3,604,772)	(5,530,448)	(4,579,702)	(4,084,263)
Load (kWh) Total of Resources Above	8,178,250	8,622,485	8,559,003	7,575,369	6,985,729	6,809,626

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	2,374,485	4,080,731	2,412,533	2,279,181	2,886,469	4,429,811
Parker-Davis (kWh)	4,201,000	4,066,000	4,201,000	4,201,000	3,793,994	8,355,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(405,500)	(2,813,706)	(1,388,002)	(1,544,865)	(2,083,136)	(7,541,356)
Load (kWh) Total of Resources Above	6,169,985	5,333,025	5,225,531	4,935,316	4,597,327	5,243,455
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	4,891,188	5,215,888	5,163,434	4,450,867	3,344,522	2,766,785
Parker-Davis (kWh)	8,086,000	8,355,000	8,086,000	8,355,000	8,355,000	7,793,169
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(8,075,538)	(8,442,648)	(8,391,218)	(7,982,204)	(7,017,398)	(5,759,996)
Load (kWh) Total of Resources Above	4,901,650	5,128,240	4,858,216	4,823,663	4,682,124	4,799,958

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	2,877,235	3,169,058	2,105,933	2,229,681	2,267,729	4,980,951
Parker-Davis (kWh)	4,201,000	4,066,000	4,201,000	4,201,000	3,793,994	8,355,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(2,343,818)	(2,693,378)	(1,527,631)	(1,654,701)	(1,736,455)	(8,346,091)
Load (kWh) Total of Resources Above	4,734,417	4,541,680	4,779,302	4,775,980	4,325,268	4,989,860
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	5,726,395	6,216,954	5,866,027	4,700,948	3,700,990	3,247,371
Parker-Davis (kWh)	8,086,000	8,355,000	8,086,000	8,355,000	8,355,000	7,793,169
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(9,328,804)	(10,122,064)	(9,639,886)	(8,467,637)	(7,713,080)	(6,894,186)
Load (kWh) Total of Resources Above	4,483,591	4,449,890	4,312,141	4,588,311	4,342,910	4,146,354

b. **Transmission**

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Voltage required: 138 kV, Capacity: 10,000 kW, POD: Mead Substation,

3. **Please describe how receipt of the allocated resource accomplishes the following:**

a. **Promote the widespread beneficial use of the resource.**

Borman Specialty Materials serves as an essential piece of the domestic battery and semiconductor market. The facility produces Boron Trichloride (BCl3) as well as Electrolytic Manganese Dioxide (EMD). As the only domestic manufacturer of both materials, Borman has a direct impact on the supply chain of both markets.

Borman's production of EMD is critical to the domestic battery market, especially when responding to natural disasters across the country. Several of Borman's EMD customers provide first responders and victims of natural disaster with batteries to help overcome power outages during hurricane season. As battery technology has advanced, we have seen the emergence of cobalt and lithium-based battery products. Traditional manganese batteries are more cost effective and stable than Co and Li based batteries, which is why they are still so widely used. Although Borman primarily produces the material for traditional alkaline batteries, they are also doing research and development with car manufacturers to produce a lithium-manganesebased material. The production of traditional manganese batteries and R&D into new ventures supports the advancement of domestic battery technology. Receipt of Parker Davis resources is important and would allow Borman to continue to advance domestic battery production.

Borman's production of BCl3 is critical to US semiconductor production. BCl3 is a specialty gas used to plasma etch aluminum interconnects and high k-dielectrics. The aluminum interconnects are used to transfer an electrical signal between components on a semiconductor chip. With the rapid development of several semiconductor FABs in Phoenix, AZ, Borman's production of BCl3 will be needed to allow further growth of the domestic semiconductor market. Due to the rapid development of AI and the semiconductor market, readily available BCl3 is crucial in ensuring that the domestic market can continue to support the demand. The company has long term plans to double its existing production capacity for BCl3 but expanded capacity will require additional power resources. This is another reason why it is extremely important that Borman receives Parker Davis resources post 2028.

b. **Support the continued economic health and viability of the Applicant.**

Borman's EMD process utilizes most of the facility's power allocation due to the involvement of Electrolytic Cells in the EMD production process. As customer demand for EMD rises, Borman must turn on more electrolytic cells to ensure that there is adequate supply of EMD. Borman has entered a 5-year contract with one of its major EMD customers. The 5-year contract was signed in early 2025 and commits Borman to running its EMD process at a minimum of 70% production capacity, due to customer demand. The facility's EMD production rates dipped significantly in FY 23 and FY24 due to COVID. This led to a decrease in Parker Davis resource usage during those time periods. The goal of the 5 year contract was to improve Borman's ability to forecast production long term, thus reducing the risk of erratic power usage. With the contract signed, Borman is confident that it will exceed its power usage from FY 23 and FY 24. This is why the availability of Parker Davis resources Post 2028 is so critical. Without the availability of Parker Davis resources, Borman must solely rely on Hoover Dam for hydropower generation. Looking at the numbers from FY22, Borman used the entirety of their Hoover and PD resources from September 2021 - January 2022. This means that without the availability of PD resources, Borman would not have had enough power to sufficiently run its facility. The loss of power allocation post 2028 would put Borman in a high risk position that would potentially inhibit the company from fulfilling its contractual obligations. Failure to hold up Borman'send of the 5 year contract would result in significant financial implications that would cripple Borman's future operation.

c. Promote utility rate stability for public entities.

With the 5-year contract Borman has in place, Borman can adequately plan its future production and subsequently power usage during that time. Based on the production quotas that Borman has agreed to, the company is certain that it will utilize its full Hoover capacity and requireadditional power from Parker Davis. The 5-year contract contains a steady increase in production and guarantees that Borman will need to produce more material. Since the company's power usage is tied directly to the production rate, Borman can anticipate years in advanced any increases in power demand and relay that directly to the Colorado River Comission. Borman is also working with Tanaska to improve its power projections. Borman will be able to more accurately estimate its power usage which will provide public entities with a steady projection of power demand.

d. **Promote diversification of the Applicant's energy portfolio.**

The facility utilizes a significant amount of natural gas for several process including: operating industrial steam boilers, rotary kiln heating and open pit roasting. In an effort to reduce its carbon footprint, Borman is planning to install an electric calciner to replace its open pit roasting process. Additionally, Borman is working to procure and install an electric boiler in the place of our existing naturalgas boilers. Both of these projects would be beneficial in allowing Borman to rely more on renewable resources as opposed to fossil fuels. With the completion of both of these projects, Borman anticipates its hydropower demand to increase rapidly. In addition to trying to reduce Borman's carbon footprint, the company also wants to reduce the dependence on a single energy source. With the water levels continuing to drop in Lake Mead, there are concerns about longterm dependence on Hoover power generation. Borman would like to reduce its dependence on just Hoover availability with the use of Parker Davis resources. The availability of Parker Davis Resources Post 2028 would provide a secondary source of hydropower for the facility. Parker Davis resources would be utilized regularly and also serve asa backup source ofhydropower in the event that power generation from Hoover continues to decrease over the next decade. While PD resources alone would not be sufficient for Borman to operate its entire plant at higher capacities, decreased dependence on Hoover power generation for hydropower will provide the company with more flexability in the event that Hoover resources become less readily available.

4. **Other Information. The Applicant may provide any other information pertinent to the application:**

The Covid Pandemic's effect on the global supply chain caused Borman's power usage from 2022-2024 to decrease significantly. A drop in customer orders slowed down production and required Borman to turn off half of the electrolytic cells itwas running. Additionally, in late 2021, Borman lost operation of its existing electric boiler. The boiler needed extensive repairs and contributed a significant portion of Borman's power usage. Due to the cost, the boiler was not repaired and put back into service. Both of these factors contributed to the decrease in power usage when looking at FY22 compared to FY23 & FY24. Going forward, Borman plans to return to and potentially exceed its FY22 power usage levels. Borman anticipates a new, larger, electric boiler along with an electrically powered calciner will be procured and installed prior to the start of the Parker Davis Post 2028 revisions. Receipt and availabilityof Parker Davis resources iscritical to Borman's future plans and its ability to diversify its energy sources. Withoutthe availability of Parker Davis resources, the company's long term economic outlook and viability are grim. Borman is willing to provide any additional information requried to ensure that it receives Parker Davis resources Post 2028.

5. **By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:**

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. **Signature:**

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my infonnation, knowledge and belief.

Signature: Curtis Yao 9/12/25 Title: Process Engineer

Print Name: Curtis Yao

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between **August 14, 2025** and **September 18, 2025**.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL
OR COMMERCIALLY SENSITIVE INFORMATION
TO THE COLORADO RIVER COMMISSION OF NEVADA

The Colorado River Commission of Nevada, as a State agency, is subject to the Public Records Law of Nevada, Nevada Revised Statutes (NRS), Chapter 239, which provides for public access upon request to all records, data and information in the possession of a state agency.

As a result, all Applications and all data or information supplied to the Commission in support of an Application will be considered "public records" subject to public disclosure upon request.

Further, the Colorado River Commission of Nevada is also subject to the Open Meeting Law, Nevada Revised Statutes (NRS) chapter 241.

The contents of the Applications will be discussed at a public meeting. Copies of the Applications and all data or information supplied to the Commission in support of an Application will be available to the Commissioners and staff, as back up material, at the Commission meeting where the applications are discussed. Any member of the public requesting copies of the backup materials will be provided them.

Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

RE: Post-2028 Parker-Davis Generation Resource Application for Borman (Due Sep 18, 2025, 4:00 PM PDT)

From Yao, Curtis <Curtis.Yao@bormansm.com>
Date Fri 9/12/2025 9:08 AM
To Noah W. Fischel <nfischel@crc.nv.gov>; William Golden <wjgolden@bormansm.com>; Jegaden, Laurie <laurie.jegaden@bormansm.com>; Starling, Travis <travis.starling@bormansm.com>
Cc Gail Bates <gbates@crc.nv.gov>

2 attachments (2 MB)
P05 BORMAN PD Remarketing Application.xlsx; Borman PD Post 2028 Application Signed.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Noah,

Please find Borman's completed application attached to this email. As requested, an excel version as well as a signed PDF version have both been attached to this email. Please let me know if you need any other information to finalize our submission.

Thanks,

Curtis Yao
Process Engineer
Borman Specialty Materials
Phone: 702-651-2307
Email: Curtis.yao@bormansm.com

From: Noah W. Fischel <nfischel@crc.nv.gov>
Sent: Thursday, August 14, 2025 3:13 PM
To: William Golden <wjgolden@bormansm.com>; Yao, Curtis <Curtis.Yao@bormansm.com>; laurie.garcia@bormansm.com; Jegaden, Laurie <laurie.jegaden@bormansm.com>; Starling, Travis <travis.starling@bormansm.com>
Subject: Post-2028 Parker-Davis Generation Resource Application for Borman (Due Sep 18, 2025, 4:00 PM PDT)

Dear Colorado River Commission of Nevada customer,

We are now accepting applications for the Post-2028 Parker-Davis generation resource. Attached is an Excel version of the Application that you can use to submit your

information. All of the data on historical resources has been filled in for your convenience.

Applications should be addressed to the Executive Director and submitted:

- **By email addressed to:** crcpower@crc.nv.gov;
- **By fax to (725) 204-7923; or**
- **By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.**

No applications will be accepted after 4:00 p.m. PDT on: THURSDAY, SEPTEMBER 18, 2025

If you are submitting your Application by email, please submit both the Excel version and a signed .pdf version.

Please feel free to reach out to me with any questions. Thank you.

All the best,
Noah Fischel

Noah Fischel

Manager,
Communications, Legislative Affairs, and Special Projects

Colorado River Commission of Nevada
100 North City Parkway, Suite 1100
Las Vegas, NV 89106-4617

Direct Line: (725) 281.1094
Main Office Phone: (725) 246.0436

"The Colorado River Commission of Nevada serves the communities of the State by responsibly managing and protecting our Colorado River water and power resources."

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	City of Boulder City
Address	401 California Avene
City, State, Zip	Boulder City, NV 89005

b. Person(s) representing Applicant:

Contact Person	Joseph Stubitz
Title	Utilities Director
Address	401 California Avene
City, State, Zip	Boulder City, NV 89005
Telephone	702-293-9233
Fax	N/A
Email Address	jstubitz@bcnv.org

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a ___X___

1.b _____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

12.60%

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	25581	15937	24311	22024	21014	18360
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	21671	34751	44632	48500	45335	46318

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	29158	18594	21196	23302	21695	20612
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	27730	31604	37176	50032	45057	32232

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	27687	17366	18210	22065	19065	17004
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	25256	34420	46393	51953	50833	43381

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	4,800,109	4,940,034	3,872,915	4,933,607	4,675,726	7,361,708
Parker-Davis (kWh)	-	-	-	-	-	-
SLCAIP (kWh)	2,061,688	1,879,966	1,198,927	1,392,404	1,133,481	1,399,836
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Short-Term or Unspecified (kWh)	2,781,229	2,158,380	6,377,750	4,802,658	3,550,324	637,531
Load (kWh) Total of Resources Above	9,643,026	8,978,380	11,449,592	11,128,669	9,359,531	9,399,075
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	7,700,691	7,992,542	6,548,991	6,183,431	4,154,854	4,004,236
Parker-Davis (kWh)	-	-	-	-	-	-
SLCAIP (kWh)	1,023,457	1,090,731	1,397,162	1,438,631	1,575,065	1,129,594
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Short-Term or Unspecified (kWh)	600,771	3,388,641	9,720,944	12,880,587	13,653,988	11,095,582
Load (kWh) Total of Resources Above	9,324,919	12,471,914	17,667,097	20,502,649	19,383,907	16,229,412

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	3,081,746	5,286,112	3,110,849	2,979,073	3,752,588	5,666,438
Parker-Davis (kWh)	-	-	-	-	-	-
SLCAIP (kWh)	1,250,155	993,727	1,236,093	1,128,861	1,056,967	1,165,702
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Short-Term or Unspecified (kWh)	7,125,377	3,798,259	7,195,121	7,789,410	5,519,763	3,370,189
Load (kWh) Total of Resources Above	11,457,278	10,078,098	11,542,063	11,897,344	10,329,318	10,202,329
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	6,284,411	5,423,518	6,723,654	5,698,072	4,162,361	3,516,938
Parker-Davis (kWh)	-	-	-	-	-	-
SLCAIP (kWh)	922,475	1,393,803	2,146,109	2,063,615	2,298,851	1,531,492
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Short-Term or Unspecified (kWh)	2,306,880	5,555,329	5,207,777	15,139,693	12,359,940	7,335,581
Load (kWh) Total of Resources Above	9,513,766	12,372,650	14,077,540	22,901,380	18,821,152	12,384,011

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	3,717,713	4,104,204	2,728,242	2,870,319	2,885,088	6,536,582
Parker-Davis (kWh)	-	-	-	-	-	-
SLCAIP (kWh)	1,366,431	1,172,872	1,550,644	1,744,298	1,569,375	1,688,991
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Short-Term or Unspecified (kWh)	5,609,277	3,866,666	6,297,762	6,678,026	5,201,536	883,423
Load (kWh) Total of Resources Above	10,693,421	9,143,742	10,576,648	11,292,643	9,655,999	9,108,996
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	7,389,411	7,944,562	7,777,355	6,236,004	4,752,649	4,149,320
Parker-Davis (kWh)	-	-	-	-	-	-
SLCAIP (kWh)	1,214,383	1,113,061	1,345,186	1,637,609	1,722,246	1,204,737
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Short-Term or Unspecified (kWh)	802,004	3,540,510	10,219,377	15,875,797	14,565,937	10,921,151
Load (kWh) Total of Resources Above	9,405,798	12,598,133	19,341,918	23,749,410	21,040,832	16,275,208

b. **Transmission**

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

The City of Boulder City requests delivery at the Boulder City Tap and Mead Substation on the Parker-Davis Transmission System. Service is requested at a voltage of 230 kV at Boulder City Tap, and 69 kV at Mead Substation. The desired capacity is 7.085 MW in the summer time and a winter capacity of 5.127 MW.

3. **Please describe how receipt of the allocated resource accomplishes the following:**

a. **Promote the widespread beneficial use of the resource.**

Receipt of the allocated resource will directly benefit a broad base of customers within our service territory. By integrating more federal hydropower into the energy mix, Boulder City ensures that a clean, renewable, and cost-effective resource is distributed across residential, commercial, and governmental accounts. This promotes equitable access to reliable energy and aligns with federal goals of maximizing the societal benefit of federal power resources.

b. **Support the continued economic health and viability of the Applicant.**

This resource provides Boulder City with a stable supply of low-cost power. This enhances the utility's financial resilience by reducing exposure to volatile wholesale energy market price fluctuations. The resulting cost savings contribute to operational stability, keep rates predictable, and enable reinvestment in infrastructure upgrades that support economic growth within the community.

c. **Promote utility rate stability for public entities.**

As a not-for-profit municipal utility, our mission is to deliver affordable and reliable power. Integrating more federal hydropower into the portfolio provides a hedge against market volatility, which supports consistent rate structures over time. Stable rates are particularly important for public entities such as schools, hospitals, and municipal services, where energy costs represent a significant portion of operating budgets. By reducing rate shocks, we are able to maintain fiscal predictability for essential community services.

d. **Promote diversification of the Applicant's energy portfolio.**

The allocation expands our portfolio with a clean and renewable resource, balancing existing hydro, market purchases, and solar generation sources. This diversification reduces reliance on any single energy type or supplier, thereby strengthening system reliability and resilience. In addition, the inclusion of hydropower aligns with regional and federal clean energy goals, supporting the transition toward a more sustainable energy future.

4. **Other Information. The Applicant may provide any other information pertinent to the application:**

Boulder City is committed to responsibly managing and delivering affordable, reliable, and sustainable power to its customers. Receipt of a Parker-Davis allocation will directly support these objectives by enhancing long-term resource planning and aligning with regional clean energy and resiliency goals.

In addition, the city continues to invest in grid modernization, demand-side management programs, and community engagement to ensure reliable service delivery. The allocation of federal hydropower will complement these initiatives, strengthen the city's sustainability goals, and maximize the benefit of federal resources for the community.

Finally, Boulder City remains committed to transparent operations, financial prudence, and environmental stewardship. By securing this allocation, we will ensure that federal hydropower continues to serve the public interest by advancing reliability, affordability, and sustainability for decades to come.

5. **By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:**

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. **Signature:**

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: Joseph Stubitz, PE Digitally signed by Joseph Stubitz, PE DN: C=US, E=jstubitz@bcnv.org, O=City of Boulder City, OU=Utilities Department, CN=Joseph Stubitz, PE Date: 2025-09-16 14:28:16-07'00' **Title:** Utilities Director

Print Name: Joseph R. Stubitz

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between **August 14, 2025** and **September 18, 2025**.

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THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL OR COMMERCIALLY SENSITIVE INFORMATION TO THE COLORADO RIVER COMMISSION OF NEVADA

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Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

FW: Parker-Davis Generation Resource Application

From Gail Bates <gbates@crc.nv.gov>
Date Tue 9/16/2025 4:16 PM
To Eric P. Witkoski <ewitkoski@crc.nv.gov>; Michelle D. Briggs <mdbriggs@crc.nv.gov>; Noah W. Fischel <nfischel@crc.nv.gov>; Matthew J. Alinsod <malinsod@crc.nv.gov>

2 attachments (516 KB)
P14 COBC PD Remarketing Application_Historic_Data.pdf; P14 COBC PD Remarketing Application_Historic_Data.xlsx;

From: Joseph Stubitz <jstubitz@bcnv.org>
Sent: Tuesday, September 16, 2025 2:46 PM
To: CRC Power <CRCPower@crc.nv.gov>
Cc: Ned Thomas <nthomas@bcnv.org>; Joshua Hardy <JHardy@bcnv.org>
Subject: Parker-Davis Generation Resource Application

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Afternoon Mr. Witkoski,

Please see attached application for the Parker-Davis Generation Resource from the City of Boulder City.

Let me know if you have any questions or concerns.

Thanks and take care,

Joe Stubitz, PE
Utilities Director
Utilities Department
401 California Ave.
Boulder City, NV 89005
P: 702.293.9233
C: 702.930.4732
www.bcnv.org

Our **MISSION** is to deliver **OUTSTANDING SERVICES**...

How did we do? **Please take a short SURVEY to let us know!**

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project

This form was created in Microsoft Word and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV) website: www.crc.nv.gov. If the form is opened in Microsoft Word, responses may be entered directly into the text boxes which will expand as needed to accept the text entered. Alternatively, additional pages for your responses may be attached by the Applicant. Applicants are requested to clearly identify on any attachments the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:

THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	City of Las Vegas, Nevada
Address	495 South Main Street
City, State, Zip	Las Vegas, Nevada 89101

b. Person(s) representing Applicant:

Contact Person Title	Marco Velotta Planning Project Manager Chief Sustainability Officer
Address	495 South Main Street
City, State, Zip	Las Vegas, Nevada 89101
Telephone	(702) 229-4173
Fax	N/A
Email Address	mvelotta@lasvegasnevada.gov

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a _____

1.b X

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

5.9 %

Federal Fiscal Year 2024						
	Oct 2023 kWh	Nov 2023 kWh	Dec 2023 kWh	Jan 2024 kWh	Feb 2024 kWh	Mar 2024 kWh
Hoover (kWh)	To Be Provided by CRCNV					
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	453,074	371,885	304,764	304,303	323,734	513,500
Short-Term or Unspecified (kWh)	2,856,496	2,541,246	2,764,086	2,664,194	2,434,122	2,157,919
Load (kWh) Total of Resources Above	3,806,592	3,460,336	3,432,468	3,351,142	3,142,802	3,542,931
	Apr 2024 kWh	May 2024 kWh	Jun 2024 kWh	Jul 2024 kWh	Aug 2024 kWh	Sep 2024 kWh
Hoover (kWh)	To Be Provided by CRCNV					
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	711,653	769,116	712,630	653,198	618,745	551,647
Short-Term or Unspecified (kWh)	1,795,273	1,858,828	1,867,220	2,297,872	2,518,953	2,476,948
Load (kWh) Total of Resources Above	3,493,022	3,668,060	3,618,012	3,783,690	3,773,768	3,584,164

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LAS VEGAS CITY COUNCIL

SHELLEY BERKLEY
Mayor
BRIAN KNUDSEN
Mayor Pro Tem
OLIVIA DIAZ
FRANCIS ALLEN-PALENSKE
NANCY E. BRUNE
SHONDRA SUMMERS-ARMSTRONG
WARD 2- VACANT

MIKE JANSSEN
City Manager

DEPARTMENT OF COMMUNITY DEVELOPMENT
SETH T. FLOYD
DIRECTOR

CITY HALL
495 S. MAIN ST.
LAS VEGAS, NV 89101
702.229.6011 | VOICE
711 | TTY

cityoflasvegas lasvegasnevada.gov

September 8, 2025

Eric Witkoski, Executive Director
Colorado River Commission of Nevada Office
100 N. City Parkway, Suite 1100
Las Vegas, NV 89106

RE: Parker-Davis Project Hydropower Allocation

Dear Mr. Witkoski,

Please find attached, the City of Las Vegas application for the Colorado River Commission's Allocation of the Parker-Davis Project. If there are any questions or if additional information is required, please do not hesitate to contact me.

Sincerely,

Marco N. Velotta, AICP
Planning Project Manager
City of Las Vegas, NV
Community Development Department/Office of Sustainability
mvelotta@lasvegasnevada.gov
(702) 229-4173

Attachment

Cc: Mike Janssen
Rosa Cortez
Charles Trushel
Chris Marinch
Seth Floyd
Rachel Lewison

Outlook

Post-2028 Parker-Davis Generation Resource Application for City of Las Vegas (Due Sep 18, 2025, 4:00 PM PDT)

From Marco Velotta <mvelotta@LasVegasNevada.GOV>
Date Tue 9/16/2025 1:19 PM
To CRC Power <CRCPower@crc.nv.gov>
Cc Noah W. Fischel <nfischel@crc.nv.gov>; Rachel Lewison <rlewison@LasVegasNevada.GOV>; Charles Trushel <CTrushel@LasVegasNevada.GOV>; John S. Ridilla <jridilla@LasVegasNevada.GOV>; Seth Floyd <sfloyd@LasVegasNevada.GOV>

3 attachments (3 MB)
MFD-326@LASVEGASNEVADA.GOV_20250910_135001.pdf; MFD-326@LASVEGASNEVADA.GOV_20250916_132557.pdf; CLV PD Remarketing Application.xlsx;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

Please find attached the application for Parker-Davis power from the City of Las Vegas.

Thank you,

Marco N. Velotta, MS, AICP, LEED Green Assoc.
Planning Project Manager
Chief Sustainability Officer
Department of Community Development | Planning Division | Comprehensive Planning
Office of Sustainability
702.229.4173
495 S. Main St, 3rd Floor | Las Vegas, NV 89101

lasvegasnevada.gov

Tell us how we're doing! Please click here to take a short online survey to help us improve our service.

From: Noah W. Fischel <nfischel@crc.nv.gov>
Sent: Thursday, August 14, 2025 15:13

To: Kelly Miller <kmmiller@LasVegasNevada.GOV>; Marco Velotta <mvelotta@LasVegasNevada.GOV>; Mark Potokar <mpotokar@LasVegasNevada.GOV>; Mike Janssen <MJanssen@LasVegasNevada.GOV>; Steven Ford <SFord@LasVegasNevada.GOV>; Teresa Morrell <tmorrell@LasVegasNevada.GOV>; Ken Mayer <kmayer@crc.nv.gov>; Mike Slattery <mike.slattery@snwa.com>
Subject: Post-2028 Parker-Davis Generation Resource Application for City of Las Vegas (Due Sep 18, 2025, 4:00 PM PDT)

CAUTION: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**

Dear Colorado River Commission of Nevada customer,

We are now accepting applications for the Post-2028 Parker-Davis generation resource. Attached is an Excel version of the Application that you can use to submit your information.

Applications should be addressed to the Executive Director and submitted:

By email addressed to: crcpower@crc.nv.gov;

By fax to (725) 204-7923; or

By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

No applications will be accepted after 4:00 p.m. PDT on: **THURSDAY, SEPTEMBER 18, 2025**

If you are submitting your Application by email, please submit both the Excel version and a signed .pdf version.

To help you get started, we have already filled in your historical hydropower energy deliveries. All layoff energy, SLCAIP-WRP, and SLCAIP-WRF are shown as "Short-Term or Unspecified" energy resources. Please include these amounts with any other "Short-Term or Unspecified" energy resources you have. When you fill out the spreadsheet, please make sure that all of your energy resources total to your monthly loads.

Please feel free to reach out to me with any questions. Thank you.

All the best,
Noah Fischel

Noah Fischel
Manager,
Communications, Legislative Affairs, and Special Projects

Colorado River Commission of Nevada
100 North City Parkway, Suite 1100
Las Vegas, NV 89106-4617

Direct Line: (725) 281.1094
Main Office Phone: (725) 246.0436

"The Colorado River Commission of Nevada serves the communities of the State by responsibly managing and protecting our Colorado River water and power resources."

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project

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THURSDAY, SEPTEMBER 18, 2025

1. **Applicant Information. Please provide the following:**

   a. **Name and address of entity/organization requesting and allocation:**

Entity Name	City of Las Vegas, Nevada
Address	495 South Main Street
City, State, Zip	Las Vegas, Nevada 89101

   b. **Person(s) representing Applicant:**

Contact Person Title	Marco Velotta Planning Project Manager Chief Sustainability Officer
Address	495 South Main Street
City, State, Zip	Las Vegas, Nevada 89101
Telephone	(702) 229-4173
Fax	N/A
Email Address	mvelotta@lasvegasnevada.gov

   c. **Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.**

      1.a _____

      1.b X

   d. **The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.**

      5.9 %

2. Applicant Data:

Historical Demand:

a. **Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024.** ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022	Mar 2022
Demand (kilowatts)	5553	6215	5409	5376	5335	5432
	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022
Demand (kilowatts)	5510	5533	5560	5709	5737	5581

Federal Fiscal Year 2023						
	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023
Demand (kilowatts)	5557	5502	5538	5160	5554	5690
	Apr 2023	May 2023	Jun 2023	Jul 2023	Aug 2023	Sep 2023
Demand (kilowatts)	5742	5696	5779	5877	5912	5838

Federal Fiscal Year 2024						
	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	Mar 2024
Demand (kilowatts)	5685	5578	5014	5025	5239	5416
	Apr 2024	May 2024	Jun 2024	Jul 2024	Aug 2024	Sep 2024
Demand (kilowatts)	5365	5477	5510	5572	5682	5681

Applicant's Power Resources.

a. **Historical Resources**

Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Data as provided by SNWA:

Federal Fiscal Year 2022						
	Oct 2021 kWh	Nov 2021 kWh	Dec 2021 kWh	Jan 2022 kWh	Feb 2022 kWh	Mar 2022 kWh
Hoover (kWh)	To Be Provided by CRCNV					
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	479,170	379,415	289,722	378,961	473,329	623,059
Short-Term or Unspecified (kWh)	2,514,617	2,380,470	2,626,260	2,521,608	2,112,231	1,839,194
Load (kWh) Total of Resources Above	3,641,358	3,423,973	3,438,304	3,559,013	3,208,875	3,510,242
	Apr 2022 kWh	May 2022 kWh	Jun 2022 kWh	Jul 2022 kWh	Aug 2022 kWh	Sep 2022 kWh
Hoover (kWh)	To Be Provided by CRCNV					
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	732,136	785,392	698,579	594,749	556,736	557,607
Short-Term or Unspecified (kWh)	1,724,559	1,793,207	2,074,370	2,435,183	2,732,835	2,522,282
Load (kWh) Total of Resources Above	3,523,294	3,669,454	3,611,424	3,855,443	3,846,184	3,616,430

Federal Fiscal Year 2023						
	Oct 2022 kWh	Nov 2022 kWh	Dec 2022 kWh	Jan 2023 kWh	Feb 2023 kWh	Mar 2023 kWh
Hoover (kWh)	To Be Provided by CRCNV					
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	527,194	379,294	298,772	311,558	408,579	530,652
Short-Term or Unspecified (kWh)	2,787,661	2,380,230	2,808,227	2,902,367	2,339,051	2,580,877
Load (kWh) Total of Resources Above	3,725,728	3,464,387	3,521,846	3,607,444	3,247,997	3,860,093
	Apr 2023 kWh	May 2023 kWh	Jun 2023 kWh	Jul 2023 kWh	Aug 2023 kWh	Sep 2023 kWh
Hoover (kWh)	To Be Provided by CRCNV					
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	667,627	670,814	582,484	555,854	489,846	423,345
Short-Term or Unspecified (kWh)	2,250,283	2,331,085	2,324,811	2,754,300	3,014,360	2,899,103
Load (kWh) Total of Resources Above	3,746,975	3,885,958	3,794,908	4,061,018	4,049,528	3,782,459

Federal Fiscal Year 2024						
	Oct 2023 kWh	Nov 2023 kWh	Dec 2023 kWh	Jan 2024 kWh	Feb 2024 kWh	Mar 2024 kWh
Hoover (kWh)	To Be Provided by CRCNV					
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Load (kWh) Total of Resources Above	3,493,022	3,668,060	3,618,012	3,783,690	3,773,768	3,584,164

b. **Transmission:**

Points of delivery/location of energy delivery: Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Points of Delivery: Mead Substation
Voltage of service required: 12, 600V
Capacity desired: 2,000 amps

3. **Please describe how receipt of the allocated resource accomplishes the following:**

a. **Promote the widespread beneficial use of the resource.**

The City of Las Vegas, Nevada (the "City") will promote the widespread beneficial use of this resource through continued efforts to reduce operational costs at its wastewater treatment plant, which represents approximately one-third of the City's overall load. The City has consistently led the region in renewable energy production and greenhouse gas mitigation through solar energy production. These sustainability efforts, representing more than 15 years of policy in alignment with its 2050 Master Plan include 6 megawatts of solar power generation capacity at 40 municipal facilities, parks, fire stations, community centers, and at the City's wastewater treatment plant. As with Schedule A and Schedule D Hoover hydropower the City already receives from the Colorado River Commission, Parker-Davis Project (P-DP) hydropower will be leveraged with the City's current renewable energy and sustainability programs.

b. **Support the continued economic health and viability of the Applicant.**

Generation from the P-DP forecast will reduce energy costs for the City. Over the course of a decade, the $40 million that has been invested in renewable energy projects have yielded operational savings that has, and can continue to be, reinvested in the City's infrastructure. Under this strategy, this has resulted in a reduction of annual utility expenses of approximately $5 million, supporting the continued economic health and viability of the City. Similarly, the City has also benefitted from the savings associated with Hoover Schedule A and D hydropower. P-DP hydropower will continue to do the same. Finally, since the addition of the renewable portfolio standard requirements to the Nevada Constitution in 2020, the City has been able to leverage portfolio energy credits and assist other member agencies in meeting the standard as it increases to 50% by 2030.

c. **Promote utility rate stability for public entities.**

An allocation of the P-DP generation will continue to support the State and the Colorado

River Commission's (CRC) goals and provide the maximum benefit to the region and the City's residents and provide rate stability. Using P-DP renewable energy sources will reduce annual electric expenses which will result in a cost savings over time that can be passed down to the residents and businesses of the City. P-DP hydropower will increase renewable energy, thus reducing the reliance on fossil fuels. Energy independence contributes to stable utility rates by shielding the City from market fluctuations and supply distributions.

d. Promote diversification of the Applicant's energy portfolio.

The City's renewable energy program has met the public policy goals of the State of Nevada and the Colorado River Commission (CRC) since 2009. Diversification of the City's energy portfolio with the addition of PD-P hydropower is a crucial aspect to the City's long-term energy needs, supplementing the City's Schedule A and Schedule D Hoover hydropower. While the City has invested in 3 megawatts of solar for its wastewater treatment operations, this facility is more than a decade old and will require ongoing maintenance and upgrades as solar panel production derates over time. The hydropower from P-DP, combined with Hoover, will assist in providing a relatively stable lower-cost renewable power supply and introducing more energy diversity to the City's portfolio for long-term savings.

4. Other Information:

The Applicant may provide any other information pertinent to the application.

The City has set ambitious goals and targets for sustainability that are listed in the City of Las Vegas 2050 Master Plan that include Resource Conservation chapters dedicated to Water and Energy. The City previously set a foundation of sustainability policies, including signing the U.S. Conference of Mayor's Climate Protection Agreement in 2006. Since then, the City has created a combined total of 6 MW of solar, replaced 60,000 streetlights with LED lighting, constructed 12 LEED certified green buildings, and has a set net-zero energy target for its municipal retail load it has been meeting and desires to continue into future.

5. **By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:**

   i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. **Signature:**

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature _____ Title Planning Project Manager

Print Name Marco N. Velotta, AICP

Applications may be addressed to the Executive Director and submitted:

- **By email addressed to: crcpower@crc.nv.gov;**
- **By fax to (725) 204-7923; or**
- **By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.**

Applications may be submitted between **August 18, 2025** and **September 18, 2025**.

No applications will be accepted after 4:00 p.m. PDT on:

THURSDAY, SEPTEMBER 18, 2025

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Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

RE: Post-2028 Parker-Davis Generation Resource Application for City of Las Vegas (Due Sep 18, 2025, 4:00 PM PDT)

From Marco Velotta <mvelotta@LasVegasNevada.GOV>
Date Wed 1/14/2026 10:06 AM
To Gail Bates <gbates@crc.nv.gov>

1 attachment (4 MB)
PDHydropowerApp_CLV.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Yikes – apologies for that. Attached.
--Marco Velotta

From: Gail Bates <gbates@crc.nv.gov>
Sent: Wednesday, January 14, 2026 09:52
To: Marco Velotta <mvelotta@LasVegasNevada.GOV>
Subject: RE: Post-2028 Parker-Davis Generation Resource Application for City of Las Vegas (Due Sep 18, 2025, 4:00 PM PDT)

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Marco, we were putting together some information for the Commission Hearing on Feb. 10 and noticed that we are missing every other page from your Parker-Davis application, including the signature page. Can you please re-scan and send it? Thank you.

Gail A. Bates
Assistant Director, Hydropower
Colorado River Commission of Nevada
Office: (725) 281-1101
Cell: (702) 496-3162
gbates@crc.nv.gov

From: Marco Velotta <mvelotta@LasVegasNevada.GOV>
Sent: Tuesday, September 16, 2025 1:18 PM

To: CRC Power <CRCPower@crc.nv.gov>
Cc: Noah W. Fischel <nfischel@crc.nv.gov>; Rachel Lewison <rlewison@LasVegasNevada.GOV>; Charles Trushel <CTrushel@LasVegasNevada.GOV>; John S. Ridilla <jridilla@LasVegasNevada.GOV>; Seth Floyd <sfloyd@LasVegasNevada.GOV>
Subject: Post-2028 Parker-Davis Generation Resource Application for City of Las Vegas (Due Sep 18, 2025, 4:00 PM PDT)
Importance: High

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

Please find attached the application for Parker-Davis power from the City of Las Vegas.

Thank you,

Marco N. Velotta, MS, AICP, LEED Green Assoc.
Planning Project Manager
Chief Sustainability Officer
Department of Community Development | Planning Division | Comprehensive Planning
Office of Sustainability
702.229.4173
495 S. Main St, 3rd Floor | Las Vegas, NV 89101

lasvegasnevada.gov

Tell us how we're doing! Please click here to take a short online survey to help us improve our service.

From: Noah W. Fischel <nfischel@crc.nv.gov>
Sent: Thursday, August 14, 2025 15:13
To: Kelly Miller <kmmiller@LasVegasNevada.GOV>; Marco Velotta <mvelotta@LasVegasNevada.GOV>; Mark Potokar <mpotokar@LasVegasNevada.GOV>; Mike Janssen <MJanssen@LasVegasNevada.GOV>; Steven Ford <SFord@LasVegasNevada.GOV>; Teresa Morrell <tmorrell@LasVegasNevada.GOV>; Ken Mayer <kmayer@crc.nv.gov>; Mike Slattery <mike.slattery@snwa.com>
Subject: Post-2028 Parker-Davis Generation Resource Application for City of Las Vegas (Due Sep 18, 2025, 4:00 PM PDT)

CAUTION: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your City of Las Vegas account credentials.**

Dear Colorado River Commission of Nevada customer,

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	Las Vegas Valley Water District
Address	100 City Parkway Suite 700
City, State, Zip	Las Vegas, NV 89106

b. Person(s) representing Applicant:

Contact Person	Scott Krantz
Title	Director of Energy Management
Address	100 City Parkway Suite 700
City, State, Zip	Las Vegas, NV 89106
Telephone	702-862-3464
Fax	
Email Address	[redacted]

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a _____

1.b ___X_____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

___19.17___%

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	27888	24139	20336	20017	21997	23902
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	24383	29034	31633	30855	31134	32151

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	26672	23330	25001	23956	21921	24489
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	26440	29028	30799	30387	30408	29456

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	27111	23460	20083	20489	20698	26167
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	25101	27409	28479	30622	32008	29305

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	1,012,775	1,038,609	816,891	1,029,780	974,841	1,639,014
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	8,337,300	6,307,365	5,671,390	4,995,095	4,496,204	6,047,800
Load (kWh) Total of Resources Above	9,350,075	7,345,974	6,488,281	6,024,875	5,471,045	7,686,814
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	1,668,119	1,706,054	1,311,342	1,291,067	870,522	839,129
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	7,112,618	9,827,871	10,652,249	12,041,922	11,489,491	10,468,404
Load (kWh) Total of Resources Above	8,780,737	11,533,925	11,963,591	13,332,989	12,360,013	11,307,533

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	642,590	1,102,378	648,804	615,448	782,554	1,170,725
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	9,194,225	6,379,291	6,115,762	5,356,532	4,797,249	5,678,809
Load (kWh) Total of Resources Above	9,836,815	7,481,669	6,764,566	5,971,980	5,579,803	6,849,534
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	1,296,626	1,382,632	1,388,192	1,174,322	852,863	719,439
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	7,161,033	9,475,665	9,426,105	11,286,160	11,063,770	9,336,047
Load (kWh) Total of Resources Above	8,457,659	10,858,297	10,814,297	12,460,482	11,916,633	10,055,486

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	777,322	855,807	568,685	598,443	602,040	1,363,011
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	8,226,774	6,835,007	5,972,017	5,096,170	4,381,979	5,539,507
Load (kWh) Total of Resources Above	9,004,096	7,690,814	6,540,702	5,694,613	4,984,019	6,902,518
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	1,542,217	1,657,981	1,623,645	1,302,186	994,789	868,887
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	6,370,342	8,054,973	9,426,618	10,596,110	11,482,848	9,262,712
Load (kWh) Total of Resources Above	7,912,559	9,712,954	11,050,263	11,898,296	12,477,637	10,131,599

b. Transmission

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Mead Substation

3. Please describe how receipt of the allocated resource accomplishes the following:

a. Promote the widespread beneficial use of the resource.

The Las Vegas Valley Water District delivers reliable, quality water that is tested and treated in state-of-the-art facilities. We serve more than 1.5 million people in one of world's most dynamic communities. LVVWD incorporates responsible water management and conservation, especially given the ongoing drought in the Colorado River basin, from which much of the valley's water is sourced. The combination of a low cost power source along with responsible conservation methods provides multiple benefits to the Southern Nevada community and it's ecosystem. In addition to a service area that includes metropolitan Las Vegas and areas of unincorporated Clark County, the LVVWD also serves the communities of Blue Diamond, Coyote Springs, Jean, Kyle Canyon, Laughlin (Big Bend Water District) and Searchlight.

b. Support the continued economic health and viability of the Applicant.

The LVVWD incorporates sustainable practices in its operations, such as using alternative-fueled fleets and pursuing renewable energy to meet targets.
The low cost renewable hydro power resource will ensure a stable, predictable power portfolio component that will keep water flowing for the residents of Southern Nevada. The District will gain additional benefits as the hydro resource counts toward meeting the Nevada renewable energy portfolio standard. The LVVWD aims to keep costs down for its customers by taking proactive steps in sourcing reliable energy and maintaining a reliable water system.

c. Promote utility rate stability for public entities.

The long term, low cost resource will help stabilize the rate paid by all users of the Southern Nevada water system. This hydro power resource aligns with LVVWD's policy in using sustainable technologies such as solar power and alternative-fueled fleets to increase efficiencies and manage costs of water delivery in the desert.

d. Promote diversification of the Applicant's energy portfolio.

Along with small PV solar plants, the LVVWD would use the Parker Davis allocation to enhance and further diversify it's renewable energy portfolio. This would benefit over 1.5 million users of the system by keeping cost down while using a long term clean energy source. The district does pursue alternative fueled vehicles and has provided electric car chargers for employees, along with solar plants on many of its reservoirs and covered parking spaces.

4. Other Information. The Applicant may provide any other information pertinent to the application:

5. By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. Signature:

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: Scott Krantz Title: Director, Energy Management

Print Name: Scott Krantz

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between August 14, 2025 and September 18, 2025.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL OR COMMERCIALLY SENSITIVE INFORMATION TO THE COLORADO RIVER COMMISSION OF NEVADA

The Colorado River Commission of Nevada, as a State agency, is subject to the Public Records Law of Nevada, Nevada Revised Statutes (NRS), Chapter 239, which provides for public access upon request to all records, data and information in the possession of a state agency.

As a result, all Applications and all data or information supplied to the Commission in support of an Application will be considered "public records" subject to public disclosure upon request.

Further, the Colorado River Commission of Nevada is also subject to the Open Meeting Law, Nevada Revised Statutes (NRS) chapter 241.

The contents of the Applications will be discussed at a public meeting. Copies of the Applications and all data or information supplied to the Commission in support of an Application will be available to the Commissioners and staff, as back up material, at the Commission meeting where the applications are discussed. Any member of the public requesting copies of the backup materials will be provided them.

Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

Las Vegas Valley Water District Parker Davis Application Submittal

From Michael Slattery <Mike.Slattery@snwa.com>
Date Wed 9/3/2025 10:25 AM
To CRC Power <CRCPower@crc.nv.gov>
Cc Scott Krantz <scott.krantz@snwa.com>; Gail Bates <gbates@crc.nv.gov>

1 attachment (1 MB)
Las Vegas Valley Water District Parker Davis Application 9_3_2025.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please find the attached Parker Davis Remarketing Application for the Las Vegas Valley Water District. If you find anything in the application lacking or in need of explanation, please contact me by email or at one of the options listed below.

Thank you,

Mike Slattery
Southern Nevada Water Authority
Energy Management & Risk Compliance Officer
702-691-5229 Office
702-491-4448 Cell

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

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Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	Southern Nevada Water Authority
Address	100 City Parkway Suite 700
City, State, Zip	Las Vegas, NV 89106

b. Person(s) representing Applicant:

Contact Person	Scott Krantz
Title	Director of Energy Management
Address	100 City Parkway Suite 700
City, State, Zip	Las Vegas, NV 89106
Telephone	702-862-3464
Fax	
Email Address	scott.krantz@snwa.com

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a _____

1.b ___X___

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

____36____ %

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. *Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.*

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	163656	114634	105974	108313	94480	113547
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	115227	209785	231227	229351	227966	225788

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	123984	103575	111659	124717	101755	109704
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	111789	190229	223408	223867	221454	217164

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	119174	105882	102839	108769	89734	116713
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	120150	133737	141889	217347	220092	204701

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	4,094,891	4,214,966	3,304,086	4,209,393	3,990,274	6,239,292
Parker-Davis (kWh)	2,517,000	2,436,000	2,517,000	2,517,000	2,273,156	5,006,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	3,174,000	1,496,530	927,950	1,819,851	2,293,614	3,039,206
Short-Term or Unspecified (kWh)	58,153,634	46,293,691	48,499,867	46,377,325	41,943,118	52,926,126
Load (kWh) Total of Resources Above	67,939,525	54,441,187	55,248,903	54,923,568	50,500,162	67,210,625
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	6,572,309	6,807,458	5,590,009	5,278,569	3,546,146	3,417,764
Parker-Davis (kWh)	4,844,000	5,006,000	4,844,000	5,006,000	5,006,000	4,669,632
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	3,495,691	3,992,445	-		-	294,454
Short-Term or Unspecified (kWh)	52,730,416	68,382,052	86,755,134	93,781,322	86,594,093	76,793,669
Load (kWh) Total of Resources Above	67,642,416	84,187,955	97,189,143	104,065,891	95,146,239	85,175,518

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	2,630,254	4,510,888	2,654,151	2,491,927	3,204,412	4,858,562
Parker-Davis (kWh)	2,517,000	2,436,000	2,517,000	2,517,000	2,273,156	5,006,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	2,480,818	1,845,108	1,513,955	1,610,945	2,069,491	2,640,907
Short-Term or Unspecified (kWh)	64,557,887	47,253,457	50,819,251	48,759,113	43,471,934	49,930,237
Load (kWh) Total of Resources Above	72,185,960	56,045,453	57,504,357	55,378,984	51,018,993	62,435,706
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	5,367,589	5,698,482	5,747,346	4,865,928	3,548,639	3,005,062
Parker-Davis (kWh)	4,844,000	5,006,000	4,844,000	5,006,000	5,006,000	4,669,632
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	3,663,629	3,411,398	3,079,588	2,750,336	2,624,086	2,766,602
Short-Term or Unspecified (kWh)	46,937,755	64,952,883	66,707,173	83,647,217	78,706,885	61,921,982
Load (kWh) Total of Resources Above	60,812,973	79,068,763	80,378,107	96,269,481	89,885,611	72,363,278

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	3,172,287	3,501,796	2,328,758	2,448,681	2,458,912	5,583,418
Parker-Davis (kWh)	2,517,000	2,436,000	2,517,000	2,517,000	2,273,156	5,006,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	2,631,402	1,829,920	1,581,663	1,561,116	1,872,011	2,831,735
Short-Term or Unspecified (kWh)	59,651,860	49,435,014	49,446,307	49,166,747	42,304,350	47,280,230
Load (kWh) Total of Resources Above	67,972,549	57,202,729	55,873,728	55,693,544	48,908,429	60,701,383
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	6,302,589	6,773,438	6,652,645	5,332,996	4,055,351	3,539,680
Parker-Davis (kWh)	4,844,000	5,006,000	4,844,000	5,006,000	5,006,000	4,669,632
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	3,620,093	4,109,356	3,964,471	3,560,048	3,335,652	2,850,040
Short-Term or Unspecified (kWh)	52,581,079	62,208,192	67,975,216	79,740,297	80,767,817	66,783,673
Load (kWh) Total of Resources Above	67,347,760	78,096,986	83,436,332	93,639,340	93,164,821	77,843,026

b. Transmission

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Mead Substation

3. Please describe how receipt of the allocated resource accomplishes the following:

a. Promote the widespread beneficial use of the resource.

In 1991, seven local water and wastewater agencies formed the Southern Nevada Water Authority (SNWA) to address water issues on a regional basis, rather than an individual water purveyor basis. Collectively, SNWA member agencies serve more than 2 million residents in Southern Nevada. As the wholesale water provider, SNWA is responsible for water treatment and delivery, as well as acquiring and managing long-term water resources for Sou thern Nevada. SNWA also provides power and electrical balancing for water and wastewater services to the City of Henderson, City of Las Vegas, City of North Las Vegas, The Clark County Water Reclamation District, and The Las Vegas Valley Water District.

b. Support the continued economic health and viability of the Applicant.

The SNWA pumps water to each purveyor member from the Lake Mead basin and over the mountains into the Las Vegas Valley. The current number for the SNWA energy budget stands at over $63 million

A long term, low cost and renewable energy source, like Parker Davis hydro power, will help to reduce energy cost and stabilize the energy supply for each and every Southern Nevada citizen who relies on water from Lake Mead.

c. Promote utility rate stability for public entities.

The SNWA is a vital component of all Local water providing municipalities. A cost savings at the SNWA level equates to cost savings and expanded conservation efforts across the board. This not only stabilizes the price of water, but also contributes to conserving the water supply and ensuring that it lasts for generations to come. This is a win-win for local community rate payers and the ecosystem of Southern Nevada.

d. Promote diversification of the Applicant's energy portfolio.

The SNWA has constructed several small solar plants ranging from 27 kw to 130 kw. We have also have a long-term PPA for solar PV energy with a capacity of 14000 kw. Adding more renewable hydro power to our power portfolio will stabilize cost and reduce volume at risk. It will also provide another source of renewable energy credits. As a provider, SNWA acquired 35,416 MWh of renewable energy attributes from its electricity customers from federal hydropower and 38,517 MWh of PECs from its electricity customers from solar photovoltaic resources. Adding another dependable renewable source will contribute to SNWA and our member agencies meeting the escalating portfolio standard and diversifying our energy portfolio.

4. Other Information. The Applicant may provide any other information pertinent to the application:

During the 36 month period covered by the application's historical data the SNWA has taken 4,327 MWH of monthly hydro power layoff on average, approximately 6 MW per hour.

5. By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. Signature:

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the inf[illegible] which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: Scott Krantz Title: Director Energy Management

Print Name: Scott Krantz

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between August 14, 2025 and September 18, 2025.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL
OR COMMERCIALLY SENSITIVE INFORMATION
TO THE COLORADO RIVER COMMISSION OF NEVADA

The Colorado River Commission of Nevada, as a State agency, is subject to the Public Records Law of Nevada, Nevada Revised Statutes (NRS), Chapter 239, which provides for public access upon request to all records, data and information in the possession of a state agency.

As a result, all Applications and all data or information supplied to the Commission in support of an Application will be considered "public records" subject to public disclosure upon request.

Further, the Colorado River Commission of Nevada is also subject to the Open Meeting Law, Nevada Revised Statutes (NRS) chapter 241.

The contents of the Applications will be discussed at a public meeting. Copies of the Applications and all data or information supplied to the Commission in support of an Application will be available to the Commissioners and staff, as back up material, at the Commission meeting where the applications are discussed. Any member of the public requesting copies of the backup materials will be provided them.

Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

Southern Nevada Water Authority Parker Davis Application Submittal

From Michael Slattery <Mike.Slattery@snwa.com>
Date Wed 9/3/2025 10:23 AM
To CRC Power <CRCPower@crc.nv.gov>
Cc Scott Krantz <scott.krantz@snwa.com>; Gail Bates <gbates@crc.nv.gov>

1 attachment (1 MB)
Southern Nevada Water Authority Parker Davis Application 9_3_2025.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please find the attached Parker Davis Remarketing Application for the Southern Nevada Water Authority. If you find anything in the application lacking or in need of explanation, please contact me by email or at one of the options listed below.

Thank you,

Mike Slattery
Southern Nevada Water Authority
Energy Management & Risk Compliance Officer
702-691-5229 Office
702-491-4448 Cell

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	Clark County Water Reclamation District
Address	5857 E. Flamingo Road
City, State, Zip	Las Vegas, Nevada, 89122

b. Person(s) representing Applicant:

Contact Person	Peter Beaulieu
Title	Senior Electrical Engineer
Address	5857 E. Flamingo Road
City, State, Zip	Las Vegas, Nevada, 89122
Telephone	702-668-8243
Fax	
Email Address	pbeaulieu@cleanwaterteam.com

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a _____

1.b __X__

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

__16__ %

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	11338	12036	11363	11151	10856	11327
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	11477	11848	11763	12003	12327	12522

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	12063	11914	11367	10573	10505	10281
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	10631	10681	11073	11458	11344	11581

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	11433	10899	10836	10713	10669	10552
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	10747	11123	11473	11734	11953	12030

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	604,814	620,242	487,836	614,970	582,161	978,795
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	6,330,714	6,094,259	6,393,147	6,052,917	5,338,501	5,797,783
Load (kWh) Total of Resources Above	6,935,528	6,714,501	6,880,983	6,667,887	5,920,662	6,776,578
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	996,176	1,018,830	783,115	771,007	519,863	501,116
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	5,882,475	6,240,165	6,351,873	6,768,872	7,299,311	7,000,185
Load (kWh) Total of Resources Above	6,878,651	7,258,995	7,134,988	7,539,879	7,819,174	7,501,301

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	383,745	658,324	387,456	367,537	467,330	699,140
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	7,255,523	6,528,571	6,617,282	6,234,515	5,484,736	5,805,290
Load (kWh) Total of Resources Above	7,639,268	7,186,895	7,004,738	6,602,052	5,952,066	6,504,430
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	774,326	825,688	829,008	701,288	509,317	429,639
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	5,660,545	5,879,608	5,849,410	6,545,637	6,635,003	6,376,241
Load (kWh) Total of Resources Above	6,434,871	6,705,296	6,678,418	7,246,925	7,144,320	6,805,880

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	464,206	511,076	339,610	357,381	359,530	813,971
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	6,468,883	6,031,793	6,467,024	6,429,334	5,965,110	5,808,880
Load (kWh) Total of Resources Above	6,933,089	6,542,869	6,806,634	6,786,715	6,324,640	6,622,851
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	920,989	990,123	969,617	777,647	594,074	518,886
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	5,625,842	5,981,990	6,117,359	6,869,303	7,092,963	6,979,230
Load (kWh) Total of Resources Above	6,546,831	6,972,113	7,086,976	7,646,950	7,687,037	7,498,116

b. **Transmission**

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Mead 230-kV Substation

3. Please describe how receipt of the allocated resource accomplishes the following:

a. **Promote the widespread beneficial use of the resource.**

The Clark County Water Reclamation District (CCWRD) serves all of unincorporated Clark County, including the Las Vegas Strip, the economic lifeblood of Nevada. Increased power availability would directly benefit operations serving the life, health and safety of every resident, tourist and business in Clark County, as well as to support the main economic driver for the entire state of Nevada. CCWRD is responsible for the collection, treatment and reclamation of wastewater for more than 240,000 business and residental accounts in Southern Nevada. , wastewater for more than 240,000 business and residential accounts in Southern Nevada. CCWRD's collection network includes more than 2,200 miles of pipeline and 23 pumping stations to detiver wastewater from homes and businesses to one of six treatment facilities. Our largest treatment facility, the Flamingo Water Resource Center, ensures wastewater is treated to the highest standard allowing
the reclaimed water to be discharged back into Lake Mead. Lake Mead is the drinking water source for more than 95% of the population and businesses in Clark County. The stringent treatment standards are set to protect the community's drinking water supply as well as the recreational use of Lake Mead and the downstream communities along the Colorado River.

b. **Support the continued economic health and viability of the Applicant.**

Water reclamation is an intensively power reliant process. Additional power resources would add critical resiliency in maintaining our capacity to receive, treat and reclaim water to support Clark County. Any dip in power is a critical issue for our entire treatment process. Increasing the availability of ready energy assures we are able to effectively and affordably clean and treat the valley's water to the appropriate federal standards to ensure the valley can take advantage of crucial return flow credits. It also helps us avoid harmful sanitary sewer overflows, jeopardizing sensitive habitats and violating our federal clean water permits. Our main facility is a modern water reclamation facility that utilizes the latest in technology and equipment to perform our important service to the community. Currently, the facilities can treat up to 150 million gallons per day to meet the needs of our community. CCWRD is constantly reviewing needs for expansion and additional facilities to keep up with the changing community and businesses. Stable prices for our power resourse allows us to budget and understand what growth impacts our power needs.

c. **Promote utility rate stability for public entities.**

The largest sanitation district on the Colorado River System, CCWRD is a public entity that provides low cost, affordable sanitation and water reclamation for Clark County. Increasing costs, particularly in the power sector, threaten the District's ability to provide affordable, low costs sanitation and water reclamation for our more than 260,000 residential users, many of whom are socioeconomically challenged. Additionally, affordable power would help us keep costs low and maintain stable, affordable rates.

d. **Promote diversification of the Applicant's energy portfolio.**

CCWRD is eagerly pursuing diverse and varied sources of power to ensure critical redundancy for our portfolio and processes. Water reclamation processes are intensively power driven, so having a diverse array of power sources is essential for our critical operational capacity. We are currently pursuing federal money for renewable energy solutions as well as battery back up capabilities. This additional potential is vital for our ability to continue to suport those needs. Reduction of reliance on open market power purchases help us remove dependance on fluctuating power costs as well as increase our renewable energy credits.

4. **Other Information. The Applicant may provide any other information pertinent to the application:**

CCWRD is upgrading and replacing critical power intensive equipment that coupled with expansions and future builds will only require additional power resources. CRC is a valued partner is maintaining reliable an affordable power for the community of Southern Nevada.

5. **By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:**

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. **Signature:**

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: _____ **Title:** Deputy General Manager

Print Name: Shawn Molus

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between August 14, 2025 and September 18, 2025.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

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Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

CCWRD Application for Parker Davis Power Generation Allocation

From Peter Beaulieu <pbeaulieu@cleanwaterteam.com>
Date Tue 9/9/2025 12:19 PM
To CRC Power <CRCPower@crc.nv.gov>; Gail Bates <gbates@crc.nv.gov>

1 attachment (1 MB)
CCWRD Colorado River Application For Parker Davis Power 9.9.25.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,
Attached is CCWRD's Application for Allocation of Parker Davis Project Generation .
Thank you for your consideration.
Please let me know if this was received or if it should be mailed separately.

Thanks,
Peter



Peter Beaulieu PE, MA, PMP
Sr. Electrical Engineer
Clark County Water Reclamation District
5857 East Flamingo Road | Las Vegas | NV | 89122
t 702-668-8243 | cleanwaterteam.com
c 702-334-8337

Schedule: M-Th 6:00am - 4:30pm

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

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Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	City of North Las Vegas
Address	2580 Betty Lane
City, State, Zip	Las Vegas Nevada 89156

b. Person(s) representing Applicant:

Contact Person	Eric Bauer
Title	Manager, Infrastructure and Facility Support
Address	2580 Betty
City, State, Zip	Las Vegas Nevada
Telephone	702-633-1275
Fax	702-399-0383
Email Address	Bauere@cityofnorthlasvegas.com

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a _____

1.b ____X__

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

3.63 %

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. *Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.*

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	2833	2758	3124	2938	3184	3301
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	2926	2999	2919	3017	3052	2919

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	2760	2716	2857	3164	3099	2669
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	2856	2926	2975	2904	2881	2919

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	2888	2893	2941	3034	2982	2747
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	2676	2785	3012	3042	3039	2864

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	201,190	206,322	162,277	204,568	193,654	325,593
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,454,232	1,405,932	1,538,320	1,503,327	1,375,014	1,377,226
Load (kWh) Total of Resources Above	1,655,422	1,612,254	1,700,597	1,707,895	1,568,668	1,702,819
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	331,375	338,911	260,501	256,473	172,931	166,694
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,288,026	1,402,926	1,470,484	1,549,875	1,632,211	1,520,923
Load (kWh) Total of Resources Above	1,619,401	1,741,837	1,730,985	1,806,348	1,805,142	1,687,617

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	127,652	218,989	128,886	122,260	155,456	232,567
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,576,174	1,387,390	1,516,501	1,602,164	1,382,036	1,458,215
Load (kWh) Total of Resources Above	1,703,826	1,606,379	1,645,387	1,724,424	1,537,492	1,690,782
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	257,577	274,662	275,767	233,281	169,423	142,918
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,424,191	1,438,202	1,378,142	1,545,121	1,588,917	1,501,316
Load (kWh) Total of Resources Above	1,681,768	1,712,864	1,653,909	1,778,402	1,758,340	1,644,234

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	154,416	170,007	112,970	118,882	119,596	270,765
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,523,428	1,435,073	1,630,797	1,819,039	1,587,382	1,398,984
Load (kWh) Total of Resources Above	1,677,844	1,605,080	1,743,767	1,937,921	1,706,978	1,669,749
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	306,364	329,361	322,540	258,682	197,617	172,606
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	1,339,634	1,400,769	1,475,928	1,583,664	1,644,744	1,568,567
Short-Term or Unspecified (kWh)						
Load (kWh) Total of Resources Above	1,645,998	1,730,130	1,798,468	1,842,346	1,842,361	1,741,173

b. **Transmission**

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Mead Substation

3. Please describe how receipt of the allocated resource accomplishes the following:

a. **Promote the widespread beneficial use of the resource.**

By receiving the necessary allocation, the Water Reclamation Facility (WRF) can effectively treat and recycle wastewater, providing a reliable source of reclaimed water for irrigation and industrial use. This process reduces demand on fresh Colorado River supplies and extends water availability for multiple users.

The WRF supports economic growth by serving expanding communities and industries. By returning treated water to Lake Mead, it promotes sustainable development and helps conserve the limited resources of the Colorado River.

Additionally, the facility's ability to safely process wastewater reduces pollution and protects downstream ecosystems, fostering beneficial environmental outcomes throughout the Colorado River Basin.

b. **Support the continued economic health and viability of the Applicant.**

The allocated resource directly supports the continued economic health and viability of the Applicant by providing reliable access to affordable and sustainable power essential for the ongoing operation of the Water Reclamation Facility (WRF). By offsetting the cost of purchasing energy from more expensive sources, the allocation helps preserve operational budgets and supports long-term financial planning. The WRF's ability to return treated water to Lake Mead also contributes to water credit programs, which help offset future demand and ensure a more reliable water supply. In addition, the allocation enables the facility to expand its service capacity to meet the needs of growing residential, commercial, and industrial developments-generating new revenue and supporting local economic growth. Ensuring compliance with federal and state water treatment standards also helps the Applicant avoid costly regulatory penalties. By reducing reliance on limited freshwater supplies and promoting sustainable resource management, the Applicant strengthens its position as a responsible steward of the region's natural resources, enhancing both economic and environmental outcomes.

c. **Promote utility rate stability for public entities.**

The receipt of the allocated resource promotes utility rate stability for public entities by providing a consistent and affordable supply of power necessary for the operation of the Water Reclamation Facility (WRF). By reducing reliance on higher-cost market resources, the allocation helps minimize operational expenses, which in turn limits the need for rate increases to cover rising utility costs. This stability benefits public entities such as municipalities and water districts that depend on predictable utility rates for budgeting and service planning. In maintaining stable rates, the allocation supports long-term affordability for public services and protects ratepayers from volatile utility markets.

d. **Promote diversification of the Applicant's energy portfolio.**

The allocated resource promotes diversification of the Applicant's energy portfolio by incorporating clean, renewable hydropower from the Colorado River system into the energy mix used to operate the Water Reclamation Facility (WRF). This reduces dependence on traditional fossil fuel-based energy sources and enhances energy security through access to a stable, low-cost, and environmentally responsible power supply. By diversifying its energy portfolio, the Applicant mitigates exposure to energy market volatility, supports sustainability goals, and strengthens long-term operational resilience.

4. **Other Information. The Applicant may provide any other information pertinent to the application:**

5. **By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:**

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. **Signature:**

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: _____ **Title: Manager, Utilities Infrastructure and Facility Support**

Print Name: Eric Bauer

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between **August 14, 2025 and September 18, 2025**

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL
OR COMMERCIALLY SENSITIVE INFORMATION
TO THE COLORADO RIVER COMMISSION OF NEVADA

The Colorado River Commission of Nevada, as a State agency, is subject to the Public Records Law of Nevada, Nevada Revised Statutes (NRS), Chapter 239, which provides for public access upon request to all records, data and information in the possession of a state agency.

As a result, all Applications and all data or information supplied to the Commission in support of an Application will be considered "public records" subject to public disclosure upon request.

Further, the Colorado River Commission of Nevada is also subject to the Open Meeting Law, Nevada Revised Statutes (NRS) chapter 241.

The contents of the Applications will be discussed at a public meeting. Copies of the Applications and all data or information supplied to the Commission in support of an Application will be available to the Commissioners and staff, as back up material, at the Commission meeting where the applications are discussed. Any member of the public requesting copies of the backup materials will be provided them.

Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

(CNLV) Parker-Davis Resource Application

From Eric Bauer <bauere@cityofnorthlasvegas.com>
Date Wed 9/17/2025 3:54 PM
To Gail Bates <gbates@crc.nv.gov>
Cc Joemel Llamado <llamadoj@cityofnorthlasvegas.com>; Lectisia Romero <romerol@cityofnorthlasvegas.com>; Edna Solis <solise@cityofnorthlasvegas.com>; Alan Wolfley <wolfleya@cityofnorthlasvegas.com>; Bryce Burrell <burrellb@cityofnorthlasvegas.com>

1 attachment (299 KB)
CNLV.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Gail,

I hope you are doing well.

I have attached the completed application form for CNLV. Please let me know if you have any questions or concerns.

Thank you,

--
Eric Bauer
Manager, Utilities Infrastructure and Facilities Support
City of North Las Vegas Utilities
Phone: 702-633-1098

Docusign Envelope ID: 0F5D8161-578B-4F35-A1AB-63C8E3E6C787

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV"s) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	CITY OF HENDERSON
Address	240 S. WATER STREET
City, State, Zip	HENDERSON, NEVADA 89015

b. Person(s) representing Applicant:

Contact Person	PRISCILLA HOWELL
Title	DIRECTOR OF UTILITY SERVICES
Address	240 S. WATER STREET
City, State, Zip	HENDERSON, NEVADA 89015
Telephone	702-267-2729
Fax	
Email Address	PRISCILLA.HOWELL@CITYOFHENDERSON.COM

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a

1.b X

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

5.08%

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	6432	6387	6451	6266	6493	6697
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	6608	6616	6441	6533	6473	6570

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	6165	5645	5816	5720	5775	5688
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	5959	6104	6057	6313	6399	6144

Docusign Envelope ID: 0F8D8161-53BB-4FF5-A1AB-03C8E3E6C787

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	6092	6231	5511	6249	5462	5432
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	5877	6237	6232	6522	6699	6511

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	630,650	646,737	508,675	641,240	607,029	1,020,608
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	2,056,643	1,816,932	2,514,731	2,221,185	2,136,572	1,815,048
Load (kWh) Total of Resources Above	2,687,293	2,463,669	3,023,406	2,862,425	2,743,601	2,835,656
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	1,038,731	1,062,352	816,568	803,943	542,070	522,522
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,613,475	1,750,075	2,064,476	2,355,607	2,813,243	2,607,199
Load (kWh) Total of Resources Above	2,652,206	2,812,427	2,881,044	3,159,550	3,355,313	3,129,721

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Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	400,138	686,447	404,008	383,237	487,294	729,006
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	2,599,623	1,689,573	2,325,912	2,462,775	1,982,537	1,736,231
Load (kWh) Total of Resources Above	2,999,761	2,376,020	2,729,920	2,846,012	2,469,831	2,465,237
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	807,404	860,959	864,421	731,246	531,074	447,992
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,624,558	1,710,400	1,636,031	2,328,048	2,766,972	2,516,647
Load (kWh) Total of Resources Above	2,431,962	2,571,359	2,500,452	3,059,294	3,298,046	2,964,639

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	484,036	532,908	354,118	372,648	374,888	848,742
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	2,477,946	2,060,916	2,245,026	2,308,958	2,115,170	1,333,881
Load (kWh) Total of Resources Above	2,961,982	2,593,824	2,599,144	2,681,606	2,490,058	2,182,623
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	960,332	1,032,419	1,011,037	810,866	619,451	541,052
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,228,208	1,456,726	1,540,409	2,156,064	2,593,508	2,429,525
Load (kWh) Total of Resources Above	2,188,540	2,489,145	2,551,446	2,966,930	3,212,959	2,970,577

Docusign Envelope ID: 0F8D9161-578B-4FF5-A1AB-63C8E3E6C7B7

b. **Transmission**

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Mead Substation

3. **Please describe how receipt of the allocated resource accomplishes the following:**

a. **Promote the widespread beneficial use of the resource.**

The City of Henderson serves our residents and businesses with cost effective, reliable potable water, wastewater and reclaimed water service. Power resources are an essential part of our utility operations that enables us to provide service to more than 117,000 customers. The power resources from the Parker-Davis allocation will be used through the City boundary.

b. **Support the continued economic health and viability of the Applicant.**

The City of Henderson is responsible for providing municipal services to our residents and businesses. Energy costs represent a substantial portion of annual operating budget and allocation of this resource would help to manage and optimize these costs. By securing cost-effective and reliable energy resources, the City will be able to support long-term economic growth and the safety, security, and satisfaction of those who live, learn, work, and play in our community, thus supporting our vision, "to be America's premier community."

c. **Promote utility rate stability for public entities.**

The City of Henderson is responsible for continually monitoring and updating its utility rates and strives to ensure sustainable and and manageable utility operations for our customers. Energy expenses have a direct impact on our rates and are a significant portion of our operating budget. With this allocated resource, the City will continue to provide cost effective utility services for our customers.

Docusign Envelope ID: 5F1C0B1A1-57BB-4FF5-A1AB-63C8E3E6C7B7

d. **Promote diversification of the Applicant's energy portfolio.**

Authorization of the Parker Davis allocation provides an additional cost effective resource for the City of Henderson.

4. **Other Information. The Applicant may provide any other information pertinent to the application:**

None.

5. **By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:**

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. **Signature:**

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: Priscilla Howell **Title:** Director of Utility Services

Print Name: Priscilla Howell

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between **August 14, 2025** and **September 18, 2025**.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

Docusign Envelope ID: 6F8D8161-578B-4FF5-A1AB-63C8E3E6C787

NOTE ON SUBMITTAL OF CONFIDENTIAL OR COMMERCIALLY SENSITIVE INFORMATION TO THE COLORADO RIVER COMMISSION OF NEVADA

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Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

Colorado River Commission of Nevada-Application for Allocation of Parker-Davis Project Generation

From Heidi Dexheimer <Heidi.Dexheimer@cityofhenderson.com>

Date Thu 9/18/2025 3:08 PM

To CRC Power <CRCPower@crc.nv.gov>

Cc Bryan Meitz <Bryan.Meitz@cityofhenderson.com>; Priscilla Howell <Priscilla.Howell@cityofhenderson.com>; Michael Houghton <Michael.Houghton@cityofhenderson.com>

2 attachments (601 KB)

CITY OF HENDERSON-PARKER DAVIS ALLOCATION-APPLICATION.xlsx; CITY OF HENDERSON-PARKER DAVIS ALLOCATION-APPLICATION.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please find attached the City of Henderson's application for the above-referenced resource. We are providing a digitally signed PDF and Microsoft Excel spreadsheet.

Please contact me if further information is required to review our application.

Sincerely,

Heidi Dexheimer, PE, WRS
Deputy Director

HENDERSON

City of Henderson
Department of Utility Services
240 S. Water St, MSC 124
Henderson, NV 89015
cityofhenderson.com

T 702-267-2504
H Mon-Thu, 7:30am-5:30pm



PUBLIC RECORDS NOTICE: In accordance with NRS Chapter 239, this email and responses, unless otherwise made confidential by law, may be subject to the Nevada Public Records laws and may be disclosed to the public upon request.

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

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Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	Overton Power District No. 5
Address	615 N. Moapa Valley Blvd., PO Box 395
City, State, Zip	Overton, NV 89040-0395

b. Person(s) representing Applicant:

Contact Person	MeLisa Garcia
Title	CEO/General Manager
Address	615 N. Moapa Valley Blvd., PO Box 395
City, State, Zip	Overton, NV 89040-0395
Telephone	702-397-3034
Fax	702-397-2583
Email Address	gm@OPD5.com

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a __X__

1.b _____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

100%

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	62391	48505	76816	80654	78336	67139
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	53400	81446	102769	104758	105592	107663

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	71032	70583	80255	84977	82300	67291
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	66384	82827	89444	116024	101121	84432

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	66331	62263	71922	92861	76488	54175
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	68528	89046	118990	124764	120331	106782

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	2,437,478	2,468,998	1,934,127	2,463,266	2,295,165	3,921,742
Parker-Davis (kWh)	1,183,000	1,145,000	1,183,000	1,183,000	1,068,738	2,353,000
SLCAIP (kWh)	2,331,724	2,132,225	1,363,141	1,579,240	1,285,574	1,587,670
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	21,560,814	20,896,357	30,272,172	31,601,212	25,815,035	21,440,083
Load (kWh) Total of Resources Above	27,513,016	26,642,580	34,752,440	36,826,718	30,464,512	29,302,495
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	3,892,133	4,082,203	3,071,681	3,088,873	2,084,082	2,004,806
Parker-Davis (kWh)	2,277,000	2,353,000	2,277,000	2,353,000	2,353,000	2,194,671
SLCAIP (kWh)	1,150,974	1,206,667	1,584,637	1,631,670	1,770,711	1,281,165
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	19,602,675	25,837,514	36,433,067	43,246,085	41,964,002	34,717,359
Load (kWh) Total of Resources Above	26,922,782	33,479,384	43,366,385	50,319,628	48,171,795	40,198,001

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	1,535,841	2,639,965	1,553,988	1,474,713	1,873,955	2,814,752
Parker-Davis (kWh)	1,183,000	1,145,000	1,183,000	1,183,000	1,068,738	2,353,000
SLCAIP (kWh)	1,417,903	1,127,068	1,401,955	1,280,334	1,198,794	1,322,118
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	26,810,501	25,537,438	32,342,892	34,152,418	29,094,636	25,495,031
Load (kWh) Total of Resources Above	30,947,245	30,449,471	36,481,835	38,090,465	33,236,123	31,984,901
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	3,116,572	3,388,782	3,336,250	2,861,554	2,029,639	1,632,308
Parker-Davis (kWh)	2,277,000	2,353,000	2,277,000	2,353,000	2,353,000	2,194,671
SLCAIP (kWh)	1,024,664	1,580,827	2,434,080	2,340,517	2,607,317	1,736,990
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	21,561,276	26,490,339	29,076,850	46,186,648	38,025,994	29,695,522
Load (kWh) Total of Resources Above	27,979,512	33,812,948	37,124,180	53,741,719	45,015,950	35,259,491

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	1,861,538	2,049,697	1,362,008	1,432,687	1,441,283	3,264,617
Parker-Davis (kWh)	1,183,000	1,145,000	1,183,000	1,183,000	1,068,738	2,353,000
SLCAIP (kWh)	1,549,781	1,330,251	1,758,713	1,978,353	1,779,958	1,915,624
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	26,461,221	24,853,972	30,689,687	35,529,494	29,028,264	23,419,138
Load (kWh) Total of Resources Above	31,055,540	29,378,920	34,993,408	40,123,534	33,318,243	30,952,379
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	3,703,019	3,971,409	3,878,761	3,111,797	2,381,126	2,087,902
Parker-Davis (kWh)	2,277,000	2,353,000	2,277,000	2,353,000	2,353,000	2,194,671
SLCAIP (kWh)	1,377,331	1,262,414	1,525,686	1,857,348	1,953,341	1,366,392
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	24,185,098	30,310,080	43,811,620	52,029,876	48,868,662	38,930,795
Load (kWh) Total of Resources Above	31,542,448	37,896,903	51,493,067	59,352,021	55,556,129	44,579,760

b. **Transmission**

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Mead Substation 230 Bus

3. **Please describe how receipt of the allocated resource accomplishes the following:**

a. **Promote the widespread beneficial use of the resource.**

Putting Colorado River hydropower resources to widespread beneficial use was the fundamental reason that OPD5 was first established in 1935. Now, 90 years later, the beneficial use of these hydro allotments still remain essential to OPD5 operations and to the rural communities it serves.

b. **Support the continued economic health and viability of the Applicant.**

As a not-for-profit general improvement district, OPD5 does not measure its health and viability through the maximizing of returns for any investors. Rather the district's success is measured solely by its ability to deliver reliable power at the lowest reasonable cost. Thus, retaining these firm, low-cost hydropower allocations are imperative to OPD5's economic health, continued viability and capability to fulfill that mission.

c. **Promote utility rate stability for public entities.**

Hydropower allotments are the lowest-cost and most stable resources in the OPD5 portfolio. Any reduction to these must be made up by the acquisition of market-based resources at significantly higher cost. These costs must be borne by our ratepayers which include numerous public entities - but also commercial/industrial ventures and rural residents.

d. Promote diversification of the Applicant's energy portfolio.

OPD5's total allotment of hydropower resources add up lo about 23 percent of its overall portfolio. Recently we added a new contract with a solar power provider which lended further diversification. Thus, a significant portion of the OPD5 load is made up of renewable sources. The Parker Davis allotment is an important component in maintaining that well-balanced and diversified portfolio.

4. Other Information. The Applicant may provide any other information pertinent to the application:

5. By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. Signature:

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: Melissa Garcia Title: CEO/General Manager

Print Name: MeLisa Garcia

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between August 14, 2025 and September 18, 2025.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL
OR COMMERCIALLY SENSITIVE INFORMATION
TO THE COLORADO RIVER COMMISSION OF NEVADA

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Further, the Colorado River Commission of Nevada is also subject to the Open Meeting Law, Nevada Revised Statutes (NRS) chapter 241.

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Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

Parker Davis Remarketing

From MELISA GARCIA <gm@opd5.com>
Date Tue 9/2/2025 10:54 AM
To CRC Power <CRCPower@crc.nv.gov>
Cc Gail Bates <gbates@crc.nv.gov>

1 attachment (2 MB)
P07 OPD PD Remarketing Application 9-2-25.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please find the attached application for the remarketing of Parker Davis. I am available anytime for clarification or to answer any questions. I appreciate your consideration of our application.

--

MeLisa Garcia

General Mananager
Overton Power District #5

615 N. Moapa Valley Blvd
PO BOX 395
Overton, NV 89040

OPD5 Est. 1935

Office 702.397.3034
Cell 702.208.1101
gm@opd5.com

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Colorado River Commission of Nevada

Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:

THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	Overton Power District No. 5
Address	615 N. Moapa Valley Blvd., PO Box 395
City, State, Zip	Overton, NV 89040-0395

b. Person(s) representing Applicant:

Contact Person	MeLisa Garcia
Title	CEO/General Manager
Address	615 N. Moapa Valley Blvd., PO Box 395
City, State, Zip	Overton, NV 89040-0395
Telephone	702-397-3034
Fax	702-397-2583
Email Address	gm@OPD5.com

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a ___X___

1.b _____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

100%

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. *Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.*

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	62391	48505	76816	80654	78336	67139
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	53400	81446	102769	104758	105592	107663

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	71032	70583	80255	84977	82300	67291
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	66384	82827	89444	116024	101121	84432

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	66331	62263	71922	92861	76488	54175
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	68528	89046	118990	124764	120331	106782

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	2,437,478	2,468,998	1,934,127	2,463,266	2,295,165	3,921,742
Parker-Davis (kWh)	1,183,000	1,145,000	1,183,000	1,183,000	1,068,738	2,353,000
SLCAIP (kWh)	2,331,724	2,132,225	1,363,141	1,579,240	1,285,574	1,587,670
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,657,279	874,333	1,172,386	1,858,682	1,320,987	6,241,948
Load (kWh) Total of Resources Above	7,609,481	6,620,556	5,652,654	7,084,188	5,970,464	14,104,360
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	3,892,133	4,082,203	3,071,681	3,088,873	2,084,082	2,004,806
Parker-Davis (kWh)	2,277,000	2,353,000	2,277,000	2,353,000	2,353,000	2,194,671
SLCAIP (kWh)	1,150,974	1,206,667	1,584,637	1,631,670	1,770,711	1,281,165
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	5,643,000	6,203,000	3,424,000	4,525,000	3,852,000	2,820,275
Load (kWh) Total of Resources Above	12,963,107	13,844,870	10,357,318	11,598,543	10,059,793	8,300,917

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	1,535,841	2,639,965	1,553,988	1,474,713	1,873,955	2,814,752
Parker-Davis (kWh)	1,183,000	1,145,000	1,183,000	1,183,000	1,068,738	2,353,000
SLCAIP (kWh)	1,417,903	1,127,068	1,401,955	1,280,334	1,198,794	1,322,118
Fossil Fuel Assets Owned or Purchased Under Long Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	435,000	1,583,000	676,000	2,418,199	2,556,767	6,782,166
Load (kWh) Total of Resources Above	4,571,744	6,495,033	4,814,943	6,356,246	6,698,254	13,272,036
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	3,116,572	3,388,782	3,336,250	2,861,554	2,029,639	1,632,308
Parker-Davis (kWh)	2,277,000	2,353,000	2,277,000	2,353,000	2,353,000	2,194,671
SLCAIP (kWh)	1,024,664	1,580,827	2,434,080	2,340,517	2,607,317	1,736,990
Fossil Fuel Assets Owned or Purchased Under Long Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	5,170,000	6,070,000	4,894,666	5,742,000	5,108,000	3,490,000
Load (kWh) Total of Resources Above	11,588,236	13,392,609	12,941,996	13,297,071	12,097,956	9,053,969

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	1,861,538	2,049,697	1,362,008	1,432,687	1,441,283	3,264,617
Parker-Davis (kWh)	1,183,000	1,145,000	1,183,000	1,183,000	1,068,738	2,353,000
SLCAIP (kWh)	1,549,781	1,330,251	1,758,713	1,978,353	1,779,958	1,915,624
Fossil Fuel Assets Owned or Purchased Under Long Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,909,775	3,368,974	2,432,270	2,847,353	3,360,964	7,038,660
Load (kWh) Total of Resources Above	6,504,094	7,893,922	6,735,991	7,441,393	7,650,943	14,571,901
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	3,703,019	3,971,409	3,878,761	3,111,797	2,381,126	2,087,902
Parker-Davis (kWh)	2,277,000	2,353,000	2,277,000	2,353,000	2,353,000	2,194,671
SLCAIP (kWh)	1,377,331	1,262,414	1,525,686	1,857,348	1,953,341	1,366,392
Fossil Fuel Assets Owned or Purchased Under Long Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	5,559,753	4,759,516	6,082,977	6,315,000	5,735,176	4,957,567
Load (kWh) Total of Resources Above	12,917,103	12,346,339	13,764,424	13,637,145	12,422,643	10,606,532

b. Transmission

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Mead Substation 230 Bus

3. Please describe how receipt of the allocated resource accomplishes the following:

a. Promote the widespread beneficial use of the resource.

Putting Colorado River hydropower resources to widespread beneficial use was the fundamental reason that OPD5 was first established in 1935. Now, 90 years later, the beneficial use of these hydro allotments still remain essential to OPD5 operations and to the rural communities it serves.

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As a not-for-profit general improvement district, OPD5 does not measure its health and viability through the maximizing of returns for any investors. Rather the district's success is measured solely by its ability to deliver reliable power at the lowest reasonable cost. Thus, retaining these firm, low-cost hydropower allocations are imperative to OPD5's economic health, continued viability and capability to fulfill that mission.

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OPD5's total allotment of hydropower resources add up to about 23 percent of its overall portfolio. Recently we added a new contract with a solar power provider which lended further diversification. Thus, a significant portion of the OPD5 load is made up of renewable sources. The Parker Davis allotment is an important component in maintaining that well-balanced and diversified portfolio.

4. Other Information. The Applicant may provide any other information pertinent to the application:

5. By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. Signature:

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: Melissa Garcia Title: CEO/General Manager

Print Name: Melisa Garcia

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between August 14, 2025 and September 18, 2025.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

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Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

Re: Application Data

From JONATHAN DENNINGHOFF <jdenninghoff@opd5.com>
Date Tue 12/2/2025 12:46 PM
To Gail Bates <gbates@crc.nv.gov>
Cc mgarcia <mgarcia@opd5.com>; Matthew J. Alinsod <malinsod@crc.nv.gov>

1 attachment (950 KB)
P07 OPD PD Remarketing Application 9-2-25 - V2.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Gail,

Thank you for bringing this to our attention. The numbers in this cell do need to be corrected. Please see attached for the revised amounts. Please let us know if this is sufficient or if you need anything further.

Thank you,

Jonathan Denninghoff

Financial Services Manager
Overton Power District #5

615 N. Moapa Valley Blvd
PO BOX 395
Overton, NV 89040

OPD5 Est. 1935

Office 702.397.3013
jdenninghoff@opd5.com

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On Tue, Dec 2, 2025 at 9:33 AM Gail Bates <gbates@crc.nv.gov> wrote:

> Good morning. We were just taking another look at the data in the Parker-Davis applications and something looks like it may be amiss.

Could you please double check the energy data in your Parker-Davis application? The line labeled "Load (kWh) Total of Resources Above" should represent the total utility sales to your consumers in kWh. It looks to be a bit light to me.

Please let me know if the numbers need to be corrected.

Thanks.

Gail Bates

Assistant Director, Hydropower

Colorado River Commission of Nevada

gbates@crc.nv.gov

(702) 496-3162 (cell)

(725) 281-1101(office)

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

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Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	Valley Electric Association, Inc.
Address	800 E Nevada Hwy 372
City, State, Zip	Pahrump NV 89048

b. Person(s) representing Applicant:

Contact Person	Logan Gernet
Title	VP of Operations, Engineering, & Power Supply
Address	800 E Nevada Hwy 372
City, State, Zip	Pahrump NV 89048
Telephone	775-727-5312 ext. 2486
Fax	
Email Address	energynotices@vea.coop

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a __X__

1.b _____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

__50__%

~~**2. Applicant Data:**~~

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	79,945	92,095	129,505	135,102	130,249	105,234
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	84,339	103,632	130,707	137,828	140,513	146,232

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	95,295	120,247	135,725	132,391	135,099	121,171
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	111,989	125,913	113,492	147,233	129,707	112,043

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	86,676	115,016	116,192	136,813	118,084	101,662
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	87,793	103,840	142,599	153,171	146,914	133,638

Historical Resources:

a. **Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.**

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	2,135,000	2,109,000	1,657,000	2,120,000	1,983,000	3,213,000
Parker-Davis (kWh)	2,164,000	2,094,000	2,164,000	2,164,000	1,953,977	4,304,000
SLCAIP (kWh)	3,367,735	3,062,088	1,961,369	2,272,306	1,849,763	2,284,435
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	3,007	2,429	1,635	2,333	2,824	3,072
Short-Term or Unspecified (kWh)	30,479,625	32,090,600	53,216,253	53,591,131	43,419,715	33,628,836
Load (kWh) Total of Resources Above	38,149,367	39,358,116	59,000,257	60,149,770	49,209,280	43,433,343
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	3,435,000	3,379,000	2,574,000	2,567,000	1,645,000	1,596,000
Parker-Davis (kWh)	4,165,000	4,304,000	4,165,000	4,304,000	4,304,000	4,011,667
SLCAIP (kWh)	1,670,212	1,779,997	2,280,072	2,347,746	2,570,397	1,843,417
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	3,255	3,451	3,086	2,937	2,814	2,490
Short-Term or Unspecified (kWh)	27,167,106	32,930,836	44,527,521	55,482,639	56,822,701	44,784,743
Load (kWh) Total of Resources Above	36,440,573	42,397,285	53,549,678	64,704,322	65,344,912	52,238,317

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	1,347,000	2,353,000	1,384,000	1,287,000	1,650,000	2,608,000
Parker-Davis (kWh)	2,164,000	2,094,000	2,164,000	2,164,000	1,953,977	4,304,000
SLCAIP (kWh)	2,040,165	1,621,695	2,017,218	1,842,222	1,724,898	1,902,344
Fossil Fuel Assets Owned or Purchased Under Long Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	2,606	2,141	1,719	1,713	2,190	2,524
Short-Term or Unspecified (kWh)	35,959,948	44,358,806	54,404,912	57,290,396	48,489,102	42,161,714
Load (kWh) Total of Resources Above	41,513,718	50,429,642	59,971,849	62,585,332	53,820,167	50,978,582
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	2,912,000	3,076,000	3,130,000	2,771,000	2,014,000	1,666,000
Parker-Davis (kWh)	4,165,000	4,304,000	4,165,000	4,304,000	4,304,000	4,011,667
SLCAIP (kWh)	1,505,415	2,274,588	3,502,301	3,367,678	3,751,566	2,499,287
Fossil Fuel Assets Owned or Purchased Under Long Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	3,151	3,092	2,937	3,154	2,892	2,734
Short-Term or Unspecified (kWh)	31,120,898	35,432,150	34,480,174	57,061,166	47,540,415	36,458,838
Load (kWh) Total of Resources Above	39,706,464	45,089,830	45,280,412	67,506,998	57,612,873	44,638,526

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	1,626,000	1,840,000	1,220,000	1,234,000	1,284,000	2,893,000
Parker-Davis (kWh)	2,164,000	2,094,000	2,164,000	2,164,000	1,953,977	4,304,000
SLCAIP (kWh)	2,229,919	1,914,047	2,530,542	2,846,573	2,561,112	2,756,316
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	2,985	2,250	2,302	1,910	2,041	2,739
Short-Term or Unspecified (kWh)	32,643,563	38,852,361	48,454,845	52,910,428	43,004,502	35,054,888
Load (kWh) Total of Resources Above	38,666,467	44,702,658	54,371,689	59,156,911	48,805,632	45,010,942
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	3,232,000	3,496,000	3,299,000	2,746,000	2,113,000	1,717,000
Parker-Davis (kWh)	4,165,000	4,304,000	4,165,000	4,304,000	4,304,000	4,011,667
SLCAIP (kWh)	1,981,789	1,816,435	2,195,250	2,672,466	2,810,584	1,966,048
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)	-	-	-	-	-	-
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)	3,173	3,312	2,365	3,030	3,106	2,761
Short-Term or Unspecified (kWh)	29,123,930	32,979,143	49,738,614	63,059,366	56,295,518	44,376,884
Load (kWh) Total of Resources Above	38,505,892	42,598,889	59,400,229	72,784,862	65,526,209	52,074,361

b. Transmission

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Mead Substation (230kV)
Desired transmission capacity to match the
CROD of delivered Parker Davis.

3. **Please describe how receipt of the allocated resource accomplishes the following:**

a. **Promote the widespread beneficial use of the resource.**

Valley Electric Association, Inc. ("Valley" or "Valley Electric") is a rural electric cooperative that serves a geographically diverse membership across Nye, Clark, and Esmeralda Counties. Valley's electric membership is divided between residential, commercial, and agricultural users. Historically, Valley's access to affordable hydropower has been a critical component in managing electric rates in its service territory. Electric rates have a downstream effect on economic growth and development of these rural communities.

Further, each area within Valley's service territory relies on pumped well water for its sole source of water, and the hydropower that Valley distributes promotes further beneficial use of water in both its domestic and rural agriculture usage.

Like many not-for-profit utilities in public power, Valley faces higher costs and lower customer density due to its remote location and smaller economy of scale. Continuing the allocation of this resource to Valley Electric will allow the benefits of federal hydropower to reach thousands of end-use members, supporting affordable and sustainable service across a broad service territory.

b. **Support the continued economic health and viability of the Applicant.**

Hydropower allocations are a critical component of VEA's power supply portfolio, providing long-term cost stability and reducing exposure to volatile wholesale energy markets. In particular, the dispatchable capacity of hydroelectric resources provides an important part of Valley's portfolio. This capacity component allows Valley to hedge the most volatile part of the daily energy market and meet our peak demand needs. Beyond these risk management and load service functions, Valley also operates within the capacity market of the California Independent System Operator (CAISO) and is required to hold report this capacity to meet its market regulatory obligations.

As a member-owned and not-for-profit cooperative, VEA operates essentially at cost, and the savings realized from hydropower directly reduce rates for electric members. Maintaining access to Parker-Davis resources allows Valley Electric to avoid "rate shock" to its membership and ensure stable operating margins. Further, it contributes to the cooperative's ability to continue investing in local infrastructure, reliability improvements, and economic development initiatives in the communities it serves.

c. **Promote utility rate stability for public entities.**

Both as a publicly owned entity itself, and as a rural cooperative utility that serves public entities, hydroelectric power is a critical component of rate stability for Valley Electric.

For all the reasons explained in the section above, hydroelectric capacity and energy assist in Valley's management of its electric rates in a difficult-to-serve rural area. As a publicly owned utility, this economic benefit is passed directly to our electric membership.

Further, Valley provides power to a number of public institutions in its rural service area, including schools, fire departments, water distributors, and municipal facilities. Each of these are highly sensitive to fluctuations in electricity costs. Rate stability for these public agencies ensures they can continue to operate essential services without shifting unexpected costs onto local taxpayers. Parker-Davis hydropower helps Valley Electric shield these entities from rising market prices and provide predictable long-term energy costs—directly advancing public interest by strengthening the financial sustainability of critical community institutions.

d. **Promote diversification of the Applicant's energy portfolio.**

In addition to the direct benefit to Valley Electric's energy costs and those of its rural electric members, hydropower also benefits public power portfolios in terms of resource diversity and risk management.

Whereas most of the energy generated during peak periods is supplied by natural gas, hydroelectric resources allow Valley not to have its entire portfolio exposed to underlying natural gas prices during these times.

Additionally, hydroelectric resources are both carbon-free and supportive of other renewable resources. Valley and its members have invested in renewable and distributed energy resources, including solar generation. These intermittent and time-dependent resources require firm, flexible supply for system reliability. Parker-Davis hydropower provides a complementary supply that can ramp up at the end of the day, as solar resources in Valley's portfolio and the broader market ramp down. This once again allows Valley to serve its peak load as supply tightens in the energy market.

In summary, this resource helps Valley ensure a more balanced, diversified, and resilient mix of resources available to its membership.

4. Other Information. The Applicant may provide any other information pertinent to the application:

Valley Electric is a not-for-profit, member-owned cooperative governed by the seven Cooperative Principles, which emphasize democratic control, concern for community, and equitable access to affordable power. Parker-Davis continues to serve as a critical component in achieving this mission for our members.

Valley's electric load continues to grow. Accordingly, in this application, Valley has indicated its willingness to accept additional Parker-Davis allocation if available, or to simply maintain its current allocation if needed.

Valley Electric sincerely appreciates its partnership with the Colorado River Commission, and if any additional information would be helpful in this effort, please let us know.

5. By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. **Signature:**

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: _____ **Title: VP of Operations, Engineering & Power Supply**

9/18/25

Print Name: Logan Gernet

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between **August 14, 2025** and **September 18, 2025**.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL OR COMMERCIALLY SENSITIVE INFORMATION TO THE COLORADO RIVER COMMISSION OF NEVADA

The Colorado River Commission of Nevada, as a State agency, is subject to the Public Records Law of Nevada, Nevada Revised Statutes (NRS), Chapter 239, which provides for public access upon request to all records, data and information in the possession of a state agency.

As a result, all Applications and all data or information supplied to the Commission in support of an Application will be considered "public records" subject to public disclosure upon request.

Further, the Colorado River Commission of Nevada is also subject to the Open Meeting Law, Nevada Revised Statutes (NRS) chapter 241.

The contents of the Applications will be discussed at a public meeting. Copies of the Applications and all data or information supplied to the Commission in support of an Application will be available to the Commissioners and staff, as back up material, at the Commission meeting where the applications are discussed. Any member of the public requesting copies of the backup materials will be provided them.

Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

Re: Post-2028 Parker-Davis Generation Resource Application for VEA (Due Sep 18, 2025, 4:00 PM PDT)

From Logan Gernet <lgernet@vea.coop>

Date Thu 9/18/2025 3:49 PM

To Noah W. Fischel <nfischel@crc.nv.gov>; Gail Bates <gbates@crc.nv.gov>; crcpower@crc.nv.gov <IMCEAMAILTO-crcpower+40crc+2Env+2Egov@NAMP222.PROD.OUTLOOK.COM>; Eric P. Witkoski <ewitkoski@crc.nv.gov>

Cc Amy Carlson <acarlson@vea.coop>; Julio Diaz <jdiaz@vea.coop>; Robby Hamlin <rhamlin@vea.coop>; Terri George <tgeorge@vea.coop>

2 attachments (2 MB)

P08 VEA PD Remarketing Application.pdf; P08 VEA PD Remarketing Application_Valley Electric_Sept 2025.xlsx;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Eric (CRC Executive Director), Gail, and Noah,

Please see attached application for continuing allocation of the Post-2028 Parker Davis resource through CRC (in Excel and signed PDF).

If you could please confirm receipt of this application, we'd appreciate it. Additionally, if there are any adjustments or additional information that would be helpful, please don't hesitate to let us know.

Thanks as always for the partnership,
Logan

Logan Gernet
VP of Operations, Engineering & Power Supply

Valley Electric Association, Inc.
A Touchstone Energy® Cooperative

lgernet@vea.coop
(775) 727-5312 ext. 2486

800 E Nevada Highway 372 • Pahrump, NV 89048
Mailing: PO Box 237 • Pahrump, NV 89041
Website: www.vea.coop

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From: Noah W. Fischel <nfischel@crc.nv.gov>
Sent: Thursday, August 14, 2025 3:12 PM
To: Amy Carlson <acarlson@vea.coop>; Julio Diaz <jdiaz@vea.coop>; Logan Gernet <lgernet@vea.coop>; Mike Geoffroy <mikeg@vea.coop>; Robby Hamlin <rhamlin@vea.coop>; Terri George <tgeorge@vea.coop>
Subject: Post-2028 Parker-Davis Generation Resource Application for VEA (Due Sep 18, 2025, 4:00 PM PDT)

Dear Colorado River Commission of Nevada customer,

We are now accepting applications for the Post-2028 Parker-Davis generation resource. Attached is an Excel version of the Application that you can use to submit your information.

Applications should be addressed to the Executive Director and submitted:

By email addressed to: crcpower@crc.nv.gov;

By fax to (725) 204-7923; or

By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

No applications will be accepted after 4:00 p.m. PDT on: **THURSDAY, SEPTEMBER 18, 2025**

If you are submitting your Application by email, please submit both the Excel version and a signed .pdf version.

To help you get started, we have already filled in your historical hydropower energy deliveries. All layoff energy, SLCAIP-WRP, and SLCAIP-WRF are shown as "Short-Term or Unspecified" energy resources. Please include these amounts with any other "Short-Term or Unspecified" energy resources you have. When you fill out the spreadsheet, please make sure that all of your energy resources total to your monthly loads.

Please feel free to reach out to me with any questions. Thank you.

All the best,
Noah Fischel

Noah Fischel
Manager,
Communications, Legislative Affairs, and Special Projects

Colorado River Commission of Nevada
100 North City Parkway, Suite 1100

Las Vegas, NV 89106-4617

Direct Line: (725) 281.1094
Main Office Phone: (725) 246.0436

"The Colorado River Commission of Nevada serves the communities of the State by responsibly managing and protecting our Colorado River water and power resources."

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	Titanium Metals Corporation
Address	181 N. Water Street
City, State, Zip	Henderson, NV 89015

b. Person(s) representing Applicant:

Contact Person	Ken Ferriabough
Title	General Manager
Address	181 N. Water Street
City, State, Zip	Henderson, NV 89015
Telephone	(702) 564-2544
Fax	N/A
Email Address	kenneth.ferriabough@timet.com

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a __X__

1.b _____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

__15%__

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. *Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.*

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	5,032	6,272	6,315	4,972	5,400	5,437
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	6,635	6,305	8,887	10,530	11,418	11,092

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	10,909	8,798	9,643	9,707	9,570	8,812
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	9,726	10,066	10,515	10,919	10,342	11,385

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	11,930	8,764	8,403	7,801	8,273	9,304
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	10,163	10,032	9,487	9,906	9,304	8,277

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	5,637,680	5,710,093	4,472,446	5,696,274	5,403,307	9,069,817
Parker-Davis (kWh)	3,785,000	3,663,000	3,785,000	3,785,000	3,416,335	7,527,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(6,657,942)	(5,795,520)	(4,678,957)	(6,931,782)	(5,964,456)	(13,473,546)
Load (kWh) Total of Resources Above	2,764,738	3,577,573	3,578,489	2,549,492	2,855,186	3,123,271
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	8,048,854	9,439,066	6,102,006	7,109,149	4,804,106	4,639,934
Parker-Davis (kWh)	7,284,000	7,527,000	7,284,000	7,527,000	7,527,000	7,020,123
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(11,600,172)	(13,387,862)	(8,451,695)	(8,532,934)	(6,188,292)	(5,431,012)
Load (kWh) Total of Resources Above	3,732,682	3,578,204	4,934,311	6,103,215	6,142,814	6,229,045

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	3,553,192	6,106,428	3,610,128	3,410,578	4,319,329	6,628,793
Parker-Davis (kWh)	3,785,000	3,663,000	3,785,000	3,785,000	3,416,335	7,527,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(1,739,957)	(5,092,726)	(1,848,323)	(1,685,722)	(3,082,831)	(9,113,303)
Load (kWh) Total of Resources Above	5,598,235	4,676,702	5,546,805	5,509,856	4,652,833	5,042,490
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	7,319,201	7,805,084	7,726,591	6,660,301	5,004,761	4,140,232
Parker-Davis (kWh)	7,284,000	7,527,000	7,284,000	7,527,000	7,527,000	7,020,123
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(9,264,993)	(9,480,940)	(9,313,946)	(7,991,749)	(6,789,137)	(5,295,357)
Load (kWh) Total of Resources Above	5,338,208	5,851,144	5,696,645	6,195,552	5,742,624	5,864,998

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	4,305,510	4,742,196	3,151,330	3,336,507	3,393,443	7,453,523
Parker-Davis (kWh)	3,785,000	3,663,000	3,785,000	3,785,000	3,416,335	7,527,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(1,859,747)	(4,387,834)	(2,235,049)	(3,195,127)	(2,805,426)	(9,649,781)
Load (kWh) Total of Resources Above	6,230,763	4,017,362	4,701,281	3,926,380	4,004,352	5,330,742
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	8,569,009	9,303,085	8,777,955	7,034,525	5,538,182	4,859,383
Parker-Davis (kWh)	7,284,000	7,527,000	7,284,000	7,527,000	7,527,000	7,020,123
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(10,329,653)	(11,409,841)	(11,002,602)	(9,181,140)	(7,713,543)	(7,505,630)
Load (kWh) Total of Resources Above	5,523,356	5,420,244	5,059,353	5,380,385	5,351,639	4,373,876

b. Transmission

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Henderson Switching Station
230 kV

3. Please describe how receipt of the allocated resource accomplishes the following:

a. Promote the widespread beneficial use of the resource.

Titanium Metals Corporation (TIMET) manufactures titanium metal at its plant in the historic Black Mountain Industrial Complex near Henderson, Nevada. TIMET is the United States' largest producer of titanium, a lightweight yet durable material needed to produce aircraft, satellites, missiles, and other defense equipment and armaments. TIMET's operations are vital to the U.S. Department of Defense and the nation's national security interests in connection with its industrial activities.

b. Support the continued economic health and viability of the Applicant.

TIMET is a large manufacturing entity employing approximately two hundred local employees. A stable energy supply is necessary to retain TIMET's position as a low-cost supplier to these industries and in turn support the economic contributions it provides to the local economy.

c. Promote utility rate stability for public entities.

While TIMET is not a public entity, it directly serves markets of public importance and is a stable and predictable energy consumer.

d. Promote diversification of the Applicant's energy portfolio.

TIMET believes that retaining an allocation of this resource is critical in helping offset heightened uncertainty regarding the availability of the other generation resources in TIMET's energy portfolio. While TIMET has not fully utilized its prior resource allocation in recent years, a material reduction in Hoover generation caused by low lake levels could put TIMET in an energy shortfall position and therefore more reliant on its Parker-Davis allocation.

4. Other Information. The Applicant may provide any other information pertinent to the application: .

5. By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. Signature:

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: _____ Title: VP / TREASURER

Print Name: STEPHEN TACHOUET

Applications may be addressed to the Executive Director and submitted:

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-By fax to (725) 204-7923; or
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Applications may be submitted between August 14, 2025 and September 18, 2025.

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THURSDAY, SEPTEMBER 18, 2025

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OR COMMERCIALLY SENSITIVE INFORMATION
TO THE COLORADO RIVER COMMISSION OF NEVADA

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Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

RE: Post-2028 Parker-Davis Generation Resource Application for TIMET (Due Sep 18, 2025, 4:00 PM PDT)

From Tachouet, Stephen <stachouet@precastcorp.com>
Date Thu 9/18/2025 12:38 PM
To CRC Power <CRCPower@crc.nv.gov>
Cc Ferriabough, Ken <Kenneth.Ferriabough@timet.com>; Andersen, Elizabeth <Elizabeth.Andersen@timet.com>; Waterman, Dwayne <Dwayne.Waterman@precastcorp.com>; Noah W. Fischel <nfischel@crc.nv.gov>; Gail Bates <gbates@crc.nv.gov>

2 attachments (612 KB)

P02 TIMET PD Remarketing Application - FINAL 9-17-2025 ST SIGNED.pdf; P02 TIMET PD Remarketing Application - FINAL 9-17-2025.xlsx;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attn: Executive Director

Please find attached signed PDF and excel versions of Titanium Metals Corporation's Application for Allocation of Parker-Davis Project Generation.

Regards,
Steve

From: Noah W. Fischel <nfischel@crc.nv.gov>
Sent: Thursday, August 14, 2025 3:13 PM
To: Andersen, Elizabeth <Elizabeth.Andersen@timet.com>; Ferriabough, Ken <Kenneth.Ferriabough@timet.com>
Cc: Waterman, Dwayne <Dwayne.Waterman@precastcorp.com>
Subject: [EXTERNAL] Post-2028 Parker-Davis Generation Resource Application for TIMET (Due Sep 18, 2025, 4:00 PM PDT)

This Message Is From an External Sender

This message came from outside your organization.

External Email

Dear Colorado River Commission of Nevada customer,

We are now accepting applications for the Post-2028 Parker-Davis generation resource. Attached is an Excel version of the Application that you can use to submit your

information. All of the data on historical resources has been filled in for your convenience.

Applications should be addressed to the Executive Director and submitted:

- **By email addressed to:** crcpower@crc.nv.gov;
- **By fax to (725) 204-7923; or**
- **By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.**

No applications will be accepted after 4:00 p.m. PDT on: **THURSDAY, SEPTEMBER 18, 2025**

If you are submitting your Application by email, please submit both the Excel version and a signed .pdf version.

Please feel free to reach out to me with any questions. Thank you.

All the best,
Noah Fischel

Noah Fischel
Manager,
Communications, Legislative Affairs, and Special Projects

Colorado River Commission of Nevada
100 North City Parkway, Suite 1100
Las Vegas, NV 89106-4617

Direct Line: (725) 281.1094
Main Office Phone: (725) 246.0436

"The Colorado River Commission of Nevada serves the communities of the State by responsibly managing and protecting our Colorado River water and power resources."

This email and any attachments may contain confidential and proprietary information and must be treated as such. In addition, export or re-export of the information contained in or attached to this email may be prohibited under export control laws.
To review our Privacy Policy please visit: www.precast.com

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	Lhoist North America Inc.
Address	450 South Fourth Street
City, State, Zip	Henderson, Nevada 89015

b. Person(s) representing Applicant:

Contact Person	Duane Surman
Title	Western Regional Terminal Manager
Address	14931 Salt Lake Avenue
City, State, Zip	City of Industry, California 91746
Telephone	205-260-7946
Fax	888-880-9171
Email Address	duane.surman@lhoist.com

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a __X__
1.b _____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

0.40%

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	400	316	363	464	464	410
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	417	424	406	375	435	372

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	443	473	409	430	465	408
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	365	400	464	374	440	404

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	433	458	372	517	465	378
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	371	420	397	441	464	460

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	107,900	109,286	85,598	109,021	103,414	173,587
Parker-Davis (kWh)	72,000	70,000	72,000	72,000	66,810	144,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	39,695	951	47,866	57,034	75,239	(82,146)
Load (kWh) Total of Resources Above	219,595	180,237	205,464	238,055	245,463	235,441
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	154,047	180,655	116,786	136,062	91,946	88,804
Parker-Davis (kWh)	139,000	144,000	139,000	144,000	144,000	135,400
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(58,742)	(84,147)	(30,475)	(62,601)	(1,803)	(15,303)
Load (kWh) Total of Resources Above	234,305	240,508	225,311	217,461	234,143	208,901

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	68,005	116,871	69,094	65,275	82,668	126,869
Parker-Davis (kWh)	72,000	70,000	72,000	72,000	66,810	144,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	87,466	64,667	93,902	107,069	76,444	(37,490)
Load (kWh) Total of Resources Above	227,471	251,538	234,996	244,344	225,922	233,379
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	140,082	149,382	147,879	127,472	95,786	79,240
Parker-Davis (kWh)	139,000	144,000	139,000	144,000	144,000	135,400
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(78,993)	(60,856)	(35,573)	(59,073)	4,605	(6,336)
Load (kWh) Total of Resources Above	200,089	232,526	251,306	212,399	244,391	208,304

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	82,403	90,761	60,313	63,858	64,947	142,653
Parker-Davis (kWh)	72,000	70,000	72,000	72,000	66,810	144,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	71,482	48,966	75,744	124,413	93,416	(70,220)
Load (kWh) Total of Resources Above	225,885	209,727	208,057	260,271	225,173	216,433
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	164,002	178,052	168,002	134,634	105,995	93,004
Parker-Davis (kWh)	139,000	144,000	139,000	144,000	144,000	135,400
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(101,351)	(95,081)	(95,076)	(39,318)	16,657	14,589
Load (kWh) Total of Resources Above	201,651	226,971	211,926	239,316	266,652	242,993

b. **Transmission**

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Henderson Switching Station, 15Kv , desired capacity is 225 kW of summer capacity and 163 kW of winter capacity for a total of 388 kW of capacity.

3. **Please describe how receipt of the allocated resource accomplishes the following:**

a. **Promote the widespread beneficial use of the resource.**

The allocation of Parker-Davis Project power will allow our company to produce dolomitic hydrate more efficiently and sustainably, lowering costs and reducing reliance on higher-emission power sources. Dolomitic hydrate is widely used in water treatment, environmental protection, construction, and industry. We are the only producer of dolomitic hydrate west of Texas in North America and our products are used throughout the Western United States. Reliable access to clean, affordable hydropower ensures continued supply of this essential material being used to help build American homes, treat water, and protect the environment. In this way, the allocation supports both economic stability and environmental stewardship, promoting broad and beneficial use of the resource across multiple sectors.

b. **Support the continued economic health and viability of the Applicant.**

The allocation of Parker-Davis Project power will provide our company with a reliable, cost-stable source of electricity, which is essential to our energy-intensive production of dolomitic hydrate. Affordable hydropower helps us manage operating costs, maintain competitiveness, and ensure uninterrupted supply to key sectors such as water treatment, construction, and environmental protection. This energy stability directly supports our long-term economic viability, protects skilled jobs in Henderson, and enabled continued investment in plant upgrades and operational improvements that strengthen our economic contributions. Additionally, energy cost stability will help insulate our operations from inflationary trends and future uncertainties in water availability, reinforcing our long-term economic resilience.

c. **Promote utility rate stability for public entities.**

The allocation of Parker-Davis Project power will help promote rate stability for public entities by providing a low-cost, long-term source of electricity that reduces exposure to volatile energy markets. By lowering and stabilizing our production costs, we can continue supplying dolomitic hydrate at consistent and affordable prices to industries and utilities, including those that serve public needs such as water treatment and infrastructure. Our dolomitic hydrate is also used to improve residential energy efficiency in new homes being built, contributing to more consistent, predictable energy grid demand. This ensures that the benefits of federal hydropower flow through to public entities and the communities they support.

d. **Promote diversification of the Applicant's energy portfolio.**

The allocation of Parker-Davis Project power will diversify our energy portfolio by adding a stable, renewable hydropower source to supplement market-purchased electricity. This mix reduces our dependence on more volatile fossil-fuel–based power, lowers exposure to price fluctuations, and improves long-term reliability in meeting our production needs. Incorporating federal hydropower strengthens our ability to operate sustainably and supports our commitment to responsible resource use while ensuring the continued supply of dolomitic hydrate to the industries and public entities that rely on it.

4. **Other Information. The Applicant may provide any other information pertinent to the application:**

In addition to the direct economic and operational benefits, our company's receipt of Parker-Davis Project power will advance broader federal and regional priorities by supporting sustainable industrial activity, reducing carbon intensity, and reinforcing the resilience of critical supply chains. Dolomitic hydrate plays a vital role in water purification, air emissions control, and soil stabilization, all of which contribute to public health, environmental protection, and infrastructure integrity. By ensuring that our production is powered in part by renewable federal hydropower, the allocation directly extends the public benefit of this resource beyond our facility to the communities and industries that depend on the essential applications of our product.

5. **By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:**

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. **Signature:**

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: Duane L. Surman Title: Western Region Terminal Manager

Print Name: Duane Surman

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between **August 14, 2025** and **September 18, 2025**.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL
OR COMMERCIALLY SENSITIVE INFORMATION
TO THE COLORADO RIVER COMMISSION OF NEVADA

The Colorado River Commission of Nevada, as a State agency, is subject to the Public Records Law of Nevada, Nevada Revised Statutes (NRS), Chapter 239, which provides for public access upon request to all records, data and information in the possession of a state agency.

As a result, all Applications and all data or information supplied to the Commission in support of an Application will be considered "public records" subject to public disclosure upon request.

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Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

Application for Allocation of Parker-Davis Project Generation

From SURMAN Duane <duane.surman@lhoist.com>
Date Fri 9/5/2025 9:58 AM
To CRC Power <CRCPower@crc.nv.gov>
Cc Gail Bates <gbates@crc.nv.gov>; KONZMANN Tobias <Tobias.KONZMANN@lhoist.com>; CURTISS Ken <ken.curtiss@lhoist.com>

1 attachment (6 MB)
P04 LHOIST PD Remarketing Application signed 2025-09-05.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attention: Executive Director

Please accept the attached signed form as application for the allocation of Parker-Davis Project Generation.
I would greatly appreciate if you could return email that you have received this application.

Please do not hesitate to contact me if you have any questions,

Thank you,

Duane Surman
Lhoist North America
Western Region Terminal Manager
Phone: 205-260-7946

Colorado River Commission of Nevada

Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

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Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	Lincoln County Power District No.1
Address	201 Bullionville Rd.
City, State, Zip	Panaca, NV 89042

b. Person(s) representing Applicant:

Contact Person	Dane Bradfield
Title	General Manager
Address	201 Bullionville Rd.
City, State, Zip	Panaca, NV 89042
Telephone	775-728-8200
Fax	
Email Address	dbradfield@lcpd1.com

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a X

1.b _____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

23 %

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	12,442	12,887	16,820	16,156	16,930	14,919
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	14,253	18,704	18,933	20,787	17,507	21,508

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	11,863	15,817	17,313	18,980	17,681	15,147
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	14,652	15,639	18,219	21,866	18,014	16,231

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	12,866	15,521	14,765	12,399	14,926	12,908
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	13,020	16,922	20,315	21,887	21,138	18,377

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	5,167,000	5,356,000	4,265,000	5,351,000	5,043,000	8,372,000
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	782,116	360,275	3,424,239	2,596,295	1,821,651	
Load (kWh) Total of Resources Above	5,949,116	5,716,275	7,689,239	7,947,295	6,864,651	8,372,000
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	8,533,000	9,074,000	7,037,000	6,728,000	4,572,000	4,331,000
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)		215,218	2,966,477	4,227,083	3,017,052	3,729,445
Load (kWh) Total of Resources Above	8,533,000	9,289,218	10,003,477	10,955,083	7,589,052	8,060,445

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	3,298,000	5,812,000	3,393,000	3,199,000	4,092,000	6,181,000
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	3,372,039	1,308,370	4,776,921	5,006,833	3,431,277	1,197,501
Load (kWh) Total of Resources Above	6,670,039	7,120,370	8,169,921	8,205,833	7,523,277	7,378,501
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	6,615,000	7,144,000	7,330,000	6,218,000	4,541,000	3,734,000
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)		1,116,770	746,310	5,503,742	4,015,386	2,826,061
Load (kWh) Total of Resources Above	6,615,000	8,260,770	8,076,310	11,721,742	8,556,386	6,560,061

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	4,041,000	4,472,000	2,997,000	3,139,000	3,138,000	6,973,000
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	2,427,276	1,975,127	4,179,302	4,662,580	3,397,201	
Load (kWh) Total of Resources Above	6,468,276	6,447,127	7,176,302	7,801,580	6,535,201	6,973,000
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	7,866,000	8,767,000	8,663,000	6,781,000	5,209,000	4,552,000
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)		125,254	1,656,496	4,588,443	5,893,993	4,087,022
Load (kWh) Total of Resources Above	7,866,000	8,892,254	10,319,496	11,369,443	11,102,993	8,639,022

b. **Transmission**

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Delivery Points: Clark Tap, Mead
Substation Service Voltage: 230 KV
Capacity Desired: 13MW

3. Please describe how receipt of the allocated resource accomplishes the following:

a. **Promote the widespread beneficial use of the resource.**

Lincoln County Power District's (LCPD) receipt of Parker-Davis hydropower would promote the beneficial use of the resource in several very impactful ways, which align with the goals of rural development, energy equity, and sustainable resource management. LCPD serves a geographic area of approximately 10,000 square miles locate d on the eastern edge of Nevada. Although large in size, the area is sparsely populated. Expanding access to reliable and affordable hydropower is critical for residents, small businesses, agric ultural operations, and public services as the resource typically provides lower and more stable electricity rates than market alternatives.

Agriculture and municipal water systems can benefit greatly from Parker-Davis hydropower. With Lincoln County's largest export product being hay crops, affordable energy helps sustain and stimulate the local economy. Crop producers and municipalities rely on electric pumps to move water and wastewater to desired locations. Th e reliability and low cost of hydropower allow farms and municipal water systems to efficiently and responsibly operate their businesses.

The available Parker-Davis resource will allow LCPD to continue using clean energy as its primary generation by reducing its reliance on fossil fuels. Hydropower will also allow for additional renewable resources to be implemented, as solar and wind are complemented nicely by dispatchable hydropower. Although not currently man dated by renewable portfolio standards due to our size, LCPD strives to seek resources that fit the requirements of the standards should we ever be required.

b. **Support the continued economic health and viability of the Applicant.**

The available Parker-Davis resources will greatly support LCPD's health and viability by providing stable, low-cost, renewable power that helps us meet our operational, financial, and community service goals. By receiving additional hydropower, LCPD will be able to reduce market power purchases, which are often volatile and risky. The firm energy product will allow us to more accurately forecast our revenue requirements and keep our rates as low as possible for our members. Helping to keep rates low also allows LCPD to stay competitive with surrounding utilities. This not only provides a benefit for our residential users, but also allows us to attract and retain new businesses such as manufacturing, renewable energy developers, or the continued promotion of agribusiness. As the health of the local economy grows, so does the health of LCPD. Additionally, by receiving energy resources from Parker-Davis, LCPD is able to continue to fulfill our community service mission by providing affordable and reliable power to underserved and rural customers. We can demonstrate to the members we serve that LCPD is constantly searching for opportunities to better serve their electric needs, and we will continue to support them for many years to come with long-term, meaningful energy supply agreements.

c. **Promote utility rate stability for public entities.**

Receiving an allocation of Parker-Davis hydropower would promote rate stability for LCPD by providing a low-cost, relatively stable, long-term allocated resource. In recent years, LCPD has been required to purchase additional energy resources either through energy markets or short-term agreements to meet our customers' demands. This supplemental power has required LCPD to charge customers an additional 2 -3 cents/kWh through a Power Adjustment Cost rider on each bill. Increases such as this are difficult for many of our customers to accommodate, but necessary to maintain LCPD's financial position. As a small utility, it is difficult to purchase small blocks of power on the energy markets for a reasonable price.Long-term agreements, such as from Parker-Davis, will allow LCPD to access power at a low and predictable price compared to other alternatives, which will contribute to a lower average blended cost of our power supply and resist rate increases or swings.

Renewable Energy Credits (REC's) received from hydropower resources also aid in rate stability for LCPD by providing additional revenue for the District. Current REC's received by LCPD are sold, which provides additional funding to offset power supply costs. Because LCPD's size currently falls below the Renewable Portfolio Standards, LCPD is not required to use them, but rather, is able to market the credits. Should LCPD be required to meet the standards, the REC's received from a Parker-Davis allotment would help to meet the requirements and not require LCPD to use other funding or increase rates.

Finally, low and predictable rates from Parker-Davis will allow LCPD to budget more accurately for operations and long-term infrastructure planning. This financial stability will translate into steadier customer rates and less frequent need for sharp adjustments.

d. **Promote diversification of the Applicant's energy portfolio.**

The addition of Parker-Davis hydropower will diversify LCPD's energy portfolio by providing an additional clean, renewable source of electricity. Parker-Davis resources will complement other LCPD resources to reduce power market purchases and other requirements from fossil fuel generation. Additionally, the resource will enable LCPD to continue developing and contracting for other sources of generation that can be utilized during different hours of the day, ensuring we responsibly utilize available generation at the lowest cost possible.

4. Other Information. The Applicant may provide any other information pertinent to the application:

LCPD has been a recipient of federal hydropower since its inception in 1935. During the last 20 years, due to declining generation at Hoover Dam, LCPD has been required to purchase supplemental power from other sources at a much higher cost. These costs have been passed down to our customers. Due to LCPD's remote area, thishas equated to a large cost being spread among a very small customer base. The local economy, which is mainly agricultural, has felt the impact greatly as many of the producers require large amounts of energy to run irrigation pumps. Additionally, small businesses, schools, churches, and local government have been required to face increasing power bills largely due to the cost of purchasing additional power. Additional hydropower resources from the Parker-Davis project can be critical for LCPD to continue to provide a vital service at an affordable cost to the residents of rural Nevada.
Thank you for your consideration.

5. By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. Signature:

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: Dan Bradfield **Title:** General Manager

Print Name: Dane Bradfield

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between **August 14, 2025** and **September 18, 2025**.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL
OR COMMERCIALLY SENSITIVE INFORMATION
TO THE COLORADO RIVER COMMISSION OF NEVADA

The Colorado River Commission of Nevada, as a State agency, is subject to the Public Records Law of Nevada, Nevada Revised Statutes (NRS), Chapter 239, which provides for public access upon request to all records, data and information in the possession of a state agency.

As a result, all Applications and all data or information supplied to the Commission in support of an Application will be considered "public records" subject to public disclosure upon request.

Further, the Colorado River Commission of Nevada is also subject to the Open Meeting Law, Nevada Revised Statutes (NRS) chapter 241.

The contents of the Applications will be discussed at a public meeting. Copies of the Applications and all data or information supplied to the Commission in support of an Application will be available to the Commissioners and staff, as back up material, at the Commission meeting where the applications are discussed. Any member of the public requesting copies of the backup materials will be provided them.

Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

LCPD Parker-Davis Generation Application

From Dane Bradfield <dbradfield@lcpd1.com>
Date Tue 9/16/2025 1:58 PM
To CRC Power <CRCPower@crc.nv.gov>
Cc Gail Bates <gbates@crc.nv.gov>

1 attachment (445 KB)
P06 LCPD PD Remarketing Application.pdf;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,
Attached is the application from Lincoln County Power District No. 1 for an allocation of Parker-Davis Generation. Please reach out if you have any additional comments or questions.
Thank you

Dane Bradfield
Lincoln County Power District No. 1
Phone: 775-728-8204
Email: dbradfield@lcpd1.com
201 Bullionville Rd. Panaca, NV 89042

Lincoln County Power District No. 1

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	Henderson WC LLC
Address	5885 Meadows Road, Suite 620
City, State, Zip	Lake Oswego, OR 97035

b. Person(s) representing Applicant:

Contact Person	Stephen Tachouet
Title	Vice President and Treasurer
Address	5885 Meadows Road, Suite 620
City, State, Zip	Lake Oswego, OR 97035
Telephone	(503) 946-4800
Fax	
Email Address	stachouet@precastcorp.com

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a ___X___

1.b _____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

____5.2_%

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. *Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.*

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)	4,588	5,618	4,548	4,638	4,590	3,231
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)	4,724	3,320	3,140	1,587	51	52

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)	38	34	32	33	35	24
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)	30	32	39	46	35	28

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)	25	21	24	28	24	21
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)	23	24	30	30	25	25

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)	485,542	491,779	385,187	490,589	465,357	781,133
Parker-Davis (kWh)	326,000	315,000	326,000	326,000	294,646	648,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	1,836,932	1,830,734	1,920,028	1,204,143	1,164,014	447,926
Load (kWh) Total of Resources Above	2,648,474	2,637,513	2,631,215	2,020,732	1,924,017	1,877,059
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)	693,203	812,935	525,532	612,272	413,751	399,612
Parker-Davis (kWh)	628,000	648,000	628,000	648,000	648,000	604,298
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	700,312	755,641	63,212	(1,218,417)	(1,038,832)	(980,428)
Load (kWh) Total of Resources Above	2,021,515	2,216,576	1,216,744	41,855	22,919	23,482

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)	306,017	525,913	310,920	293,734	372,000	570,901
Parker-Davis (kWh)	326,000	315,000	326,000	326,000	294,646	648,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(613,565)	(821,986)	(622,325)	(604,271)	(654,084)	(1,207,802)
Load (kWh) Total of Resources Above	18,452	18,927	14,595	15,463	12,562	11,099
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)	630,362	672,209	665,449	573,615	431,033	356,575
Parker-Davis (kWh)	628,000	648,000	628,000	648,000	648,000	604,298
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(1,248,143)	(1,306,893)	(1,278,344)	(1,199,047)	(1,062,423)	(948,357)
Load (kWh) Total of Resources Above	10,219	13,316	15,105	22,568	16,610	12,516

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)	370,810	408,419	271,407	287,355	292,259	641,931
Parker-Davis (kWh)	326,000	315,000	326,000	326,000	294,646	648,000
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(686,813)	(715,105)	(585,653)	(600,332)	(577,271)	(1,281,453)
Load (kWh) Total of Resources Above	9,997	8,314	11,754	13,023	9,634	8,478
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)	738,002	801,223	755,997	605,845	476,973	418,512
Parker-Davis (kWh)	628,000	648,000	628,000	648,000	648,000	604,298
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)	(1,357,900)	(1,438,041)	(1,368,477)	(1,238,055)	(1,111,379)	(1,011,246)
Load (kWh) Total of Resources Above	8,102	11,182	15,520	15,790	13,594	11,564

b. Transmission

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

Mead Substation (230kV)

3. Please describe how receipt of the allocated resource accomplishes the following:

a. Promote the widespread beneficial use of the resource.

Henderson WC LLC (HWC), owner of the water delivery assets formerly held by Basic Water Company, has historically provided for delivery of water to several industrial companies in the historic Black Mountain Industrial (BMI) Complex.

The customers it serves (namely TMI) are manufacturers of critical defense equipment and/or materials which are vital to the U.S. Department of Defense or otherwise of strategic importance.

b. Support the continued economic health and viability of the Applicant.

HWC maintains an obligation to deliver raw water to certain of those BMI industrial companies should pumping activities resume in the future. HWC considers access to hydropower to be a necessary component of its long-term ability to deliver raw water to its customers on a cost-effective basis in the future should pumping operations resume.

c. Promote utility rate stability for public entities.

While HWC is not a public entity, it directly serves customers of strategic importance to the nation (namely TIMET), and its ability to do so in the future on a stable and cost effective basis depends on maintaining access to hydropower resources.

d. Promote diversification of the Applicant's energy portfolio.

HWC believes that retaining an allocation of this resource is critical in helping offset heightened uncertainty regarding the availability of the other generation resources in HWC's energy portfolio.

4. Other Information. The Applicant may provide any other information pertinent to the application:

5. By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. Signature:

The Colorado River Commission of Nevada requires the signature and title of an appropriate official who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature: _____ Title: VP & TREASURER

Print Name: STEPHEN TACHOUET

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between August 14, 2025 and September 18, 2025.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL
OR COMMERCIALLY SENSITIVE INFORMATION
TO THE COLORADO RIVER COMMISSION OF NEVADA

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As a result, all Applications and all data or information supplied to the Commission in support of an Application will be considered "public records" subject to public disclosure upon request.

Further, the Colorado River Commission of Nevada is also subject to the Open Meeting Law, Nevada Revised Statutes (NRS) chapter 241.

The contents of the Applications will be discussed at a public meeting. Copies of the Applications and all data or information supplied to the Commission in support of an Application will be available to the Commissioners and staff, as back up material, at the Commission meeting where the applications are discussed. Any member of the public requesting copies of the backup materials will be provided them.

Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

Outlook

RE: Post-2028 Parker-Davis Generation Resource Application for HWC (Due Sep 18, 2025, 4:00 PM PDT)

From Tachouet, Stephen <stachouet@precastcorp.com>
Date Wed 9/17/2025 5:28 PM
To CRC Power <CRCPower@crc.nv.gov>
Cc Noah W. Fischel <nfischel@crc.nv.gov>; Henry, Isaiah <Isaiah.Henry@Timet.com>; Waterman, Dwayne <Dwayne.Waterman@precastcorp.com>; Gail Bates <gbates@crc.nv.gov>

2 attachments (603 KB)
P01 HWC PD Remarketing Application - 9-17-2025 SIGNED.pdf; P01 HWC PD Remarketing Application - FINAL 9-17-2025.xlsx;

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attn: Executive Director

Please find attached signed PDF and excel versions of Henderson WC LLC's Application for Allocation of Parker-Davis Project Generation.

Regards,

Steve Tachouet | VP, Treasurer | Precision Castparts Corp.
5885 Meadows Road, Suite 620 | Lake Oswego, OR 97035
O: +1 503 946 4848 | M: +1 971 404 5832 | E: stachouet@precastcorp.com

From: Noah W. Fischel <nfischel@crc.nv.gov>
Sent: Thursday, August 14, 2025 3:12 PM
To: Henry, Isaiah <Isaiah.Henry@Timet.com>; Tachouet, Stephen <stachouet@precastcorp.com>; Waterman, Dwayne <Dwayne.Waterman@precastcorp.com>
Subject: [EXTERNAL] Post-2028 Parker-Davis Generation Resource Application for HWC (Due Sep 18, 2025, 4:00 PM PDT)

This Message Is From an External Sender
This message came from outside your organization.

External Email

Dear Colorado River Commission of Nevada customer,

We are now accepting applications for the Post-2028 Parker-Davis generation resource. Attached is an Excel version of the Application that you can use to submit your information. All of the data on historical resources has been filled in for your convenience.

Applications should be addressed to the Executive Director and submitted:

- **By email addressed to: crcpower@crc.nv.gov;**
- **By fax to (725) 204-7923; or**
- **By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.**

No applications will be accepted after 4:00 p.m. PDT on: **THURSDAY, SEPTEMBER 18, 2025**

If you are submitting your Application by email, please submit both the Excel version and a signed .pdf version.

Please feel free to reach out to me with any questions. Thank you.

All the best,
Noah Fischel

Noah Fischel
Manager,
Communications, Legislative Affairs, and Special Projects

Colorado River Commission of Nevada
100 North City Parkway, Suite 1100
Las Vegas, NV 89106-4617

Direct Line: (725) 281.1094
Main Office Phone: (725) 246.0436

"The Colorado River Commission of Nevada serves the communities of the State by responsibly managing and protecting our Colorado River water and power resources."

This email and any attachments may contain confidential and proprietary information and must be treated as such. In addition, export or re-export of the information contained in or attached to this email may be prohibited under export control laws.
To review our Privacy Policy please visit: www.precast.com

NOTICES

Bobbie A. Hickman

From: Tamisha Randolph
Sent: Tuesday, January 20, 2026 8:56 AM
Subject: Notice of Public Hearing and Consideration od Draft Order Allocating Parker-Davis Project February 10, 2026
Attachments: Notice of Hearing P-DP February 10, 2026.pdf

Good Morning,

Please find attached the **Colorado River Commission of Nevada Notice and Agenda of Public Meeting**.

This meeting will have **BOTH** a physical location and be available through a remote technology system.

A public meeting of the Colorado River Commission of Nevada (Commission) will be held at **1:30 p.m. on February 10, 2026**
at the **CLARK COUNTY GOVERNMENT CENTER, COMMISSION CHAMBERS, 500 S. GRAND CENTRAL PKWY, LAS VEGAS, NV 89155.**

FOR REMOTE ATTENDANCE, the link for the Meeting may be accessed at the Commission's website at http://crc.nv.gov/ under the Meeting tab.

Respectfully,

Ta'Misha Randolph
Administrative Assistant III
Colorado River Commission of Nevada
100 North City Pkwy, Ste. 1100
Las Vegas, Nevada 89106
(725) 246-0436

STATE OF NEVADA

JOE LOMBARDO, *Governor*
PUOY K. PREMSRIRUT, *Chairwoman*
KARA J. KELLEY, *Vice Chairwoman*
ERIC WITKOSKI, *Executive Director*

MARILYN KIRKPATRICK, *Commissioner*
ALLEN J. PULIZ, *Commissioner*
DAN H. STEWART, *Commissioner*
STEVE WALTON, *Commissioner*
CODY T. WINTERTON, *Commissioner*

COLORADO RIVER COMMISSION
OF NEVADA

Posted: January 20, 2026

NOTICE OF PUBLIC HEARING AND CONSIDERATION OF DRAFT ORDER ALLOCATING PARKER-DAVIS PROJECT HYDROPOWER POST-2028

THIS HEARING WILL HAVE A PHYSICAL LOCATION AND BE AVAILABLE THROUGH A REMOTE TECHNOLOGY SYSTEM.

Notice is hereby given that the Colorado River Commission of Nevada ("Commission"), pursuant to NRS 538.161, NRS 538.181, and NAC 538.455, will hold a public hearing to consider the allocation of hydropower from the Parker-Davis Project (P-DP) for the period beginning October 1, 2028.

The hearing will take place during a meeting of the Commission at 1:30 p.m. on February 10, 2026 at the CLARK COUNTY GOVERNMENT CENTER, COMMISSION CHAMBERS, 500 S. GRAND CENTRAL PKWY, LAS VEGAS, NV 89155.

FOR REMOTE ATTENDANCE, THE LINK FOR THE MEETING MAY BE ACCESSED AT THE COMMISSION WEBSITE AT CRC.NV.GOV, UNDER THE MEETING TAB.

PURPOSE OF THE HEARING

The purpose of the public hearing is for the Commission to receive public comments and issue a decision on the draft order prepared by staff allocating Parker-Davis Project hydropower among eligible applicants in accordance with **NAC 538.455** and the criteria approved by the Commission on August 12, 2025. The draft order is attached to this notice.

The Commission will consider the draft order prepared by staff and may take action to **approve, modify, or reject,** in whole or in part, the draft order.

100 N. City Parkway, Suite 1100, Las Vegas, Nevada 89106-4614

Phone: (725) 246-0436
Fax: (725) 204-7923
http://crc.nv.gov

BACKGROUND

The Western Area Power Administration ("WAPA") markets hydropower generated by the Parker Dam Power Project and Davis Dam Project, collectively known as the **Parker-Davis Project (P-DP)**. The Commission represents and acts for the State of Nevada in the negotiation and execution of contracts with WAPA for the purchase and allocation of federal hydropower resources.

The Commission received applications from eligible entities requesting allocations of P-DP hydropower for the post-2028 contract period. Commission staff reviewed the applications in accordance with the criteria approved pursuant to **NAC 538.455** and prepared a draft order for the Commission to consider at the February 10, 2026 public hearing.

PUBLIC PARTICIPATION

Members of the public may attend the hearing and provide comments on the proposed allocation of Parker-Davis Project hydropower either in person or remotely, as specified in the meeting agenda.

Written comments may be submitted to the Commission in advance of the meeting and will be included in the administrative record.

NOTICE: The Commission is pleased to make reasonable accommodations for persons who are disabled and wish to attend the meeting. If special arrangements are required, please notify the Colorado River Commission of Nevada in writing,100 N. City Parkway, Suite 1100, Las Vegas, Nevada 89106 or by calling (725) 246-0436 at least 2 business days prior to the meeting.

THIS NOTICE HAS BEEN POSTED AT THE FOLLOWING LOCATION:

Colorado River Commission of Nevada, 100 N. City Parkway, Suite. 1100, Las Vegas, Nevada 89106 and at the following websites:

Colorado River Commission of Nevada website, crc.nv.gov/
Nevada Public Notice website, https://notice.nv.gov/

From:	Gail Bates
To:	nthomas@bcnv.org; gpoindexter@bcnv.org; kbias@bcnv.org; mmays@bcnv.org; travis.starling@bormansm.com; wigolden@bormansm.com; curtis.yao@bormansm.com; tminwegen@cleanwaterteam.com; smollus@cleanwaterteam.com; jbradley@cleanwaterteam.com; pbeaulieu@cleanwaterteam.com; heidi.dexheimer@cityofhenderson.com; priscilla.howell@cityofhenderson.com; michael.houghton@cityofhenderson.com; mvelotta@lasvegasnevada.gov; llamadoi@cityofnorthlasvegas.com; romerol@cityofnorthlasvegas.com; bauere@cityofnorthlasvegas.com; Dwayne.Waterman@precastcorp.com; stachouet@precastcorp.com; isaiah.henry@timet.com; dbradfield@lcpd1.com; duane.surman@lhoist.com; ken.curtiss@lhoist.com; jdenninghoff@opd5.com; blagrow@opd5.com; gm@opd5.com; Scott Krantz; mike.slattery@snwa.com; cynthia.capmany@snwa.com; kenneth.ferriabough@timet.com; elizabeth.andersen@timet.com; steve.wright@timet.com; tmcdonnell@wyman.com; rhamlin@vea.coop; fwolff@vea.coop; jferguson@vea.coop; gdeguzman@vea.coop; tpowell@vea.coop; jdiaz@vea.coop; energynotices@vea.coop
Cc:	Eric P. Witkoski; Michelle D. Briggs; Bobbie A. Hickman; Gina Goodman
Subject:	Draft P-DP Post 2028 Allocation Order
Date:	Friday, December 19, 2025 1:04:38 PM
Attachments:	Draft P-DP Post 2028 Allocation Order.pdf

Dear Parker-Davis Post-2028 Applicant:

As part of the Commission's Post-2028 Parker-Davis allocation process, pursuant to NAC 538.455, Staff is providing a copy of the draft that contains Staff's recommendations for allocation of Parker Davis Project for Post-2028. Under the regulation, the applicants have an opportunity to provide Staff comments on the draft order. Under the regulations, comments are due within 20 days, but because of the holidays, Staff has extended the time to 22 days, with **comments due Monday, January 12, 2026.**

Please review the attached Draft Order and, if inclined, provide any comments, in writing, to Staff for consideration.

Comments should be addressed to the Executive Director and submitted:

By email addressed to: crcpower@crc.nv.gov;
By fax to (725) 204-7923; or
By personal delivery or U.S. Mail to the CRCNV's office at:
100 N. City Parkway, Suite 1100
Las Vegas, NV 89106

As a reminder comments are due Monday, January 12, 2026.

Thank you.

Gail Bates
Assistant Director, Hydropower
Colorado River Commission of Nevada
gbates@crc.nv.gov

(702) 496-3162 (cell)
(725) 281-1101(office)

BEFORE THE
COLORADO RIVER COMMISSION OF NEVADA

In the Matter Of:

ALLOCATION OF PARKER-DAVIS PROJECT HYDROPOWER POST 2028

ORDER

At a meeting of the Colorado River Commission of Nevada ("Commission") held February 10, 2026, a public hearing was held pursuant to NAC 538.455(9) regarding the allocation of Parker-Davis Project (P-DP) hydropower post 2028:

PRESENT: Chairwoman Puoy K. Premsrirut
Vice Chairwoman Kara J. Kelley
Commissioner Marilyn Kirkpatrick
Commissioner Allen J. Puliz
Commissioner Dan H. Stewart
Commissioner Cody T. Winterton
Commissioner Steve Walton
Executive Director Eric Witkoski

I. BACKGROUND

The Commission represents and acts for the state of Nevada in the negotiation and execution of contracts with Western Area Power Administration (WAPA) for the purchase of hydropower from federal generation facilities. *See* NRS 538.161. WAPA markets and transmits P-DP hydroelectric power pursuant to, *inter alia*, the Reclamation Project Act of August 4, 1939, ch. 418, 53 Stat. 1187. These federal generation facilities are operated by the United States Bureau of Reclamation (Reclamation). This Order concerns the federal hydroelectric facilities known as the Parker Dam Power Project and the Davis Dam Project consolidated to form the Parker-Davis Project (P-DP).

The Commission as part of its negotiations, execution and allocation of the hydropower contracts looks to achieve "the greatest possible benefit to this state." NRS

538.161, *see also* NRS 538.181. The Commission received fourteen (14) applications for the Post 2028 P-DP hydropower from existing P-DP customers: EMD Acquisition d/b/a Borman Specialty Materials (Borman), Henderson WC, LLC (HWC), Lhoist North America Inc. (Lhoist), Overton Power District No. 5 (OPD), Southern Nevada Water Authority (SNWA), Titanium Metals Corporation (Timet), Valley Electric Association, Inc. (VEA); and from new applicants: the City of Boulder City (BC), Clark County Water Reclamation District (CCWRD), the City of Henderson (COH), the City of Las Vegas (CLV), City of North Las Vegas (NLV), Lincoln County Power District No. 1 (LCPD), and Las Vegas Valley Water District (LVVWD). For good cause appearing, the Commission finds the following.

II. FINDINGS OF FACT

1. On February 10, 2026, a public hearing was held in the above-entitled matter in compliance with the provisions of the Nevada Open Meeting Law Chapter 241 of Nevada Revised Statutes (NRS), NRS 538 and Chapter 538 of the Nevada Administrative Code (NAC).

2. The Commission represents and acts for the state of Nevada in the negotiation and execution of contracts for the purchase of hydropower from federal generation facilities for the greatest possible benefit to this state pursuant to NRS 538.161, NRS 538.181 and NAC Chapter 538.

3. The United States Bureau of Reclamation (Reclamation) owns and operates hydroelectric facilities known as the Parker Dam Power Project and the Davis Dam Project consolidated to form the Parker-Davis Project (P-DP).

4. The Western Area Power Administration (WAPA) markets the hydropower generated at Reclamation's facilities at P-DP.

5. The Commission's current Contract with WAPA for Electric Service from the P-DP will expire on September 30, 2028.

6. The Commission has seven (7) existing contracts with Nevada contractors, EMD Acquisition d/b/a Borman Specialty Materials (Borman), Henderson WC, LLC (HWC), Lhoist North America Inc. (Lhoist), Overton Power District No. 5 (OPD), Southern Nevada Water Authority (SNWA), Titanium Metals Corporation (Timet), and Valley Electric Association, Inc. (VEA) which will also expire on September 30, 2028.

7. WAPA issued its Final 2028 Parker-Davis Project Power Marketing Plan and Call for Resource Pool Applications on November 12, 2024 in 89 Fed. Reg. 88999 (Nov. 12, 2024).

8. Applying the Power Market Initiative (as part of the Energy and Planning Management Program (10 CFR Part 905)), WAPA proposes to allocate 2 MW of firm electric capacity to two new federal contractors through its resource pool, with the remaining capacity and energy to be allocated to existing federal contractors, including the Commission. *See* 2028 Resource Pool – Parker Davis Project, Proposed Power Allocations, 90 Fed. Reg. 42576 (Sept 3, 2025).

9. Based on the Power Market Initiative and resource pool allocation, the Commission estimates it will receive an allocation of P-DP hydroelectric power from WAPA consisting of a fixed amount of capacity, referred to as Contract Rate of Delivery (CROD) in the amount of 41,107 kW for the Winter Season and 56,939 kW for the Summer Season.

10. WAPA will not provide a guaranteed amount of firm energy as they do in the current contract. Rather WAPA will offer quarterly energy three months at a time based on forecasted P-DP generation.

11. The Commission will negotiate and execute a contract with WAPA for P-DP

power post-2028, and the contract will be for deliveries of P-DP hydropower from October 1, 2028 through September 30, 2048.

12. Concurrent with executing the federal post-2028 contract, the Commission will contract with approved applicants to sell the P-DP hydropower from WAPA.

13. Commission staff commenced the process to allocate power from the P-DP by preparing a draft notice containing the criteria and application for an allocation of available power.

14. Pursuant to NAC 538.455(3), Commission staff noticed a public meeting to consider the draft notice on June 13, 2025.

15. Commission staff held the public meeting on July 1, 2025 to solicit comments from the public regarding the draft notice.

16. On or before July 11, 2025, the deadline for written comments, the Commission staff received no comments from the public or its customers but received one question from NV Energy. Staff responded to the question and made no changes to the draft notice.

17. On August 12, 2025, at a properly noticed meeting, the Commission reviewed, considered and approved the draft notice prepared by staff containing the criteria and application to apply for an allocation of P-DP generation.

18. On August 14, 2025, Commission staff noticed the Public Notice to Eligible Applicants of Opportunity to Apply for an Allocation of Hydropower from the Parker-Davis Project in accordance with NAC 538.455(5).

19. According to the public notice, applications were due no later than 4pm on September 18, 2025.

20. Commission staff received all fourteen (14) applications prior to the

application deadline.

21. The criteria for an allocation of P-DP generation as approved by the Commission is attached at Exhibit A.

22. Each application for an allocation of P-DP power post-2028 was reviewed for completeness and creditworthiness, verified electric load data, and general eligibility criteria.

23. In developing its recommendations regarding the proposed allocations, Commission staff considered how an applicant's use of the P-DP power post-2028 would fulfill the Commission's Approved Criteria and provide the "greatest possible benefit to this state."

A. DISCUSSION OF APPLICATIONS

1. BLACK MOUNTAIN INDUSTRIAL COMPLEX APPLICANTS

a. Past Resource Usage

24. Timet, Borman, and HWC are the only three applicants that did not have sufficient load to use all of their hydropower resources during 2022-2024.

25. Timet currently holds a 26.56% allocation of P-DP; Timet requested 15% for post-2028. Timet also has 5.37% from the Commission's Hoover Dam resource under contract until September 30, 2067. Based on historical loads remaining the same, in fiscal year 2029, Timet would have excess power during nine months of the year without any resources from P-DP.

26. Borman currently holds a 29.49% allocation of P-DP; Borman requested 25% for post-2028. Borman also has 4.43% from the Commission's Hoover Dam resource under contract until September 30, 2067. Based on historical loads remaining the same, in fiscal year 2029, Borman would have excess power during two months of the year without any

resources from P-DP.

27. HWC, successor to Basic Water Company in November 2023, has had almost no load since receiving an assignment from Basic Water Company of its hydropower resources consisting of Hoover Dam and P-DP resources.

28. HWC's electrical load is driven by its ability to pump water from Lake Mead for delivery to the BMI contractors which it is not currently doing.

29. HWC holds a 2.29% allocation of P-DP; HWC requested 5% post-2028. HWC also has 1.21% from the Commission's Hoover Dam resource under contract until September 30, 2067. Currently, 100% of HWC's P-DP resources and 93% of its Hoover Dam resources are being laid off.

30. Lhoist had just enough resources to meet their needs during 2022-2024. Lhoist currently holds a 0.51% allocation of P-DP; Lhoist requested 0.4%. Based on historical loads remaining the same, in fiscal year 2029, Lhoist will need additional resources every month to meet its needs without any resources from P-DP.

b. Widespread Beneficial Use

31. Timet, Borman, and Lhoist produce products that are used in a wide variety of industries including defense, water treatment, environmental protection, construction, and battery and semiconductor manufacturing.

c. Continued Health and Economic Viability

32. Timet's, Borman's, and Lhoist's processes are electricity intensive, and electricity cost is a large component of their total operating cost.

33. Managing costs allows them to stay competitive and honor contractual commitments which, in turn, affects their economic health and viability.

34. Managing costs also enables continued investment in plant upgrades and operational improvements.

35. Long-term cost stability helps insulate their operations from inflationary trends and future uncertainty.

d. Portfolio Diversification

36. Timet's, Borman's, and Lhoist's needs are met primarily by Hoover Dam resources, but Hoover Dam resources are expected to decline with worsening drought conditions.

2. SOUTHERN NEVADA WATER AUTHORITY AND MEMBER AGENCIES

37. SNWA is currently allocated 17.67% of P-DP power and is entitled to receive at least that much post-2028 based on the Approved Criteria. SNWA requested 36% of P-DP post-2028.

38. SNWA pumps water from Lake Mead, treats it, and delivers it to its member agencies.

39. Electricity is a significant cost component of the product that SNWA provides.

40. SNWA self-supplies its own electricity by constructing projects, contracting directly with energy suppliers and purchasing power through arrangements with the Silver State Energy Association.

41. SNWA's electricity costs are passed through to the member agencies, along with other operating costs, in the water rates charged to the member agencies.

42. Electricity cost savings help keep downward pressure on the water rates SNWA charges the member agencies.

43. SNWA member agencies (City of Las Vegas (CLV), City of North Las Vegas

(CNLV), City of Henderson (COH), Las Vegas Valley Water District (LVVWD), and Clark County Water Reclamation District (CCWRD)) currently receive no P-DP allocation. Collectively, all applied to receive 49.78% of P-DP post-2028.

44. CLV, CNLV, COH, CCWRD, and LVVWD are entitled to receive an allocation of power from the Commission only for water and wastewater services they provide to their consumers.

45. Electricity is a significant cost component of the product that the SNWA member agencies provide.

46. For water pumping and wastewater services, the SNWA member agencies self-supply their own electricity by constructing their own projects, contracting directly with energy suppliers and purchasing power through arrangements with the Silver State Energy Association.

47. Electricity cost savings help keep downward pressure on water pumping and wastewater rates.

a. Widespread Beneficial Use

48. SNWA is the wholesale water supplier for its seven member agencies. Collectively, the member agencies provide water and wastewater services to over 2 million people in the Las Vegas Valley including residents, businesses, and tourists.

b. Continued Health and Economic Viability

49. Water pumping and wastewater treatment is very electricity intensive and electricity is a major component of SNWA's and its member agencies' total operating costs.

50. Reducing costs allows more investment in needed infrastructure and conservation efforts.

51. Long-term, predictable costs promote budget and rate stability.

52. SNWA member agencies are public utilities with rate setting ability. Affordable power costs help keep downward pressure on rates.

53. High or unstable rates impacts municipal water and wastewater users in many ways, including:

a. Imposing a financial burden on households, sometimes disproportionately felt by low-income customers.

b. Imposing a financial burden on businesses and eventually consumers, particularly those that rely heavily on water.

c. Discouraging businesses and residents from locating to Las Vegas.

d. Increasing delinquent accounts and debt which can negatively impact the ability to borrow money for infrastructure improvements.

c. Portfolio Diversification

54. A significant portion of the resources that supply SNWA and its member agencies come from non-renewable, market purchases. This increases their exposure to price volatility and financial risk.

55. About 12% of SNWA's energy needs are met with resources from Hoover Dam and P-DP.

56. SNWA and its member agencies have a strong commitment to renewable resources and are investing in renewable technologies.

57. Hydropower is an ideal companion to other renewables because it can be used to serve load during times when other renewable resources are not producing.

58. SNWA's member agencies receive no P-DP allocation currently. About 14%

of their energy needs are met with energy from Hoover Dam.

59. An allocation from P-DP would benefit SNWA and the member agencies who are all public entities that provide essential public services to Southern Nevadans.

3. ELECTRIC UTILITIES

60. Overton Power District (OPD) is a quasi-municipal electric utility that serves a large, rural portion of northeastern Clark County, including the City of Mesquite.

61. OPD is currently allocated 8.3% of P-DP power and is entitled to receive at least that much post-2028 based on the Approved Criteria. OPD requested 100% of P-DP post-2028.

62. OPD receives approximately 16% of its total resources from Hoover Dam, Salt Lake City Area Integrated Project, and P-DP. OPD's demand grew by approximately 7.5% between Fiscal Year 23 and Fiscal Year 24.

63. Lincoln County Power District (LCPD) is a quasi-municipal electric utility that serves Lincoln County and surrounding areas.

64. LCPD does not currently have a P-DP allocation; LCPD requested 23% of P-DP post-2028.

65. LCPD receives approximately 69% of its resources from Hoover Dam which has steadily declined since the start of the drought. They have not experienced significant load growth during the last three years.

66. Valley Electric Association (VEA) is a member-owned electric utility cooperative that serves customers in Clark, Nye, Mineral, and Esmeralda counties.

67. About 15% of VEA's energy needs are met with resources from Hoover Dam, Salt Lake City Area Integrated Project, and P-DP.

68. VEA is currently allocated 15.19% of P-DP power; VEA requested 50% of P-DP post-2028.

69. The City of Boulder City (BC) is a municipality serving its residents. BC is a member of SNWA, but was a customer of the Commission prior to July 16, 1997 and is not limited in its use of power from the Commission for water and wastewater operations.

70. BC does not currently have a P-DP allocation; BC requested 12% of P-DP post-2028.

71. BC receives approximately 50% of its resources from Hoover Dam and Salt Lake City Area Integrated Project. BC's load has not grown materially in the last 3 years.

a. Widespread Beneficial Use:

72. The electric utilities provide power to remote and sparsely populated areas of Nevada. Geographically, they have large service territories and serve customers in several counties including Clark, Lincoln, Nye, Mineral, and Esmarelda.

73. They provide electricity to a wide range of economic sectors including residential, industrial, commercial, and agricultural.

b. Continued Economic Health and Viability

74. The electric utilities depend on hydropower resources to serve their constituents and rely on those resources to control their overall cost of service.

75. Controlling power costs allows them to invest in infrastructure, including significant transmission facilities that are required to reach remote customers.

76. Long-term, predictable costs promote budget and rate stability.

77. The electric utilities' rates are driven by their cost to procure and deliver electricity.

78. High or unstable electricity rates have negative consequences including:

a. Imposing a financial burden on financially stressed households in rural Nevada, contributing to the inability to pay for food and other necessities.

b. Imposing a financial burden on businesses which are eventually passed on to consumers.

c. Impacting the mission of public power utilities to provide an affordable product to their consumers.

d. Deterring economic growth by disincentivizing businesses and residents from locating in Nevada.

e. Increasing delinquent accounts and debt which may impact the ability to borrow money needed for investment.

c. Portfolio Diversification

79. All of the electric utilities rely on market purchases to some degree, which increases their volatility and financial risk.

80. VEA has the largest load and is the most heavily reliant on market purchases.

81. LCPD has the smallest load and is the least reliant on market purchases.

82. All of the electric utilities are investing in renewable technologies.

83. Hydropower is an ideal companion to other renewables because it can be used to serve load during times when other renewable sources are not producing.

III. FINDINGS, CONCLUSIONS AND ORDER

Based on the foregoing, the Commission makes the following findings and conclusions, and orders as follows.

84. The Commission has authority from NRS and NAC Chapters 538 to allocate

hydropower resources from the P-DP.

85. The most direct route to the consumer, and therefore, the best way of achieving the most widespread beneficial use, is through the electricity rates charged by the utilities and rates charged to consumers by SNWA's member agencies.

86. An allocation to the Black Mountain Industrial Complex Applicants is necessary for their economic viability, but allocating any applicant more than they can use does not meet the Approved Criteria.

87. To achieve the greatest possible benefit to the state, it is appropriate to:

a. Reduce the Black Mountain Industrial Complex applicants' current allocation to an amount that more closely represents the amount that they need to meet their electrical needs;

b. Evenly split the unused portion of the Black Mountain Industrial Complex applicants' allocation between the electric utilities, collectively, and SNWA and its member agencies, collectively.

c. Allocate the P-DP resource among the electric utilities based on a combination of their relative size and their ability to use the resource after considering other long-term resources in their portfolios, including other hydropower resources from the Commission.

d. Allocate the P-DP resource among the SNWA and member agencies based on a combination of their relative size and their ability to use the resource after considering other long-term resources in their portfolios, including other hydropower resources from the Commission.

88. Therefore, based on the Approved Criteria and the applications received, the Commission approves and adopts the following allocations of P-DP generation post-2028

as follows:

Applicant:	Allocation Percentage:
Lincoln County Power District	4.0%
Valley Electric Association	20.5%
City of Boulder City	7.0%
Overton Power District	14.0%
Southern Nevada Water Authority	24.0%
City of Las Vegas	2.5%
City of North Las Vegas	2.5%
City of Henderson	2.5%
Las Vegas Valley Water District	5.0%
Clark County Water Reclamation District	3.0%
Borman Specialty Materials	9.6%
Lhoist North America Inc.	0.4%
Titanium Metals Corporation	5.0%
Henderson WC, LLC	0.0%
Total	**100%**

89. Upon execution of this Order, Commission staff will cause to be published the notice required by NRS 538.181(4) and NAC 538.455(10).

IT IS SO ORDERED.

Dated this ____ day of _____, 2026.

By the Commission,

_____
Puoy K. Premsrirut
Chairwoman

DRAFT

Exhibit A
Approved Criteria

The CRCNV will review the applications and allocate resources in a manner the Commission deems appropriate, consistent with the established criteria, and achieves the greatest possible benefit to the State pursuant to NRS 538.161(2). To be considered for a hydropower allocation, Applicants must meet the following criteria:

A. Statutory Requirements for Applicants:

1. The Applicant must be an entity that the CRCNV has the statutory authority to serve under NRS 704.787. That includes:
    a. Any customer that the CRCNV was serving or had a contract to serve on July 16, 1997, including any successor in interest to such customers; or
    b. The Southern Nevada Water Authority (SNWA) or a member agency of SNWA that will use the power for water and wastewater operations.

B. Regulation Requirements for Applicants:

1. Applicants must comply with NAC 538.410. If the Applicant is an electric utility, it must satisfy the requirements of NAC 538.410(5) which states that the electric utility:
    a. has a peak demand of at least 8 megawatts;
    b. is located within Western's defined marketing area in this State for the Parker-Davis Project;
    c. is eligible to receive preference power under the applicable provisions of federal law relating to preference power. Preference entities include cities and towns, irrigation districts, public utility districts, and rural electric cooperatives.

C. General Requirements:

1. The Applicant must have a need for the resource to meet its load after considering all resources that are owned or purchased under long-term contracts,[1] including other hydropower resources from the CRCNV.
2. To determine whether existing contract holders have demonstrated a need for a P-DP allocation, an assessment will be made of the Applicant's past usage of the P-DP allocation, including the last three federal fiscal years (2022-2024).
3. The award of resources to the Applicant will not place an excessive administrative burden on the CRCNV.
4. Applicant must be willing to execute a Contract with the CRCNV by March 1, 2028 for power deliveries beginning on October 1, 2028.
5. The Applicant must demonstrate, by March 1, 2028, that it will have all necessary transmission, scheduling and distribution arrangements in place prior to delivery.
6. The Applicant must be able to make its own, independent assessment of the need for optional energy products offered under the P-DP Electric Service Contract.
7. The Applicant must be creditworthy and in compliance with its current Commission contracts and may be required to post collateral in accordance with the CRCNV's statutes and regulations.
8. CRCNV reserves the right to ask for audited financial statements or other documentation to support creditworthiness.

[1] A long-term contract is a contract with a term of 10 years or longer.

D. Existing Contract Holders and Future Allottees

1. Any electric utility or water purveyor that is a current P-DP contractor in Nevada, who applies, meets the above criteria, and whose load and resource data during federal fiscal years 2022 through 2024[2] shows that they have fully utilized the resource, will automatically be granted, as a *minimum*, their existing percentage share of the P-DP electric power resource. The current percentages for each of the CRCNV's contractors is posted on the CRCNV's website at https://crc.nv.gov.
2. Any eligible contractor who applies may be considered for a future allocation. In awarding the resource to eligible contractors, the CRCNV will consider the degree to which awarding the allocation will:
   a. Promote the widespread beneficial use of the resource;
   b. Support the continued economic health and viability of the Applicant;
   c. Promote utility rate stability for public entities;
   d. Promote diversification of the Applicant's energy portfolio.

[2] Federal fiscal years 2022 through 2024 means the period from October 1, 2021 through September 30, 2024.

Bobbie A. Hickman

From: Tamisha Randolph
Sent: Thursday, August 14, 2025 5:17 PM
Subject: PUBLIC NOTICE TO ELIGIBLE APPLICANTS OF OPPORTUNITY TO APPLY FOR AN ALLOCATION OF HYDROPOWER FROM THE PARKER-DAVIS PROJECT
Attachments: CRNCV PUBLIC NOTICE 8.14.pdf

Good morning,

Please find attached the **Colorado River Commission of Nevada Public Notice** to Eligible Applicants of opportunity to apply for an allocation of Hydropower from the Parker-Davis Project.

***No applications will be accepted after 4:00 p.m. PDT on:* THURSDAY, SEPTEMBER 18, 2025**

Questions about this process should be directed to: crcpower@crc.nv.gov

Respectfully,

Ta'Misha Randolph
Administrative Assistant III
Colorado River Commission of Nevada
100 North City Pkwy, Ste. 1100
Las Vegas, Nevada 89106
(725) 246-0436

STATE OF NEVADA

JOE LOMBARDO, *Governor*
PUOY K. PREMSRIRUT, *Chairwoman*
KARA J. KELLEY, *Vice Chairwoman*
ERIC WITKOSKI, *Executive Director*

MARILYN KIRKPATRICK, *Commissioner*
ALLEN J. PULIZ, *Commissioner*
DAN H. STEWART, *Commissioner*
STEVE WALTON, *Commissioner*
CODY T. WINTERTON, *Commissioner*

COLORADO RIVER COMMISSION
OF NEVADA

PUBLIC NOTICE[1]

August 14, 2025

NOTICE TO ELIGIBLE APPLICANTS OF OPPORTUNITY TO APPLY FOR AN ALLOCATION OF HYDROPOWER FROM THE PARKER-DAVIS PROJECT

The Colorado River Commission of Nevada (CRCNV) hereby notifies all eligible, interested parties that certain hydropower resources from the Parker-Davis Project (P-DP) have become available for allocation under contract, commencing on October 1, 2028. Interested, eligible parties that can be served by the CRCNV pursuant to NRS 704.787, should review the available resources, the criteria for the allocation and complete the attached application form for submittal.

Completed applications must be received by CRCNV by:

4:00 PM on THURSDAY, SEPTEMBER 18, 2025

I. Resource Available

The Western Area Power Administration (Western or WAPA) is expected to make available a contract for an allocation of Parker-Davis Project (P-DP) resources for the period of October 1, 2028 through September 30, 2048 to the CRCNV. The determination of CRCNV's exact allocation of the P-DP resource is expected to be made by Western prior to the summer of 2026.

The CRCNV expects to receive a fixed amount of capacity, referred to as Contract

[1] Notice is provided pursuant to NAC 538.455.

Rate of Delivery (CROD), in the amount of 56,231 kW for the Summer Season (March-September) and 40,692 kW for the Winter Season (October-February).[2] Quarterly Energy will be offered by WAPA three months at a time based on forecasted P-DP generation.

WAPA will no longer provide a guaranteed amount of firm energy as they do under the current P-DP Contract. This is because WAPA incurred a purchased power deficit in excess of $50 million during the period of 2018 through 2023 to maintain firm deliveries. WAPA is amortizing this amount over the next 20 years. The CRCNV's post-2028 Contract will include a requirement for its Contractors to assume responsibility for a pro rata share of the CRCNV's portion of this deficit, currently estimated to be $14 million, based on post-2028 capacity allocations.

For a more thorough explanation of the product to be offered by WAPA, please see the Department of Energy, Western Area Power Administration, "Final 2028 Parker-Davis Project Power Marketing Plan and Call for Resource Pool Applications." 89 Fed. Reg. 88,999 posted on CRCNV's website at https://crc.nv.gov.

II. Criteria to be Used by the CRCNV in the Allocation of the Resource

The CRCNV will review the applications and allocate resources in a manner the Commission deems appropriate, consistent with the established criteria, and achieves the greatest possible benefit to the State pursuant to NRS 538.161(2). To be considered for a hydropower allocation, Applicants must meet the following criteria:

A. Statutory Requirements for Applicants:

1. The Applicant must be an entity that the CRCNV has the statutory authority to serve under NRS 704.787. That includes:
   a. Any customer that the CRCNV was serving or had a contract to serve on July 16, 1997, including any successor in interest to such customers; or
   b. The Southern Nevada Water Authority (SNWA) or a member agency of SNWA that will use the power for water and wastewater operations.

[2] Includes 3,231 kW of withdrawable Summer Season capacity and 2,037 kW of withdrawable Winter Season capacity. Withdrawable capacity is capacity that can be withdrawn by WAPA for priority uses upon two years advance notice.

B. Regulation Requirements for Applicants:

1. Applicants must comply with NAC 538.410. If the Applicant is an electric utility, it must satisfy the requirements of NAC 538.410(5) which states that the electric utility:
   a. has a peak demand of at least 8 megawatts;
   b. is located within Western's defined marketing area in this State for the Parker-Davis Project;
   c. is eligible to receive preference power under the applicable provisions of federal law relating to preference power. Preference entities include cities and towns, irrigation districts, public utility districts, and rural electric cooperatives.

C. General Requirements:

1. The Applicant must have a need for the resource to meet its load after considering all resources that are owned or purchased under long-term contracts,[3] including other hydropower resources from the CRCNV.

2. To determine whether existing contract holders have demonstrated a need for a P-DP allocation, an assessment will be made of the Applicant's past usage of the P-DP allocation, including the last three federal fiscal years (2022-2024).

3. The award of resources to the Applicant will not place an excessive administrative burden on the CRCNV.

4. Applicant must be willing to execute a Contract with the CRCNV by March 1, 2028 for power deliveries beginning on October 1, 2028.

5. The Applicant must demonstrate, by March 1, 2028, that it will have all necessary transmission, scheduling and distribution arrangements in place prior to delivery.

6. The Applicant must be able to make its own, independent assessment of the need for optional energy products offered under the P-DP Electric Service

[3] A long-term contract is a contract with a term of 10 years or longer.

Contract.

7. The Applicant must be creditworthy and in compliance with its current Commission contracts and may be required to post collateral in accordance with the CRCNV's statutes and regulations.

8. CRCNV reserves the right to ask for audited financial statements or other documentation to support creditworthiness.

D. Existing Contract Holders and Future Allottees

1. Any electric utility or water purveyor that is a current P-DP contractor in Nevada, who applies, meets the above criteria, and whose load and resource data during federal fiscal years 2022 through 2024[4] shows that they have fully utilized the resource, will automatically be granted, as a *minimum*, their existing percentage share of the P-DP electric power resource. The current percentages for each of the CRCNV's contractors is posted on the CRCNV's website at https://crc.nv.gov.

2. Any eligible contractor who applies may be considered for a future allocation. In awarding the resource to eligible contractors, the CRCNV will consider the degree to which awarding the allocation will:
   a. Promote the widespread beneficial use of the resource;
   b. Support the continued economic health and viability of the Applicant;
   c. Promote utility rate stability for public entities;
   d. Promote diversification of the Applicant's energy portfolio.

[4] Federal fiscal years 2022 through 2024 means the period from October 1, 2021 through September 30, 2024.

Application Form and Submission Dates

The Application Form is attached to this Notice and is available on the CRCNV's website at https://crc.nv.gov/. The completed Application may be submitted between August 14, 2025 and September 18, 2025. Applications should be addressed to the Executive Director and submitted:

- By email addressed to: crcpower@crc.nv.gov;
- By fax to (725) 204-7923; or
- By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

No applications will be accepted after 4:00 p.m. PDT on:

THURSDAY, SEPTEMBER 18, 2025

Questions about this process should be directed to: crcpower@crc.nv.gov

Colorado River Commission of Nevada
Application for Allocation of Parker-Davis Project Generation

This form was created in Microsoft Excel and a digital copy is available on the Colorado River Commission of Nevada's (CRCNV's) website: https://crc.nv.gov. If the form is opened in Excel, responses may be entered directly into the spreadsheet. Additional pages may be attached by the Applicant. Applicants are requested to clearly identify on any attachments, the Applicant's name and the related numbered item on the form.

ALL APPLICATIONS AND INFORMATION SUBMITTED TO THE CRCNV WILL BE CONSIDERED PUBLIC RECORDS SUBJECT TO PUBLIC DISCLOSURE UPON REQUEST. PLEASE SEE NOTE ATTACHED TO THIS APPLICATION FORM FOR MORE INFORMATION.

Completed applications must be received by the CRCNV by 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

1. Applicant Information. Please provide the following:

a. Name and address of entity/organization requesting and allocation:

Entity Name	
Address	
City, State, Zip	

b. Person(s) representing Applicant:

Contact Person	
Title	
Address	
City, State, Zip	
Telephone	
Fax	
Email Address	

c. Please refer to Section II. A of the Notice (Statutory Requirements for Applicants). Are you applying under part 1.a (customer existing on July 16, 1997) or part 1.b (SNWA or member agency for water or wastewater operations)? Please select one.

1.a _____

1.b _____

d. The CRCNV expects to receive approximately 56,231 kW of Summer Capacity and 40,692 kW of Winter Capacity. Please provide the percent of the CRCNV's capacity you would like to receive. Note: The same percentage will be applied to both seasons.

_____%

2. Applicant Data:

Historical Demand:

a. Provide the actual monthly maximum demand (kilowatts) experienced for federal fiscal years 2022-2024. ***Note: For those applying for power to be used in their water and/or wastewater operations - please provide monthly data directly related to such use.***

Federal Fiscal Year 2022						
	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
Demand (kilowatts)						
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
Demand (kilowatts)						

Federal Fiscal Year 2023						
	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Demand (kilowatts)						
	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Demand (kilowatts)						

Federal Fiscal Year 2024						
	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
Demand (kilowatts)						
	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Demand (kilowatts)						

Historical Resources:

a. Please provide the energy resources in kWh that were delivered (scheduled) to serve Applicant's load during federal fiscal years 2022-2024. Delivered resources should total up to the Applicant's loads in each period. Long-term contracts are those contracts that have a term of 10 years or longer.

Federal Fiscal Year 2022						
	Oct-21 kWh	Nov-21 kWh	Dec-21 kWh	Jan-22 kWh	Feb-22 kWh	Mar-22 kWh
Hoover (kWh)						
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)						
Load (kWh) Total of Resources Above	-	-	-	-	-	-
	Apr-22 kWh	May-22 kWh	Jun-22 kWh	Jul-22 kWh	Aug-22 kWh	Sep-22 kWh
Hoover (kWh)						
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)						
Load (kWh) Total of Resources Above	-	-	-	-	-	-

Federal Fiscal Year 2023						
	Oct-22 kWh	Nov-22 kWh	Dec-22 kWh	Jan-23 kWh	Feb-23 kWh	Mar-23 kWh
Hoover (kWh)						
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)						
Load (kWh) Total of Resources Above	-	-	-	-	-	-
	Apr-23 kWh	May-23 kWh	Jun-23 kWh	Jul-23 kWh	Aug-23 kWh	Sep-23 kWh
Hoover (kWh)						
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)						
Load (kWh) Total of Resources Above	-	-	-	-	-	-

Federal Fiscal Year 2024						
	Oct-23 kWh	Nov-23 kWh	Dec-23 kWh	Jan-24 kWh	Feb-24 kWh	Mar-24 kWh
Hoover (kWh)						
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)						
Load (kWh) Total of Resources Above	-	-	-	-	-	-
	Apr-24 kWh	May-24 kWh	Jun-24 kWh	Jul-24 kWh	Aug-24 kWh	Sep-24 kWh
Hoover (kWh)						
Parker-Davis (kWh)						
SLCAIP (kWh)						
Fossil Fuel Assets Owned or Purchased Under Long-Term Contract (kWh)						
Intermittent Assets Owned or Purchased Under Long-Term Contract (kWh)						
Short-Term or Unspecified (kWh)						
Load (kWh) Total of Resources Above	-	-	-	-	-	-

b. **Transmission**

Provide the Applicant's requested point(s) of delivery on the Parker-Davis Transmission System, the voltage of service required and the capacity desired. The CRCNV's authorized point(s) of delivery include Amargosa Substation, Henderson Switching Station, Boulder City Tap, Clark Tap, and Mead Substation.

3. **Please describe how receipt of the allocated resource accomplishes the following:**

a. **Promote the widespread beneficial use of the resource.**

b. **Support the continued economic health and viability of the Applicant.**

c. **Promote utility rate stability for public entities.**

d. **Promote diversification of the Applicant's energy portfolio.**

4. Other Information. The Applicant may provide any other information pertinent to the application:

5. By signing this application, the Applicant acknowledges that if the Applicant accepts an allocated resource from the CRCNV, the Applicant will be subject to the following:

i. The Applicant will execute a Contract with the CRCNV before March 1, 2028 for power deliveries beginning on October 1, 2028.

6. Signature:

The Colorado River Commission of Nevada requires the signature and title of an appropriate officinl who can attest to the validity of the application and who is authorized to submit the request for an allocation.

By signing below, I certify the information which I have provided is true and correct to the best of my information, knowledge and belief.

Signature:_____ **Title:**_____

Print Name:_____

Applications may be addressed to the Executive Director and submitted:

-By email addressed to: crcpower@crc.nv.gov; or
-By fax to (725) 204-7923; or
-By personal delivery or U.S. Mail to the CRCNV's office, 100 N. City Parkway, Suite 1100, Las Vegas, NV 89106.

Applications may be submitted between **August 14, 2025** and **September 18, 2025**.

No applications will be accepted after 4:00 p.m. PDT on:
THURSDAY, SEPTEMBER 18, 2025

NOTE ON SUBMITTAL OF CONFIDENTIAL
OR COMMERCIALLY SENSITIVE INFORMATION
TO THE COLORADO RIVER COMMISSION OF NEVADA

The Colorado River Commission of Nevada, as a State agency, is subject to the Public Records Law of Nevada, Nevada Revised Statutes (NRS), Chapter 239, which provides for public access upon request to all records, data and information in the possession of a state agency.

As a result, all Applications and all data or information supplied to the Commission in support of an Application will be considered "public records" subject to public disclosure upon request.

Further, the Colorado River Commission of Nevada is also subject to the Open Meeting Law, Nevada Revised Statutes (NRS) chapter 241.

The contents of the Applications will be discussed at a public meeting. Copies of the Applications and all data or information supplied to the Commission in support of an Application will be available to the Commissioners and staff, as back up material, at the Commission meeting where the applications are discussed. Any member of the public requesting copies of the backup materials will be provided them.

Any Applicant desiring to discuss issues concerning potentially confidential or sensitive information should contact the Commission through:

Michelle Briggs
Special Counsel
(725) 281-1098
mdbriggs@crc.nv.gov

STATE OF NEVADA

JOE LOMBARDO, *Governor*
PUOY K. PREMSRIRUT, *Chairwoman*
KARA J. KELLEY, *Vice Chairwoman*
ERIC WITKOSKI, *Executive Director*

MARILYN KIRKPATRICK, *Commissioner*
ALLEN J. PULIZ, *Commissioner*
DAN H. STEWART, *Commissioner*
STEVE WALTON, *Commissioner*
CODY T. WINTERTON, *Commissioner*

COLORADO RIVER COMMISSION
OF NEVADA

Posted: June 13, 2025

NOTICE AND AGENDA FOR STAFF'S PUBLIC MEETING PURSUANT TO NAC 538.455 TO COMMENCE THE PROCESS TO ALLOCATE POWER FROM THE PARKER-DAVIS PROJECT

A public meeting conducted by the Staff for the Colorado River Commission of Nevada (Commission) will be held at 10:30 a.m. on TUESDAY, JULY 1, 2025, at Molasky Building, 100 N. City Parkway, 7th Floor, Grand Canyon Room, Las Vegas, Nevada 89106.

THIS MEETING WILL HAVE A PHYSICAL LOCATION AND BE AVAILABLE THROUGH A REMOTE TECHNOLOGY SYSTEM. FOR REMOTE ATTENDANCE, THE LINK FOR THE MEETING MAY BE ACCESSED AT THE COMMISSION WEBSITE AT, CRC.NV.GOV, UNDER THE MEETING TAB.

The purpose of this meeting is for Commission staff to solicit public comment on the draft Notice to Eligible Applicants of an Opportunity to Apply for an Allocation of Hydropower from the Parker-Davis Project.

Agenda

A. *Introductions*: Introduction of staff and the public present.

B. *Comments from the public:* Members of the public are invited to comment on items on the meeting agenda.

C. *Background on Resource:* Staff will provide a summary of the Parker-Davis Project Resource.

D. *Western Area Power Administration's Process and Timetable:* Staff will provide a summary of the process and dates of WAPA's process for the allocation of power from the Parker-Davis Project for contracts to be effective October 1, 2028.

E. *Commission's Process and Timetable:* Staff will provide the CRCNV's process for the allocation of power from the Parker-Davis Project and projected timetable.

100 N. City Parkway, Suite 1100, Las Vegas, Nevada 89106-4614

Phone: (725) 246-0436
Fax: (725) 204-7923
http://crc.nv.gov

F. *Proposed Draft Notice:* Staff will present the draft notice which includes the criteria and application for the resource pursuant to NAC 538.455(2).

G. *Deadline to Submit Public Comment*: Public comments to the draft notice are due and must be received by the CRCNV staff no later than July 11, 2025.

H. *Comments from the public*: Members of the public are invited to comment on items on the meeting agenda or on items not contained therein.

Eric Witkoski, Executive Director

Individuals may direct inquiries to obtain copies of the agenda and supporting materials to CRCAdmins@crc.nv.gov or call (725) 246-0436. Materials may also be viewed on the Commission's website at: https://crc.nv.gov/index.php?p=meetings and are available at the Commission's main office: Molasky Building 100 N. City Parkway, Suite 1100, Las Vegas, Nevada 89106. A public copy of supporting materials received during a meeting will be made available.

NOTICE: The Commission is pleased to make reasonable accommodations for persons who are disabled and wish to attend the meeting. If special arrangements are required, please notify the Colorado River Commission of Nevada in writing, 100 N. City Parkway, Suite 1100, Las Vegas, Nevada 89106 or by calling (725) 246-0436 at least 2 business days prior to the meeting.

THIS NOTICE HAS BEEN POSTED AT THE FOLLOWING LOCATION:

Colorado River Commission of Nevada, 100 N. City Parkway, 7th Floor and Suite 1100, Las Vegas, Nevada 89106 and at the following websites:

Colorado River Commission of Nevada website, crc.nv.gov/
Nevada Public Notice website, https://notice.nv.gov/

COLORADO RIVER COMMISSION OF NEVADA AGENDA ITEM F
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: *For Possible Action:* Approval of Amendment No. 3 to Boulder Flats Solar Interconnection Project Contract CRCBF-14 between the Colorado River Commission of Nevada and Summit Line Construction, Inc., to add the construction of a fire water line to the switchyard, extension of the dust permit, and an increase in the contract price by $1,055,204.35.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION: Staff recommend the Commission approve Amendment No. 3 to Contract No. CRCBF-14.

STAFF COMMENTS AND BACKGROUND:

A. Purpose of the Contract

Pursuant to NRS 538.161, the Colorado River Commission of Nevada (Commission) may execute contracts for the planning and development of any facilities for the generation or transmission of electricity for the greatest possible benefit to the state. Additionally, the Commission has a Facilities Development Agreement with the Southern Nevada Water Authority (SNWA) for the purpose of "creating a cooperative relationship to jointly develop, operate, maintain, use and replace a Power System" for SNWA and its members. SNWA has requested the Commission to assist in the design, procurement and construction of the electrical infrastructure for the Boulder Flats Solar Interconnection Project.

B. Background of Bid/Procurement

The original Request for Proposals (RFP) for the Transmission Line and Switchyard Construction was issued on January 9, 2024, and included the requirement of pre-bid attendance for all potential bidders. Bids were due on March 19, 2024. Four bidders were in attendance. Bids were due on March 19, 2024, three bids were received. The contract was awarded on May 14, 2024, to Summit Line Construction, Inc.

C. Need for Amendment No. 3

The original contract was for construction services related to a switchyard and 10-mile transmission line project being built solely to connect SNWA's future solar project to the Mead Substation. Amendment No. 1 and Amendment No. 2 authorized additional work to accommodate the interconnection of Townsite 2, a solar and battery project being developed near the Boulder Flats line by another developer. The current Amendment No. 3 provides additional funding to complete a fire line to the switchyard, as required by the City of Boulder City and extend the dust permit. Amendment No. 3 increases the contract amount by $1,055,205.35.

D. Staff's Recommendation

Staff recommend the Commission approve Amendment No. 3 to Contract No. CRCBF-14 contract between the Commission and Summit Line Construction, Inc., and authorize the Executive Director to sign the amendment on behalf of the Commission.

AMENDMENT NO. 3 TO

BOULDER FLATS SOLAR INTERCONNECTION PROJECT DOCUMENTS

CONTRACT NO. CRCBF-14

This Amendment No. 3 to the Boulder Flats Solar Interconnection Project Contract No. CRCBF-14 Transmission Line & Switchyard Construction ("Amendment No. 3") is made by and between the Colorado River Commission of Nevada ("CRCNV") and Summit Line Construction, Inc. ("Contractor"). Unless otherwise indicated, capitalized terms used herein have the meaning ascribed to them in the Boulder Flats Solar Interconnection Project Contract No. CRCBF-14 Transmission Line & Switchyard Construction, as amended by Amendment No. 1 effective June 10, 2025 and Amendment No. 2 effective December 9, 2025 ("Project Documents"). The Project Documents are attached hereto at Exhibit A.

EXPLANATORY RECITALS

A. The CRCNV contracted with Contractor for the construction of the Boulder Flats Solar Interconnection Project (the "Boulder Flats Project") for the Southern Nevada Water Authority ("SNWA").

B. The Boulder Flats Project consists of a new 230kV Switchyard and ten-mile long 230kV transmission line, located in Boulder City. Nevada, and is currently under construction.

C. Additional funds are needed to complete a fire water line to the switchyard and extend the dust permit.

D. The CRCNV requests and Contractor agree to amend the Project Documents to change the construction requirements for the Boulder Flats Project as set forth in this Amendment No. 3.

IN CONSIDERATION of the foregoing recitals and the mutual covenants contained herein, the Parties hereto agree as follows:

1. Contractor agrees to provide construction modifications for additional Work as detailed in the Change Order Summary described in Exhibit B ("Additional Work") in accordance with the Project Documents.

2. The Contract Price shall be increased by $1,055,204.35 for the Additional Work. The additional payment due shall be made in accordance with the payment procedures in the Project Documents.

3. The Explanatory Recitals set forth above are incorporated herein as terms to this Amendment No. 3.

4. Except as otherwise provided herein, all provisions of the Project Documents are in full force and effect.

The Parties executed this Amendment No. 3 on the date set forth below.

Colorado River Commission of Nevada	Summit Line Construction, Inc.
By:_____	By:_____
Name:_____	Name: Melissa Marriott
Title:_____	Title: Director of Operations - S.NV
Date:_____	Date: 1/20/2026

EXHIBIT B

CHANGE ORDER

CO #16

Contractor: Summit Line Construction, Inc.

Change Order No.: 16

Project: CRC Boulder Flats Substation

Date:1/13/2026

Date of Contract: 6/5/2024

Description of Work:
Fire Water Line addition and Dust permit extension

Period of Performance: June 2024 -Dec, 22 2026

Contract Price Adjustment: Pursuant to this Change Order, the following Contract price adjustment is hereby incorporated:

Base Contract Amount:	$11,407,580.00
Change Order No.:16	$1,055,204.35
Total Change	**$1,055,204.35**

SUMMIT LINE CONSTRUCTION, INC.

By _____
Authorized Signature

Name Filip Williams

Title P.M.

Date 12/17/2025

CUSTOMER NAME

By _____
Authorized Signature

Name _____

Title _____

Date _____

Summit Line Construction, Inc Initials _____

Customer's Name Here_____

Balance of this page is intentionally left blank.

SUMMIT LINE CONSTRUCTION
A QUANTA SERVICES COMPANY

CHANGE ORDER SUMMARY

Change Order #	Date	Change Order Description	Change Order Amount
16	12/17/25	Added Fire Line	$ 911,206.00
	12/17/25	Backflow -475STDA Zurn Wilikins -$39788.78 included in above pricing.	
	12/17/25	Dust Permit Extention	$ 6,363.00
		Overhead and Profit @ 15%	$ 137,635.35
			$ 1,055,204.35

NDX
Demolition · Grading · Utilities

2667 W. Cheyenne Ave
N. Las Vegas, NV 89032
702-438-7426
NV License #0029174A

To:	Summit Line Construction	**Contact:**	
Address:	4415 Andrews Street	**Phone:**	(702) 644-8141
	North Las Vegas, NV 89081	**Fax:**	
Project Name:	Boulder Flats Fire Hydrant Installation (U)	**Bid Number:**	
Project Location:		**Bid Date:**	12/17/2025

Item #	Item Description	Estimated Quantity	Unit	Total Price
1	Mobilization	1.00	EACH	$8,995.59
2	Install Fire POC. Quoting 14"x8" Tap (Existing Pipe MLCP) With Line Stop	1.00	EACH	$65,471.47
3	Furnish & Install 8" C-900 PVC.	4,232.00	LF	$749,783.44
4	Install Fire Hydrant. Includes 4ea. Bollards	1.00	EACH	$15,379.23
5	Provide & Place 6" RPDA Per UDACS Plt. 56 475STDA Zurn Wilkins.	1.00	EACH	$39,788.78
6	Haul Off Spoils From Scope Of Work	1.00	LS	$31,787.88
		Total Price for above Items:		**$911,206.39**

Total Bid Price: $911,206.39

Notes:

- Exclusions;
  Overtime Inspections. Hard Rock Removal / Disposal.
  Unknown underground structure demo.
  Permits, drawings, engineering, testing or survey.
  Bollards. Cost of water. Night Work.
  Traffic Control.
  SWPP.

NVCL 29174A
Bid Limit 4.5Mil

ACCEPTED:

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

NDX, LLC

Authorized Signature: _____

Estimator: Giovanni Lopez
702-438-7426 glopez@ndxllc.com

Payment Acceptance - Receipt (Step 4 of 4)

Receipt

Date: 05-11-2025
Order Number: 38e1ea3e-de5b-416a-83cb-1d486bee8af9

Billing Information

Filip R Williams
4415 Andrew St
N. Las Vegas
Nevada
89081
United States of America

Payment Details

Card Type

Visa

Card Number

xxxxxxxxxxxx0340

Expiration Date

05-2026

Subtotal

$6,363.00

Total amount
$6,363.00

Please keep a copy of this receipt for your records

Print

Return to Website

EXHIBIT A

AMENDMENT NO. 2

and

AMENDMENT NO. 1

and

TABLE OF CONTENTS VOLUME I - VOLUME V
and
VOLUME II - CONTRACT FORM & CONDITIONS PROVIDED FOR AMENDMENT No. 1

Please contact:
Colorado River Commission of Nevada for other volumes of Contract CRCBF-14 if needed at crcadmins@crc.nv.gov or call 725-246-0436.

AMENDMENT NO. 2 TO

BOULDER FLATS SOLAR INTERCONNECTION PROJECT DOCUMENTS

CONTRACT NO. CRCBF-14

This Amendment No. 2 to the Boulder Flats Solar Interconnection Project Contract No. CRCBF-14 Transmission Line & Switchyard Construction ("Amendment No. 2") is made by and between the Colorado River Commission of Nevada ("CRCNV") and Summit Line Construction, Inc. ("Contractor"). Unless otherwise indicated, capitalized terms used herein have the meaning ascribed to them in the Boulder Flats Solar Interconnection Project Contract No. CRCBF-14 Transmission Line & Switchyard Construction, as amended by Amendment No. 1 effective June 10, 2025 ("Project Documents"). The Project Documents are attached hereto at Exhibit A.

EXPLANATORY RECITALS

A. The CRCNV contracted with Contractor for the construction of the Boulder Flats Solar Interconnection Project (the "Boulder Flats Project") for the Southern Nevada Water Authority ("SNWA").

B. The Boulder Flats Project consists of a new 230kV Switchyard and ten-mile long 230kV transmission line, located in Boulder City. Nevada and is currently under construction.

C. In 2024, SNWA contracted with Townsite Solar 2 LLC ("TS2") to complete certain interconnection improvements to the Boulder Flats Project to allow TS2's new solar project to interconnect to SNWA's River Mountains System ("TS2 Interconnection").

D. To complete the changes to the Boulder Flats Project, the Transmission Line & Switchyard Construction contract must be amended as set forth in this Amendment No. 2.

E. Additionally, a delay in delivery of some equipment will require the Final Completion date to be extended.

F. The CRCNV requests and Contractor agrees to amend the Project Documents to change the construction requirements for the Boulder Flats Project as needed for the TS2 Interconnection and any other changes that may occur by separate change order.

AMENDMENT NO. 2 TO

BOULDER FLATS SOLAR INTERCONNECTION PROJECT DOCUMENTS

CONTRACT NO. CRCBF-14

This Amendment No. 2 to the Boulder Flats Solar Interconnection Project Contract No. CRCBF-14 Transmission Line & Switchyard Construction ("Amendment No. 2") is made by and between the Colorado River Commission of Nevada ("CRCNV") and Summit Line Construction, Inc. ("Contractor"). Unless otherwise indicated, capitalized terms used herein have the meaning ascribed to them in the Boulder Flats Solar Interconnection Project Contract No. CRCBF-14 Transmission Line & Switchyard Construction, as amended by Amendment No. 1 effective June 10, 2025 ("Project Documents"). The Project Documents are attached hereto at Exhibit A.

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D. To complete the changes to the Boulder Flats Project, the Transmission Line & Switchyard Construction contract must be amended as set forth in this Amendment No. 2.

E. Additionally, a delay in delivery of some equipment will require the Final Completion date to be extended.

F. The CRCNV requests and Contractor agrees to amend the Project Documents to change the construction requirements for the Boulder Flats Project as needed for the TS2 Interconnection and any other changes that may occur by separate change order.

IN CONSIDERATION of the foregoing recitals and the mutual covenants contained herein, the Parties hereto agree as follows:

1. Contractor agrees to provide construction modifications for additional Work as detailed in the Change Order Summary described in Exhibit B ("Additional Work") in accordance with the Project Documents.

2. The Contract Price shall be increased by $2,205,696.10 for the Additional Work. The additional payment due shall be made in accordance with the payment procedures in the Project Documents.

3. The Final Completion date shall be December 31, 2026.

4. The Explanatory Recitals set forth above are incorporated herein as terms to this Amendment No. 2.

5. Except as otherwise provided herein, all provisions of the Project Documents are in full force and effect.

The Parties executed this Amendment No. 2 on the date set forth below.

Colorado River Commission of Nevada	Summit Line Construction, Inc.
By:	By:
Name: Eric Witkoski	Name: Melissa Marriott
Title: Executive Director	Title: Director of Operations - S.NV
Date: 12/9/2025	Date: 11/26/2025

AMENDMENT NO. 1 TO

BOULDER FLATS SOLAR INTERCONNECTION PROJECT DOCUMENTS

CONTRACT NO. CRCBF-14

This Amendment No. 1 to the Boulder Flats Solar Interconnection Project Contract No. CRCBF-14 Transmission Line & Switchyard Construction ("Amendment No. 1") is made by and between the Colorado River Commission of Nevada ("CRCNV") and Summit Line Construction, Inc. ("Contractor"). Unless otherwise indicated, capitalized terms used herein have the meaning ascribed to them in the Boulder Flats Solar Interconnection Project Contract No. CRCBF-14 Transmission Line & Switchyard Construction ("Project Documents"). The Project Documents are attached hereto at Exhibit A.

EXPLANATORY RECITALS

A. The CRCNV contracted with Contractor for the construction of the Boulder Flats Solar Interconnection Project (the "Boulder Flats Project") for the Southern Nevada Water Authority ("SNWA").

B. The Boulder Flats Project consists of a new 230kV Switchyard and ten-mile long 230kV transmission line, located in Boulder City. Nevada and is currently under construction.

C. In 2024, SNWA contracted with Townsite Solar 2 LLC ("TS2") to complete certain interconnection improvements to the Boulder Flats Project to allow TS2's new solar project to interconnect to SNWA's River Mountains System ("TS2 Interconnection").

D. The Transmission Line & Switchyard Construction contract must be revised to complete the changes to the Boulder Flats Project for the TS2 Interconnection.

E. The CRCNV requests and Contractor agrees to amend the Project Documents to change the construction requirements for the Boulder Flats Project as needed for the TS2 Interconnection and any other changes that may occur by separate change order.

IN CONSIDERATION of the foregoing recitals and the mutual covenants contained herein, the Parties hereto agree as follows:

1. Contractor agrees to provide construction modifications for additional Work as detailed in the Change Order Summary described in Exhibit B ("Additional Work") in accordance with the Project Documents.

2. The Contract Price shall be increased by $744,017.51 for the Additional Work. The additional payment due shall be made in accordance with the payment procedures in the Project Documents.

3. The Explanatory Recitals set forth above are incorporated herein as terms to this Amendment No. 1.

4. Except as otherwise provided herein, all provisions of the Project Documents are in full force and effect.

The Parties have executed this Amendment No. 1 on the date set forth below.

Colorado River Commission of Nevada	Summit Line Construction, Inc.
By: _____	By: _____
Name: Eric Witkoski	Name: Melissa Marriott
Title: Executive Director	Title: Director of Operations - S.NV
Date: 6/10/2025	Date: 5/12/2025

Colorado River Commission of Nevada
555 East Washington Avenue, Suite 3100
Las Vegas, Nevada 89101-1065

Boulder Flats Solar Interconnection Project

Contract No. CRCBF-14
Transmission Line & Switchyard Construction

Volume I - Volume V
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PWP-CL-2006-241

Awarded:
May 14, 2024

Boulder Flats Solar Interconnection Project

Contract No. CRCBF-14
Transmission Line & Switchyard Construction
Contract Documents

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Boulder Flats Solar Interconnection Project

Contract No. CRCBF-14
Transmission Line & Switchyard Construction
Contract Documents

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Volume V – Drawings

Colorado River Commission of Nevada
555 East Washington Avenue, Suite 3100
Las Vegas, Nevada 89101-1065

Boulder Flats Solar Interconnection Project

Contract No. CRCBF-14
Transmission Line & Switchyard Construction

Volume II – Contract Forms and Conditions

PWP-CL-2006-241

Awarded:
May 14, 2024

SECTION 700
Contract NO. CRCBF-14
Transmission Line & Switchyard Construction

THIS CONTRACT is made and entered into by and between the Colorado River Commission of Nevada, hereinafter referred to as the "Owner," and Summit Line Construction, Inc., hereinafter referred to as the "Contractor." The Owner and the CONTRACTOR are sometimes individually referred to as "Party" and collectively referred to as the "Parties."

IN CONSIDERATION of the mutual covenants contained herein, the Parties hereto agree as follows:

1. The Contractor shall perform and complete in a good and workmanlike manner all of the Work as defined in the Contract Documents, shall furnish all equipment and materials and all the tools and labor necessary to properly perform and complete the Work such that it shall be ready for use in accordance with the Contract Documents and the attached bonds, which are hereby declared and accepted as essential parts of this Contract and to accept the Contract Price as defined in the Contract Document as full compensation therefore.

2. The Owner shall pay Contractor the Contract Price in full compensation for Contractor's full performance in the manner and upon the conditions set forth in the Contract Documents.

3. The Contract Documents, which comprise the entire Contract between the Owner and the Contractor for the performance of the Work, consist of everything included in Volumes I, II, III, IV, V and VI, which by this reference are incorporated and made a part hereof. The Contractor hereby certifies that the Contractor has read and understands every provision contained in the Contract Documents. The Contractor shall be bound and shall comply with each and every term, condition and covenant set forth in the Contract Documents.

4. Each individual signing this Contract represents and warrants that the Party represented has duly authorized such individual to execute this Contract with the intent that the Party be bound and obligated hereby.

IN WITNESS WHEREOF, the Contractor and the Owner have executed five duplicate originals of this Contract this 5th day of June, 2024. The Owner will retain four counterparts and one counterpart will be delivered to the Contractor .

)

Sierra Line Construction, Inc

By: Dylan Welsh

Its: President

ATTEST

COLORADO RIVER COMMISSION OF NEVADA

By: _____
Puoy K. Premsrirut
Chairman

ATTEST

_____
Eric Witkoski
Executive Director

Approved as to Form:

_____
Michelle Briggs
Special Counsel for Attorney General

IN WITNESS WHEREOF, the Contractor and the Owner have executed five duplicate originals of this Contract this 5th day of June, 2024. The Owner will retain four counterparts and one counterpart will be delivered to the Contractor.

_____

By: _____

Its: _____

ATTEST

_____

_____

COLORADO RIVER COMMISSION OF NEVADA

By: _____
Puoy K. Premsrirut
Chairman

ATTEST

_____
Eric Witkoski
Executive Director

Approved as to Form:

_____
Michelle Briggs
Special Counsel for Attorney General

SECTION 750
PERFORMANCE BOND

CONTRACTOR (Name and Address):
Summit Line Construction, Inc.
4415 Andrews Street
North Las Vegas, NV 89081

SURETY (Name and Principal Place of Business):
Federal Insurance Company
202B Hall's Mill Road, Whitehouse Station, NJ 08889

Liberty Mutual Insurance Company
175 Berkeley Street, Boston, MA 02116

OWNER (Name and Address):

Colorado River Commission of Nevada
555 E. Washington Avenue
Suite 3100
Las Vegas, Nevada 89101-1065

CONTRACT
Date: July 1, 2024
Amount: $ 10,156,461.42 *
Description: Contract No. CRCBF-14
Boulder Flats Interconnection Project
Transmission Line &
Switchyard Construction
Location: Clark County, Nevada

BOND
Date (Not earlier than Contract Date): July 2, 2024

Modifications to this Bond Form: None

CONTRACTOR AS PRINCIPAL (Seal below)
Company: Summit Line Construction, Inc.
Signature: Dylan Wehl
Name and Title: Dylan Wehl
President
Attest: Josh Knowles
Name and Title: Josh Knowles
Estimating Manager

SURETY (Seal below)
Company: Federal Insurance Company & Liberty Mutual Insurance Company
Signature:
Name and Title: Sarah Murtha, Attorney-in-Fact
Attest:
Name and Title: Rhonda Tischofer, Witness

Summit Line Construction, Inc. CORPORATE SEAL 1/1/2010

* Ten Million One Hundred Fifty Six Thousand Four Hundred Sixty One and 42/100 Dollars

1. The Contractor and the Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Owner **for the performance of the Contract**, which is incorporated herein by reference.

2. If the Contractor performs the Contract, the Surety and the Contractor have no obligation under this Bond, except to participate in conferences as provided in paragraph 3.1.

3. If there is no Owner Default, the Surety's obligation under this Bond arises after:

   3.1 The Owner has notified the Contractor and the Surety at its address described in subsection 9 below, that the Owner is considering declaring the Contractor in default and has requested and attempted to arrange a conference with the Contractor and Surety, to be held not later than fifteen (15) days after receipt of such notice, to discuss methods of performing the Contract. If the Owner, the Contractor and the Surety agree, the Contractor must be allowed a reasonable time to perform the Contract, but such an agreement does not waive the Owner's right, if any, subsequently to declare a Contractor Default; and

   3.2 The Owner has declared a Contractor Default and formally terminated the Contractor's right to complete the Contract. Such Contractor Default must not be declared earlier than twenty (20) days after the Contractor and the Surety have received notice as provided in paragraph 3.1; and

   3.3 The Owner has agreed to pay the balance of the Contract Price to the Surety in accordance with the terms of the Contract or to a contractor selected to perform the Contract in accordance with the terms of the Contract with the Owner.

4. When the Owner has satisfied the conditions of subsection 3, the Surety shall promptly and at the Surety's expense take one of the following actions:

   4.1 Arrange for the Contractor, with the consent of the Owner, to perform and complete the Contract; or

   4.2 Undertake to perform and complete the Contract itself, through its agents or through independent contractors; or

   4.3 Obtain bids or negotiated proposals from qualified contractors acceptable to the Owner for a contract for performance and completion of the Contract, arrange for a contract to be prepared for execution by the Owner and the contractor selected with the Owner's concurrence, to be secured with a performance bond executed by a qualified Surety equivalent to the bond issued on the Contract, and paid to the Owner the amount of damages as described in subsection 6 of the Balance of the Contract Price incurred by the Owner resulting from the Contractor's Default; or

4.4 Waive its right to perform and complete, arrange for completion, or obtain a new contractor and with reasonable promptness under the circumstances:

4.4.1 After investigation, determine the amount for which it may be liable to the Owner and, as soon as practicable after the amount is determined, tender payment therefore to the Owner; or

4.4.2 Deny liability in whole or in part and notify the Owner citing the reasons therefore. If the Surety does not proceed as provided in subsection 4, with reasonable promptness, the Surety shall be deemed to be in default on this Bond fifteen (15) days after receipt of an additional written notice from the Owner to the Surety demanding that the Surety perform its obligations under this Bond, and the Owner is entitled to enforce any remedy available to the Owner. If the Surety proceeds as provided in paragraph 4.4, and the Owner returns the payment tendered or the Surety has denied liability, in whole or in part, without further notice the Owner is entitled to bring an action to enforce any remedy available to the Owner.

5. After the Owner has terminated the Contractor's right to complete the Contract, and if the Surety elects to act under paragraph 4.1, 4.2 or 4.3 above, then the responsibilities of the Surety to the Owner must not be greater than those of the Contractor under the Contract and the responsibilities of the Owner to the Surety must not be greater than those of the Owner under the Contract. To the limit of the amount of this Bond, but subject to commitment by the Owner of the Balance of the Contract Price to the mitigation of costs and damages on the Contract, the Surety is obligated without duplication for:

5.1 The responsibilities of the Contractor for correction of defective work and completion of the Contract;

5.2 Additional legal, design professional and delay costs resulting from the Contractor's Default, and resulting from the action or failure to act of the Surety under subsection 4; and

5.3 Liquidated damages, or if no liquidated damages are specified in the Contract, actual damages caused by delayed performance or nonperformance of the Contractor.

6. The Surety is not liable to the Owner or others for obligations of the Contractor that are unrelated to the Contract, and the Balance of the Contract Price must not be reduced or set off on account of any such unrelated obligations. No right of action accrues on this Bond to any person or entity other than the Owner or its heirs, executors, administrators or successors.

7. The Surety hereby waives notice of any change, including changes of time, to the Contract or to related subcontracts, purchase orders and other obligations.

8. Any proceeding, legal or equitable, under this Bond may be instituted in any court of competent jurisdiction in the location in which the work is performed under the Contract and must be initiated within two years after the Contractor's Default, or within two years after the Contractor ceased working, or within two years after the Surety refuses or fails to perform its obligation under this Bond, whichever occurs first. If the provisions of this subsection are void or prohibited by law, the minimum of limitation available to sureties as a defense in the jurisdiction of the court is applicable.

9. Notice to the Surety, the Owner or the Contractor must be mailed or delivered to the address shown on the signature page of this performance bond.

10. When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the work is performed any provision of this bond conflicting with such statutory or legal requirement shall be deemed deleted here from and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. The intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

11. Definitions.

    11.1 "Balance of the Contract Price" means the total amount payable by the Owner to the Contractor under the Contract after all proper adjustments have been made, including allowances to the Contractor of any amounts received or to be received by the Owner in settlement of insurance or other claims for damages to which the Contractor is entitled, reduced by all valid and proper payments made to or on behalf of the Contractor under the Contract.

    11.2 "Contract" means the agreement between the Owner and the Contractor identified on the signature page, including all the Contract documents and changes thereto.

    11.3 "Contractor Default" means a failure of the Contractor, which has neither been remedied nor waived, to perform or otherwise to comply with the terms of the Contract.

    11.4 "Owner Default" means a failure of the Owner, which has neither been remedied nor waived, to pay the Contractor or to perform in complete or comply with the other terms of this Contract.

INCREASE PENALTY RIDER

BOND AMOUNT $10,156,461.42 BOND NO. K41909110/ 906228006

To be attached and form a part of Bond No. K41909110/ 906228006 dated the 1st Day of July, 2024, executed by Federal Insurance Company/ Liberty Mutual Insurance Company as surety, on behalf of Summit Line Construction, Inc. as current principal of record, and in favor of Colorado River Commission of Nevada, as Obligee for Contract No. CRCBF-14, Boulder Flats Interconnection Project Transmission Line & Switchyard Construction, and in the amount of Ten Million One Hundred Fifty Six Thousand Four Hundred Sixty One Dollars and 42/100 ($10,156,461.42).

In consideration of the agreed premium charged for this bond, it is understood and agreed that Federal Insurance Company/ Liberty Mutual Insurance Company hereby consents that effective from the 1st Day of July, 2024, said bond shall be amended as follows:

THE BOND PENALTY SHALL BE INCREASED:

FROM: Ten Million One Hundred Fifty Six Thousand Four Hundred Sixty One Dollars and 42/100 ($10,156,461.42)

TO: Ten Million Six Hundred Sixty Three Thousand Five Hundred Sixty Two Dollars and 15/100 ($10,663,562.15)

The INCREASE of said bond penalty shall be effective as of the 1st Day of July, 2024, and does hereby agree that the continuity of protection under said bond subject to changes in penalty shall not be impaired hereby, provided that the aggregate liability of the above mentioned bond shall not exceed the amount of liability assumed by it at the time the act and/or acts of default were committed and in no event shall such liability be cumulative.

Signed, sealed and dated this 23rd Day of August, 2024

Summit Line Construction, Inc.
PRINCIPAL

BY _____

Federal Insurance Company/Liberty Mutual Insurance Company
SURETY

BY _____
Michelle Anne McMahon, ATTORNEY-IN-FACT

Summit Line Construction, Inc. CORPORATE SEAL

FEDERAL INSURANCE COMPANY INDIANA

LIBERTY MUTUAL INSURANCE COMPANY INCORPORATED 1912 MASSACHUSETTS 6496

CHUBB

Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company
Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that **FEDERAL INSURANCE COMPANY**, an Indiana corporation, **VIGILANT INSURANCE COMPANY**, a New York corporation, **PACIFIC INDEMNITY COMPANY**, a Wisconsin corporation, **WESTCHESTER FIRE INSURANCE COMPANY** and **ACE AMERICAN INSURANCE COMPANY** corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint **Michelle Anne McMahon**

Surety Bond No. K41909110-906228006

Obligee: Colorado River Commission of Nevada

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY** and **ACE AMERICAN INSURANCE COMPANY** have each executed and attested these presents and affixed their corporate seals on this 1st day of **April, 2024**.

Rupert HD Swindells, Assistant Secretary

Warren Eichhorn, Vice President

STATE OF NEW JERSEY
County of Hunterdon ss.

On this 1st day of **April, 2024** before me, a Notary Public of New Jersey, personally came Rupert HD Swindells and Warren Eichhorn, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Rupert HD Swindells and Warren Eichhorn, being by me duly sworn, severally and each for himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal

Albert Contursi
NOTARY PUBLIC OF NEW JERSEY
No 50202369
Commission Expires August 22, 2027

Notary Public

CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

(1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.

(2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.

(3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

(4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

(5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Rupert HD Swindells, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

(i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect.
(ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this August 23, 2024

Rupert HD Swindells, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:
Telephone (908) 903-3483 Fax (908) 903-3656 e-mail: surety@chubb.com

Combined FED-VIG-PI-WFIC-AAIC (rev. 11-19)

Liberty Mutual SURETY

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint Michelle Anne McMahon all of the city of Denver, state of CO its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge the following surety bond:

Principal Name: **Summit Line Construction, Inc.**

Obligee Name: **Colorado River Commission of Nevada**

Surety Bond Number: **K41909110-906228006**

Bond Amount: See Bond Form

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 23rd day of August, 2024.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: _____
Nathan J. Zangerle, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 23rd day of August, 2024, before me personally appeared Nathan J. Zangerle, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.

Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: _____
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS: Section 12. Power of Attorney
Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts: Section 5. Surety Bonds and Undertakings
Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Nathan J. Zangerle, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, of Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company do hereby certify that this power of attorney executed by said Companies is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 23rd day of August, 2024.

By: _____
Renee C. Llewellyn, Assistant Secretary

LIBERTY MUTUAL INSURANCE COMPANY INCORPORATED 1912 MASSACHUSETTS

LMIC OHIC WAIC Plymouth Meeting, PA 2024

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

SECTION 800
PAYMENT BOND

CONTRACTOR (Name and Address):
Summit Line Construction, Inc.
4415 Andrews Street
North Las Vegas, NV 89081

SURETY (Name and Principal Place of Business):
Federal Insurance Company
202B Hall's Mill Road, Whitehouse Station, NJ 08889

Liberty Mutual Insurance Company
175 Berkeley Street, Boston, MA 02116

OWNER (Name and Address):

Colorado River Commission of Nevada
555 E. Washington Avenue
Suite 3100
Las Vegas, Nevada 89101-1065

CONTRACT
Date: July 1, 2024
Amount: $ 10,156,461.42 *
Description: Contract No. CRCBF-14
Boulder Flats Interconnection Project
Transmission Line &
Switchyard Construction
Location: Clark County, Nevada

BOND
Date (Not earlier than Contract Date): July 2, 2024

Modifications to this Bond Form: None

CONTRACTOR AS PRINCIPAL (Seal below)
Company: Summit Line Construction, Inc.
Signature:
Name and Title: Dylan Welsh
President
Attest:
Name and Title: Josh Kvamme
Estimating Manager

SURETY (Seal below)
Company: Federal Insurance Company &
Liberty Mutual Insurance Company
Signature:
Name and Title: Sarah Murtha, Attorney-in-Fact
Attest:
Name and Title: Rhonda Tischofer, Witness

Summit Line Construction, Inc. CORPORATE SEAL 1/1/2010

* Ten Million One Hundred Fifty Six Thousand Four Hundred Sixty One and 42/100 Dollars

1. The Contractor and the Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Owner solely **for the protection from claimants supplying labor or materials** to the Contractor or to any of its subcontractors, for use in the performance of the Construction Contract, which is incorporated herein by reference.

2. With respect to the Owner, this obligation shall be null and void if the Contractor:

   2.1 Promptly makes payment, directly or indirectly, for all sums due Claimants, and

   2.2 Defends, indemnifies and holds harmless the Owner from all claims, demands, liens or suits by any person or entity who furnished labor, materials, or equipment for use in the performance of the Construction Contract, provided the Owner has promptly notified the Contractor and the Surety (at the address described in Paragraph 12) of any claims, demands, liens or suits and tendered defense of such claims, demands, liens or suits to the Contractor and the Surety, and provided there is no Owner Default.

3. With respect to Claimants, this obligation shall be null and void if the Contractor promptly makes payment, directly or indirectly, for all sums due.

4. The Surety shall have no obligation to Claimants under this Bond until:

   4.1 Claimants who are employed by or have a direct contract with the Contractor have given notice to the Surety (at the address described in Paragraph 12) and sent a copy, or notice thereof, to the Owner, stating that a claim is being made under this Bond and, with substantial accuracy, the amount of the claim.

   4.2 Claimants who do not have direct contract with the Contractor:

      4.2.1 Have furnished written notice to the Contractor and sent a copy, or notice thereof, to the Owner, within ninety (90) days after having last performed labor or last furnished materials or equipment included in the claim stating, with substantial accuracy, the amount of the claim and the name of the party to whom the materials were furnished or supplied or for whom the labor was done or performed; and

      4.2.2 Have either received a rejection in whole or in part from the Contractor, or not received within thirty (30) days of furnishing the above notice any communication from the Contractor by which the Contractor has indicated the claim will be paid directly or indirectly; and

      4.2.3 Not having been paid within the above thirty (30) days, have sent a written notice to the Surety (at the address described in Paragraph 12) and sent a copy, or notice thereof, to the Owner, stating that a claim is being made under this Bond and enclosing a copy of the previous written notice furnished to the Contractor.

5. If a notice required by Paragraph 4 is given by the Owner to the Contractor or to the Surety, that is sufficient compliance.

6. When the Claimant has satisfied the conditions of Paragraph 4, the Surety shall promptly and at the Surety's expense take the following actions:

   6.1 Send an answer to the Claimant, with a copy to the Owner, within forty-five (45) days after receipt of the claim, stating the amounts that are undisputed and the basis for challenging any amounts that are disputed.

   6.2 Pay or arrange for payment of any undisputed amounts. The Surety's total obligation shall not exceed the amount of this Bond, and the amount of this Bond shall be credited for any payments made in good faith by the Surety.

7. The Surety's total obligation shall not exceed the amount of this Bond, and the amount of this Bond shall be credited for any payments made in good faith by the Surety.

8. Amounts owed by the Owner to the Contractor under the Construction Contract shall be used for the performance of the Construction Contract and to satisfy claims, if any, under any Performance Bond. By the Contractor furnishing and the Owner accepting this Bond, they agree that all funds earned by the Contractor in the performance of the Construction Contract are dedicated to satisfy obligations of the Contractor and the Surety under this Bond, subject to the Owner's priority to use the funds for the completion of the work.

9. The Surety shall not be liable to the Owner, Claimants or others for obligations of the Contractor that are unrelated to the Construction Contract. The Owner shall not be liable for payment of any costs or expenses of any Claimant under this Bond, and shall have under this Bond no obligations to make payments to, give notices on behalf of, or otherwise have obligations to Claimants under this Bond.

10. The Surety hereby waives notice of any change, including changes in time, to the Construction Contract or to related subcontracts, purchase orders and other obligations.

11. No suit or action shall be commenced by Claimant under this Bond other than in a court of competent jurisdiction in the location in which the work or part of the work is located or after the expiration of one year from the date (1) on which the Claimant gave notice required by Subparagraph 5.1 or Clause 4.2 (iii), or (2) on which the last labor or service was performed by anyone or the last materials or equipment were furnished by anyone under the Construction Contract, whichever of (1) or (2) occurs first. If the provisions of this Paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.

12. Notice to the Surety, the Owner or the Contractor shall be mailed or delivered to the address shown on the signature page. Actual receipt of notice by Surety, the Owner or the Contractor, however accomplished, shall be sufficient compliance as of the date received at the address shown on the signature page.

13. When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the work is performed, any provision of this Bond conflicting with such statutory or legal requirement shall be deemed deleted here from and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. The intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

14. Upon request by any person or entity appearing to be a potential beneficiary of this Bond, the Contractor shall promptly furnish a copy of this Bond or shall permit a copy to be made.

15. Definitions.

15.1 Claimant: An individual or entity having a direct contract with the Contractor or with a subcontractor of the Contractor to furnish labor, materials or equipment for use in the performance of the Contract. The intent of this Bond shall be to include, without limitation in the terms "labor, materials or equipment" that part of water, gas, power, light, heat, oil, gasoline, telephone service or rental equipment used in the Construction Contract, architectural and engineering services required for performance of the work of the Contractor and the Contractor's subcontractors, and all other items for which a mechanic's lien may be asserted in the jurisdiction where the labor, materials or equipment were furnished.

15.2 Contract or Construction Contract: The Contract between the Owner and the Contractor identified on the signature page including all the Contract documents and changes thereto.

15.3 Owner Default: Failure of the Owner, which has neither been remedied nor waived, to pay the Contractor or to perform in complete or comply with the other terms thereof.

CHUBB

Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company
Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that **FEDERAL INSURANCE COMPANY**, an Indiana corporation, **VIGILANT INSURANCE COMPANY**, a New York corporation, **PACIFIC INDEMNITY COMPANY**, a Wisconsin corporation, **WESTCHESTER FIRE INSURANCE COMPANY** and **ACE AMERICAN INSURANCE COMPANY** corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Jonathan Gleason, Jennifer Godere, Richard Hackner, Rebecca M. Josephson, Michelle Anne McMahon, Nicholas Miller, Doritza Mojica, Sarah Murtha, Kathryn Pryor, Robyn Salley, Joshua Sanford, Gentry Stewart and Connor Wolpert of Hartford, Connecticut ----------

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY** and **ACE AMERICAN INSURANCE COMPANY** have each executed and attested these presents and affixed their corporate seals on this **17th** day of **August 2023.**

Dawn M. Chloros, Assistant Secretary

Stephen M. Haney, Vice President

STATE OF NEW JERSEY
County of Hunterdon ss.

On this **17th** day of **August, 2023** before me, a Notary Public of New Jersey, personally came Dawn M. Chloros and Stephen M. Haney, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros and Stephen M. Haney, being by me duly sworn, severally and each for herself and himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal

Albert Contursi
NOTARY PUBLIC OF NEW JERSEY
No 50202369
Commission Expires August 22,2027

Notary Public

CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

(1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.

(2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.

(3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

(4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

(5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

(i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
(ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this July 2nd, 2024

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:
Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail: surety@chubb.com

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8210646 - 985949

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Connor Wolpert, Doritza Mojica, Gentry Stewart, Jennifer Godere, Jonathan Gleason, Joshua Sanford, Kathryn Pryor, Kyle Williams, Michelle Anne McMahon, Nicholas Miller, Richard Hackner, Robyn Salley, Sarah Murtha

all of the city of Hartford state of CT each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 22nd day of August, 2023.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: _____
David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 22nd day of August, 2023 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.

Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: _____
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS: Section 12. Power of Attorney.
Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts: Section 5. Surety Bonds and Undertakings.
Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 2nd day of July, 2024.

By: _____
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

SECTION 850
GUARANTY BOND

GUARANTEE of:

_____
(Name and Address of Prime Contractor)

We hereby guarantee that all work performed under the Contract Documents entitled, Contract CRCBF-14, Transmission Line & Switchyard Construction, which we have constructed, has been done in accordance with the Contract Documents. We agree to repair or replace any or all of our Work, together with any other adjacent work which may be damaged in so doing, that may prove to be defective in workmanship or material within a period of one year after the Substantial Completion of the Work without any expense whatsoever to the Colorado River Commission of Nevada, ordinary wear and unusual abuse or neglect excepted.

In the event of our failure to comply with the above-mentioned conditions within ten (10) calendar days after being notified in writing by the Colorado River Commission of Nevada, we collectively or separately, do hereby authorize the Colorado River Commission of Nevada to proceed to have said defects repaired and made good at our expense and we will honor and pay the costs and charges therefore upon demand. When correction Work is started, it shall be carried through to completion.

Date: _____
Date of Substantial Completion

Amount: _____
(5% Final Contract Price)

_____
(Contractor)

By: _____
(Signature)

(continued next page)

Countersigned Resident Agent in Nevada:

_____	_____
(Agent)	(Surety)
By: _____	By: _____
(Signature)	(Signature)
Address: _____	Address: _____
_____	_____
Phone No. _____	Phone No. _____

(SEAL AND NOTARIZE ACKNOWLEDGMENT OF SURETY)

SECTION 900
CERTIFICATES OF INSURANCE

Colorado River Commission of Nevada
Boulder Flats Solar Interconnection Project
Contract No. CRCBF-14

(Insert Certificates after this page)

CERTIFICATE OF LIABILITY INSURANCE

5/1/2025 | DATE (MM/DD/YYYY) 04/23/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	LOCKTON COMPANIES 3657 BRIARPARK DRIVE, SUITE 700 HOUSTON TX 77042 866-260-3538
CONTACT NAME:	
PHONE (A/C, No, Ext):	FAX (A/C, No):
E-MAIL ADDRESS:	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Old Republic Insurance Company	24147
INSURER B : — SEE ATTACHMENT —	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED 1481876 SUMMIT LINE CONSTRUCTION, INC.
A QUANTA SERVICES COMPANY
441 Power Line Rd.
Heber City UT 84032

COVERAGES **CERTIFICATE NUMBER:** 17547357 **REVISION NUMBER:** XXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY [ ] PRO-JECT [ ] LOC OTHER:	Y	N	MWZY 313093 24	05/01/2024	05/01/2025	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG $	$ 1,000,000 $ 1,000,000 $ Excluded $ 1,000,000 $ 2,000,000 $ 1,000,000 $
A	AUTOMOBILE LIABILITY X ANY AUTO X OWNED AUTOS ONLY X HIRED AUTOS ONLY [ ] SCHEDULED AUTOS X NON-OWNED AUTOS ONLY	Y	N	MWTB 313092 24.	05/01/2024	05/01/2025	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) $	$ 1,000,000 $ XXXXXXX $ XXXXXXX $ XXXXXXX $ XXXXXXX
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $			NOT APPLICABLE			EACH OCCURRENCE AGGREGATE $	$ XXXXXXX $ XXXXXXX $
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	Y	MWC 313094 24	05/01/2024	05/01/2025	X PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000
B	Property	N	Y	See Attached	05/01/2024	05/01/2025	See Attached	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: 15114112050 CRC: Maintenance Support

CERTIFICATE HOLDER

17547357
State of Nevada, Colorado River Commission of Nevada
555 E. Washington Avenue, Suite 3100
Las Vegas, NV 89101

T11 P1

CANCELLATION See Attachment

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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The ACORD name and logo are registered marks of ACORD

CONTINUATION DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS (Use only if more space is required)

Additional Insured in favor of The State of Nevada(on all policies except Workers' Compensation/EL) where and to the extent required by written contract. Waiver of Subrogation in favor of The State of Nevada on the Workers' Compensation/EL and Property policy where and to the extent required by written contract and only where permissible by law.The Insurance afforded to the Additional as described in this Certificate of Insurance for work performed by the Named Insured is Insured primary and non-contributory to any similar coverage maintained by the Additional Insured where and to the extent required by contract. 30 Day Notice of Cancellation is included on all policies. The General Liability policy is silent as respects XCU coverage. Contractual Liability is included on the General Liability policy subject to policy terms, conditions and exclusions.

Builder's Risk / Contractor's Equipment / Real & Personal Property

Policy Term: May 1, 2024 to May 1, 2025

Insurers:

Security	Policy Number(s)	Line	A.M. Best Rating
Starr Surplus Lines Insurance Company	SLSTPTY12041824/ ITH11994124/ SLOCON113947001	30%	A
General Security Indemnity Company of Arizona	FA0071813-2024-1	10%	A+
Great Lakes Insurance SE, MR F&C London	ENCST2400116	15%	A+
Swiss Re International Se, UK	ENCST2400116	10%	A
Underwriting Syndicate at Lloyd's – AXS 1686 (AXIS)	ENCST2400116	10%	A
Zurich Commercial Insurance UK	ENCST2400116	8%	A+
Aviva Insurance Company	ENCST2400116	17%	A

SECTION I — BUILDER'S RISK

Limit of Liability

USD 150,000,000 any one **OCCURRENCE*** for any **INSURED PROJECT***; plus

As declared To and agreed by Insurers for an individual **INSURED PROJECT*** in respect of Delay in Completion, subject to a maximum of 30% of the amount of the estimated contract value for the relevant **INSURED PROJECT*** in the aggregate

Annual Aggregate Limits of Liability

EARTHQUAKE*

USD 25,000,000 Within the entire state of California

USD 50,000,000 Within all other **EARTHQUAKE ZONE 1***

FLOOD*

USD 25,000,000 Within **FLOOD ZONE 1***

USD 50,000,000 Within U.S. Territories & Possessions, and the Commonwealth of Puerto Rico

NAMED WINDSTORM*

USD 50,000,000 Within **WIND ZONE 1***

SECTION II — CONTRACTOR'S EQUIPMENT & PROPERTY FOR RIGGING

Limits of Liability

USD 50,000,000 any one **OCCURRENCE*** in respect of **CONTRACTOR'S EQUIPMENT***

USD 5,000,000 any one **OCCURRENCE*** in respect of **PROPERTY FOR RIGGING***

Annual Aggregate Limits of Liability

EARTHQUAKE*

USD 10,000,000 Within the entire state of California

USD 25,000,000 Within all other **EARTHQUAKE ZONE 1***

FLOOD*

USD 25,000,000 Within **FLOOD ZONE 1***

USD 50,000,000 Within U.S. Territories & Possessions, and the Commonwealth of Puerto Rico

NAMED WINDSTORM*

USD 25,000,000 Within **WIND ZONE 1***

SECTION III — Real & Personal Property

Limit of Liability

USD 50,000,000 any one **OCCURRENCE***

Annual Aggregate Limits of Liability

EARTHQUAKE*

USD 10,000,000 Within the entire state of California

USD 25,000,000 Within all other **EARTHQUAKE ZONE 1***

FLOOD*

USD 25,000,000 Within **FLOOD ZONE 1***

USD 50,000,000 Within U.S. Territories & Possessions, and the Commonwealth of Puerto Rico

NAMED WINDSTORM*

USD 25,000,000 Within **WIND ZONE 1***

SECTION 1000
GENERAL CONDITIONS

1. Definitions

1.1 "Acceptance" or "Final Acceptance" - The formal action by the Owner accepting the Work, or any portion thereof, as complete and satisfactory, subject to Contractor's warranties.

1.2 "Acceptance Testing" - Any testing required by the Owner prior to, and as a prerequisite of, Owner's Acceptance.

1.3 "Addenda" - Written or graphic instruments issued by the Owner prior to the opening of Bids that clarify, correct or change the Contract Documents.

1.4 "Application for Payment" - The form acceptable to Owner's Representative which is to be used by Contractor during the course of the Work in requesting progress or final payments and which is to be accompanied by such supporting documentation as is required by the Contract Documents.

1.5 "Asbestos" - Any material that contains more than one percent asbestos and is friable or is releasing asbestos fibers into the air above current action levels established by the United States Occupational Safety and Health Administration.

1.6 "As indicated" - Refers to references in the Drawings.

1.7 "As specified" - Refers to references in the Contract Documents.

1.8 "Bid" - The formal offer or proposal of the Bidder submitted on the prescribed Bid Form and Bid Schedule together with the required Bid security and all information submitted with the Bid that pertains to performance of the Work.

1.9 "Bid Security" - A certified or cashier's check or Bid Bond accompanying the Bid in the amount of 5% of the Total Bid Price payable to the Owner as a guarantee that the Bidder, if its Bid is accepted, will promptly execute the Contract, and provide the necessary bonds, insurance certificates, and other required documentation.

1.10 "Bidder" - The person, firm, or corporation submitting a Bid for the Work to be performed.

1.11 "Bonds" - Performance and Payment Bonds and other instruments of security.

1.12 "Change Order" - A document signed by Owner and Contractor authorizing an addition, deletion or revision in the Work and, if warranted, an adjustment in the Contract Price or the Contract Times issued on or after the Effective Date of the Contract.

1.13 "Construction Site, Project Site, Site" - The Boulder Flats Switchyard and the land upon which it is located which shall be utilized by the Contractor in the performance of the construction, storage and access.

1.14 "Contract Documents" - All of the documents contained in Volumes I, II, III and IV, V, VI and any addenda thereto, of the Colorado River Commission of Nevada, Boulder Flats Solar Interconnection Project, Contract No. CRCBF-14. The term includes the Contractor's Bonds, any Notice of Award or Notice to Proceed issued by the Owner, Contractor's Bid and any documentation submitted by the Contractor and accepted by the Owner prior to the execution of this Contract, and all Change Orders amending, modifying, or supplementing this Contract which may be delivered or issued after the effective date of this Contract and are not attached hereto. Submittals are not Contract Documents. Shop Drawings and the reports and drawings referred to in Volume II, Section 1000, subsection 4.2.1 are not Contract Documents.

1.15 "Contract Price" - The monies payable by Owner to Contractor for completion of the Work in accordance with the Contract Documents and subject to all adjustments made in accordance with the Contract Documents, including but not limited to any amendments hereto, and subject to the provisions of Volume II, Section 1000, subsection 10.9 in the case of Unit Price Work, and subject to the assessment of liquidated damages.

1.16 "Contract Times" - The number of days or the dates stated in the General Requirements, and subject to all adjustments made in accordance with the Contract Documents, to: (I) achieve Substantial Completion; (ii) to achieve final completion, and (iii) achieve any interim milestones.

1.17 "Contractor" - The person, firm or corporation with whom Owner has entered into the Contract.

1.18 "Day" - A calendar day of twenty-four hours measured from midnight to the next midnight.

1.19 "Defective" - An adjective which when modifying the word Work refers to Work that is faulty or deficient, in that it does not conform to the Contract Documents, or does not meet the requirement of any required inspection, reference standard, test or approval referred to in the Contract Documents, or has been damaged prior to Owner's Representative recommendation of final payment (unless responsibility for the protection thereof has been assumed by Owner at

Substantial Completion or such damage arises from the fault or negligence of Owner or its other contractors).

1.20 “Drawings” - The drawings which show the scope, extent and character of the Work to be furnished and performed by Contractor and which have been prepared by the Owner and are provided in Volume IV of the Contract Documents. Shop Drawings are not Drawings as so defined.

1.21 “Effective Date of the Contract” - The date the Contract is executed by the Owner.

1.22 “Equipment” - Products with operational or non-operational parts, regardless of whether motorized or manually operated, and particularly including products with service connections (wiring, piping, and other like items), excluding machinery and equipment used for preparation, fabrication, conveying and erection of the Work.

1.23 “Executive Director” - The executive director of the Colorado River Commission of Nevada.

1.24 “Field Order” - A written order issued by Owner which orders minor changes in the Work in accordance with Volume II, Section 1000, subsection 9.1 but which does not involve a change in the Contract Price or the Contract Times.

1.25 “Furnish, Install or Provide” - To pay for, deliver to site, unload and uncrate, assemble, place in position, install, adjust, clean and otherwise make Materials and Equipment fit for their intended use.

1.26 “Hazardous Waste” - The term "hazardous waste" shall have the meaning provided in Section 1004 of the Solid Waste Disposal Act (42 USC Section 6903), as amended from time to time.

1.27 “Indemnitees and Insureds” - The Colorado River Commission of Nevada, the Southern Nevada Water Authority, their affiliated governmental agencies, their respective members, directors, officers and employees, the water users of the Southern Nevada Water Authority: Las Vegas Valley Water District, Boulder City, City of North Las Vegas, City of Henderson, and each of their directors, officers, employees, and subcontractors.

1.28 “Labor Commissioner” - The person appointed and functioning pursuant to NRS Chapter 607 who is charged with enforcing the labor laws of the State of Nevada.

1.29 “Laws and Regulations; Laws or Regulations” - Any and all applicable laws, rules, regulations, ordinances, codes and orders of any and all governmental bodies, agencies, authorities and courts having jurisdiction over the Contract.

1.30 “Liens” - Liens, charges, security interests or encumbrances on Project funds, real property or personal property.

1.31 “Materials” - Products which must be substantially cut, shaped, worked, mixed, finished, refined, or otherwise fabricated, processed, installed, or applied to form a part of the Work, excluding machinery and equipment used for preparation, fabrication, conveying and erection of the Work.

1.32 “Milestone” - A principal event specified in the Contract Documents relating to an intermediate completion date or time prior to Substantial Completion of all the Work.

1.33 “Notice of Award” -The written notice by the Owner to the apparent successful Bidder stating that upon compliance by the apparent successful Bidder with the conditions.

1.34 “Notice to Proceed” - The written notice given by Owner to Contractor fixing the date on which the Contract Times will commence to run and on which Contractor shall start to perform Contractor’s obligations under the Contract Documents which is mutually executed by Owner and Contractor.

1.35 “Owner” – For purposes of the Contract Documents means the Colorado River Commission of Nevada. In this regard the Colorado River Commission is serving as an agent of the Southern Nevada Water Authority whom shall retain ownership of the facilities and equipment comprising the Boulder Flats Switchyard.

1.36 “Partial Utilization” - Use by Owner of a substantially completed part of the Work for the purpose for which it is intended (or a related purpose) prior to Substantial Completion of all the Work.

1.37 “PCBs” - Polychlorinated biphenyls.

1.38 “Petroleum” - Petroleum, including crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute), such as oil, petroleum, fuel oil, oil sludge, oil refuse, gasoline, kerosene, and oil mixed with other non-hazardous wastes and crude oils.

1.39 “Procurement Contractor” - The corporation, company, partnership, firm or individual who has entered into an agreement with the Owner to furnish equipment for this Project.

1.40 “Products” - Purchased items for incorporation into the Work, regardless of whether specifically purchased for the project or taken from Contractor’s stock of previously purchased products, excluding machinery and equipment used for preparation, fabrication, conveying and erection of the Work.

1.41 “Project”- The Owner’s Boulder Flats Switchyard Upgrade Project.

1.42 “Radioactive Material” - Source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954 (42 USC Section 2011 et seq.) as amended from time to time.

1.43 “Reference Drawings” - Drawings not specifically prepared for this Contract, but which contain information pertinent to the Work.

1.44 “Samples” - Physical examples of materials, equipment, or workmanship that are representative of some portion of the Work and which establish the standards by which such portion of the Work will be judged.

1.45 “Shop Drawings”- All diagrams, detail design calculations, fabrication, installation, and erection drawings, lists, graphs, catalog sheets, data sheets, and similar items, illustrations, schedules and other data or information which are specifically prepared or assembled by or for Contractor and submitted by Contractor to illustrate some portion of the Work.

1.46 “Specifications” - Those portions of the Contract Documents consisting of written technical descriptions of the Work, and materials, equipment, construction systems, standards, workmanship, and certain administrative details applicable thereto.

1.47 “Subcontractor” - An individual, firm or corporation having a direct contract with the Contractor or with another Subcontractor for the performance of a part of the Work at the Site.

1.48 “Submittals” - All Shop Drawings, product data, Samples, reports, and records which are prepared by the Contractor, a Subcontractor, manufacturer, or Supplier, and submitted by the Contractor to the Owner as a basis for approval of the use of Equipment and Materials proposed for incorporation in the Work or needed to describe proper installation, operation and maintenance, or technical properties.

1.49 “Substantial Completion” - The status of the Work (or a specified part thereof) when it has progressed to the point where, in the opinion of the Owner’s Representative as evidenced by his definitive certificate of Substantial Completion, it is sufficiently complete, in accordance with the Contract Documents, so that the Work (or specified part) can be used for the purposes for which it is intended; or if no such certificate is issued, when the Work is complete and ready for final payment as evidenced by the Owner’s Representative written recommendation for final payment. The terms "substantially complete" and "substantially completed" as applied to all or part of the Work refer to Substantial Completion thereof. To be considered substantially complete, all electrical power, controls, and instrumentation facilities must be operational and ready for the Owner’s continuous use as intended.

1.50 "Substitutions" - Changes in products, Materials, Equipment, and methods of construction required by the Contract Documents proposed by the Contractor after award of the Contract are considered to be requests for substitutions. The following are not considered to be requests for substitutions (i) substitutions requested during the bidding period, and accepted by Addendum prior to award of the Contract, are included in the Contract Documents and are not subject to requirements specified in Volume III, section 1600 for substitutions, (ii) revisions to the Contract Documents requested by Owner, and (iii) specified options of Products and construction methods included in the Contract Documents.

1.51 "Successful Bidder" - The best bid as evaluated by the Owner pursuant to the Owner's Procedure for Award of Construction Contracts for the Power Delivery Project as provided in Volume I, Section 300 of the Contract Documents and to whom the Owner makes an award on the basis thereof.

1.52 "Superintendent" - The Contractor's representative at the Site with authority to act on behalf of the Contractor.

1.53 "Supplier" - A manufacturer, fabricator, supplier, distributor, materialman or vendor having a direct contract with the Contractor or with a Subcontractor to furnish materials or equipment to be incorporated in the Work by the Contractor or a Subcontractor.

1.54 "Underground Facilities" - All pipelines, conduits, ducts, cables, wires, manholes, vaults, tanks, tunnels or other such facilities or attachments, and encasements containing such facilities, which have been installed underground to furnish any of the following services or materials: electricity, gases, steam, liquids, petroleum products, telephone or other communications, cable television, sewage, drainage removal, control systems, or water.

1.55 "Unit Price Work" - Work to be paid for on the basis of unit prices.

1.56 "Work" - The entire completed construction or the various separately identifiable parts thereof required to be furnished under the Contract Documents. Work includes and is the result of performing or furnishing labor and furnishing and incorporating materials and equipment into the construction, and performing or furnishing services and furnishing documents, all as required by the Contract Documents.

1.57 "Work Day" - Any day the Contractor is performing Work under the Contract.

1.58 "Written Amendment" - A written amendment of the Contract Documents, signed by the Owner and the Contractor on or after the Effective Date of the Contract.

2. Preliminary Matters, Contract Times.

2.1 **Copies of Documents.** The Owner shall furnish to the Contractor copies of the Contract Documents as stated in Volume II, Section 700.

2.2 **Commencement of Contract Times, Notice to Proceed.** After receipt of all executable agreements, bonds, and certificates of insurance required hereunder, the Owner will issue a Notice to Proceed. The Contract Times will commence to run on the day indicated in the Notice to Proceed. A Notice to Proceed may be given at any time within thirty (30) days after the Effective Date of the Contract.

2.3 **Commencement of Work.** The Contractor shall begin to perform the Work on the day indicated in the Notice to Proceed, but no Work shall be done at the Site prior to the date on which the Contract Times commence to run.

2.4 **Completion of Work.** The Contractor shall complete all required Work within the times specified in Volume II, Section 1000, subsection 13.9.

2.5 **Contractor's Preconstruction Responsibilities.** Before undertaking each part of the Work, the Contractor shall carefully study and compare the Contract Documents and check and verify pertinent figures shown thereon and all applicable field measurements. The Contractor shall promptly report in writing to the Owner any conflict, error, ambiguity or discrepancy which the Contractor may discover and shall obtain a written interpretation or clarification from the Owner before proceeding with any Work affected thereby.

2.6 **Certificates of Insurance.** Before any Work at the Site is started, the Contractor shall deliver to the Owner, with copies to each additional insured identified in Volume II, Section 1000, subsection 5, certificates of insurance (and other evidence of insurance which the Owner may reasonably request) which the Contractor is required to purchase and maintain in accordance with the Contract Documents.

2.7 **Preconstruction Conference.** Within ten (10) days after the Effective Date of the Contract, but prior to the commencement of Work at the Site, a preconstruction conference shall be held. The purpose of the preconstruction conference shall be to designate responsible personnel, discuss contract requirements and procedures, and establish a working relationship. Matters requiring coordination shall be discussed and procedures for handling such matters established. The conference attendees, location and agenda are set forth in Volume III, Section 1200. The Contractor shall bring to the conference:

2.7.1 An estimated construction progress schedule indicating the starting and completion dates of the various stages of the Work.

2.7.2 A preliminary procurement schedule.

2.7.3 A preliminary schedule of Submittal submissions.

2.7.4 A list of all permits and licenses the Contractor shall obtain indicating the agency granting the permit, the expected date of submittal for the permit, and the date by which the permit must be received.

3. Contract Documents.

3.1 **Integration.** The Contract Documents comprise the entire agreement between the Owner and the Contractor concerning the Work. The Contract Documents shall be construed in accordance with the laws of the State of Nevada.

3.1.1 It is the intent of the Contract Documents to describe a functionally complete Project (or part thereof) to be constructed in accordance with the Contract Documents. All Work, materials or equipment that may reasonably be inferred from the Contract Documents or from prevailing custom or trade usage, as being required to produce the intended result, will be furnished and performed by the Contractor at the Contractor's sole expense whether or not specifically called for.

3.1.2 When words or phrases which have a well-known technical, construction industry, or trade meaning are used to describe Work, materials or equipment, such words or phrases shall be interpreted in accordance with that meaning.

3.1.3 Reference to standard specifications, manuals, or codes of any technical society, organization, or association, or to the Laws or Regulations of any governmental authority, whether such reference be specific or by implication, shall mean the generally accepted standard specification or manual, or the applicable code or Laws or Regulations in effect at the time of opening of Bids except as may be otherwise specifically stated. However, no provision of any referenced standard specification, manual, or code (whether or not specifically incorporated by reference in the Contract Documents) shall be effective to change the duties and responsibilities of the Owner, or the Contractor, or any of their consultants, agents, or employees from those set forth in the Contract Documents.

3.1.4 In case of any conflict between manufacturers' data and the Contract Documents, the Contract Documents will take precedence unless the manufacturer's data conforms to data submitted with the Bid with a statement that the Bid is conditioned upon furnishing the Equipment and Materials defined in the manufacturers' data submitted therewith.

3.1.5 Applicable codes and standards referenced in these Contract Documents establish minimum requirements for Equipment, Materials, and Work and are superseded by more stringent requirements of Contract Documents when and where they occur.

3.1.6 The Specifications are separated into Sections for convenience in defining the Work. Drawings are separated according to engineering disciplines and other classifications. This sectionalizing and the arrangement of the Specifications and Drawings shall not control the Contractor in dividing the Work among Subcontractors or Suppliers or delineating the Work to be performed by any specific trade.

3.1.7 If, during the performance of the Work, the Contractor finds a conflict, error, or discrepancy in the Contract Documents, the Contractor shall so report to the Owner's Representative in writing at once and before proceeding with the Work affected thereby shall obtain a written interpretation or clarification; however, the Contractor shall not be liable to the Owner for failure to report any conflict, error, or discrepancy in the Contract Documents unless the Contractor had actual knowledge thereof or should reasonably have known thereof.

3.2 **Amending Contract Documents.** The Contract Documents may be amended to provide for additions, deletions and revisions in the Work or to modify the terms and conditions thereof only by formal Written Amendment or Change Order.

3.3 **Supplementing Contract Documents.** The requirements of the Contract Documents may be supplemented, and minor variations and deviations in the Work may be authorized, only by Field Order or the Owner's written interpretation or clarification.

3.4 **Ownership of Contract Documents, Drawings and Specifications.** The Contractor and any Subcontractor or Supplier or other person or organization performing or furnishing any of the Work (i) shall not have or acquire any title to or ownership rights in any of the Drawings, Specifications or other documents (or copies of any thereof) prepared by the Owner, and (ii) shall not reuse any of such Drawings, Specifications, other documents or copies on extensions of the Project or any other project without written consent of the Owner.

4. Availability Of Lands, Subsurface And Physical Conditions, Reference Points.

4.1 **Availability of Lands.** The lands and rights-of-way that are available for the Contractor's use to prosecute the Work is the area within the Boulder Flats Switchyard fence as identified in the Drawings. Areas outside of the perimeter of the Boulder Flats Switchyard as shown on the Drawings may only be used by the

Contractor if first approved by the Owner's Representative. The Contractor shall make his own arrangements and pay all expenses for additional Work area required by him outside the limits of land and right-of-way provided by the Owner. The Contractor shall confine his operations to the construction limits identified. Any Work performed in public rights-of-way, in addition to conforming to the Contract Documents, shall be done in accordance with the requirements of the permit issued by the public agency in whose right-of-way the Work is located.

4.2 **Subsurface and Physical Conditions.**

4.2.1 **Reports and Drawings.** Those reports of explorations and tests of subsurface conditions at or contiguous to the Site and those drawings of physical conditions in or relating to existing surface or subsurface conditions at or contiguous to the Site have been utilized by the Owner solely for design purposes in preparing the Contract Documents and may not be relied upon by the Contractor in its performance of the Contract. The information contained in those documents may not be indicative of actual subsurface conditions that may be encountered and the Owner does not warrant and hereby disclaims responsibility for the accuracy of that information. The Contractor must conduct, and has conducted, its own pre-bid visual inspection in order to thoroughly familiarize itself with conditions at the Site. The determination of the actual character of subsurface material is the Contractor's sole responsibility. Anything to the contrary notwithstanding, should concealed or unknown physical conditions be encountered in the performance of the Work, below the surface of the ground or in an existing structure, of an unusual nature, differing materially from those ordinarily encountered and generally recognized as inherent in Work of the character provided for in this Agreement, the Contract Price and time for performance shall be equitably adjusted by Change Order. Additionally, Contractor shall have no liability for an Underground Facility or utilities not shown or indicated on the Drawings and/or for which Contractor has complied with applicable state and local utility damage prevention laws and regulations.

4.2.2 **Limited Reliance by Contractor on Technical Data.** The reports, tests and drawings referred to in Volume II, Section 1000, subsection 4.2.1, if any, were generated to aid the Owner in assessing the suitability of facility locations, to compare the relative advantages of alternative design approaches, to develop structural requirements, and for other related design purposes. Such documents contain two types of information: Type A) factual technical data derived from direct observation, examination or testing of physical samples or specimens with descriptions or measurements of such samples and specimens derived from direct examination or testing by persons acting on behalf of the Owner; and Type B) interpretations, interpolations, extrapolations, conclusions, or opinions made or derived

from available evidence, including Type A data. The Owner accepts responsibility only for the accuracy of Type A data but hereby warns the Contractor that such data does not purport to represent and may not be indicative of all subsurface conditions that may be encountered by the Contractor. The Owner does not warrant and hereby disclaims all responsibility for Type B data and all other information other than the accuracy of Type A data, and all such information is to be used by the Contractor at the Contractor's sole risk. The obligation is upon the Contractor, before making its Bid, to make its own visual investigation as to all subsurface conditions and make its own interpretation of the character and condition of the materials which will be encountered. To this end the Contractor may excavate test holes as it deems necessary. Except as otherwise provided herein, ~~T~~the Contractor may not rely upon or make any claim against Owner, or any of their consultants with respect to:

4.2.2.1 the completeness of geotechnical information;

4.2.2.2 the completeness of such reports and drawings for the Contractor's purposes, including, but not limited to, any aspects of the means, methods, techniques, sequences and procedures of construction to be employed by the Contractor and safety precautions and programs incident thereto;

4.2.2.3 any interpretations, interpolations, extrapolations, conclusions, or opinions made or derived from any evidence by any person; and

4.2.2.4 any Type B information.

4.3 **Physical Conditions - Underground Facilities.**

4.3.1 **Shown or Indicated.** The information and data shown or indicated in the Contract Documents with respect to existing underground facilities at or contiguous to the site is based on information and data furnished to the Owner by the owners of the underground facilities or by others.

4.3.1.1 The Owner shall not be responsible for the accuracy or completeness of any Underground Facilities Information;

4.3.1.2 The cost of all of the following will be included in the Contract Price and the Contractor shall have full responsibility for (i) reviewing and checking all Underground Facilities Information, (ii) locating all underground facilities shown or indicated in the Contract Documents, (iii) coordination of the Work with the owners of underground facilities during construction, and (iv) the safety and protection of all underground facilities and repairing any damage thereto resulting from the Work.

4.3.2 **Not Shown or Indicated**. If an underground facility is uncovered or revealed at or contiguous to the Site which was not shown or indicated in the Contract Documents, the Contractor shall, promptly after becoming aware thereof and before further disturbing conditions affected thereby or performing any Work in connection therewith (except in an emergency as required by Volume II, Section 1000, subsection 6.23), identify the owner of the underground facility and give written notice to the Owner. The Owner's Representative shall promptly review the underground facility and determine the extent, if any, to which a change is required in the Contract Documents to reflect and document the consequences of the existence of the underground facility. If the Owner concludes that a change in the Work is required, a Change Order shall be issued. The Contractor shall be responsible for the safety and protection of the underground facility. The Contractor shall be allowed an increase in the Contract Price or an extension of the Contract Times, or both, to the extent that any delay or increase in cost to the Contractor is attributable to the existence of any underground facility that was not shown or indicated in the Contract Documents and that the Contractor did not know of and could not reasonably have been expected to be aware of or to have anticipated. If the Owner and the Contractor are unable to agree on entitlement to or the amount or length of any adjustment in Contract Price or Contract Times, the Contractor may make a claim therefore. However, the Owner shall not be liable to the Contractor for any claims, costs, losses or damages incurred or sustained by the Contractor on or in connection with any other project or anticipated project.

4.3.2.1 Generally, service connections are not indicated on the Drawings. Prior to commencing any Work at the Project Site, the Contractor shall be responsible for locating existing underground installations at or contiguous to the Project Site, in advance of excavating or trenching, by contacting all local utilities or Underground Service Alert (USA), and by prospecting.

4.3.2.2 All information relative to underground facilities shall be recorded and incorporated into the record documents required by Volume II, Section 1000, subsection 6.19.

4.3.2.3 The Contractor shall be responsible for any unauthorized interruption in the operation of underground facilities as a result of the Contractor's negligent operations. Unless the owner of the damaged facility elects to perform the repair and restoration work, the Contractor shall repair and fully restore any damaged underground facility to a condition at least equal to that which existed prior to the time of damage. All repair and restoration

work shall be performed to the satisfaction of the facility's owner and the Owner's Representative.

4.3.2.4 The Contractor shall arrange for any inspection of repaired or reconditioned utility facilities required by authorities having jurisdiction. All inspection fees shall be paid by the Contractor to the extent the damage is caused by Contractor's fault or negligence. If the facility's owner elects to perform the repair and restoration work, the Contractor shall render all assistance required. The Contractor shall be responsible for all just and reasonable expenses incurred by the facility's owner for such work to the extent the damage is caused by Contractor's fault or negligence.

4.4 **Reference Points.** The Contractor shall provide engineering surveys to establish reference points for construction which in the Owner's Representative's judgment are satisfactory to enable the Contractor to proceed with the Work. The Contractor shall be responsible for laying out the Work, shall protect and preserve the established reference points and shall make no changes or relocations without the prior approval of the Owner's Representative. The Contractor shall endeavor to protect all reference points and shall report to the Owner's Representative whenever any reference point is lost or destroyed or requires relocation because of necessary changes in grades or locations, and shall be responsible for all costs associated with the accurate replacement or relocation of such reference points by professionally qualified personnel to the extent caused by Contractor's fault or negligence.

4.5 **Hazardous Material and Waste.** The Contractor shall perform and complete all requirements included in the Contract Documents, regardless if shown or not, for compliance with all Environmental Protection Agency, Department of Transportation, Occupational Safety and Health Administration, Federal Energy Regulatory Commission and any other Federal, State, or local statutes, laws and regulations governing the handling, use, storage, conveyance, spill, release, clean-up or disposal of hazardous materials, petroleum products, solid or hazardous wastes. Where no specific regulations exist, all chemical, hazardous, and petroleum product piping and storage in underground locations shall be installed with double containment piping and tanks, or in separate concrete trenches and vaults, or with an approved lining which cannot be penetrated by the chemicals, unless waived in writing by the Owner.

4.5.1 the Owner shall not be responsible for any asbestos, PCBs, petroleum, hazardous waste or radioactive material brought to the Site by the Contractor, Subcontractor, Suppliers or anyone else for whom the Contractor is responsible.

4.5.2 If the Contractor encounters any asbestos, PCB's, petroleum, hazardous waste or radioactive materials, the Contractor shall immediately: (i) stop all Work in connection with the hazardous condition and in any area affected thereby (except in an emergency as required by Volume II, Section 1000, subsection 6.23), and (ii) notify the Owner (and thereafter confirm such notice in writing). The Contractor shall not be required to resume Work in connection with a hazardous condition or in any area affected by a hazardous condition until after the Owner has obtained any required permits related thereto and delivered to the Contractor special written notice: (i) specifying that such condition and any affected area is or has been rendered safe for the resumption of Work, or (ii) specifying any special conditions under which Work may be resumed safely. If the Owner and the Contractor cannot agree as to entitlement to or the amount or extent of an adjustment, if any, in Contract Price or Contract Times as a result of a Work stoppage or special conditions under which Work is agreed by the Contractor to be resumed, either party may make a claim therefore.

4.5.3 If after receipt of special written notice referred to in Volume II, Section 1000, subsection 4.5.2, the Contractor does not agree to resume Work based on a reasonable belief that it is unsafe to do so, or does not agree to resume Work under such special conditions, then the Owner may order such portion of the Work that is in connection with the hazardous condition or in the affected area to be deleted from the Work. If the Owner and the Contractor cannot agree as to the entitlement to, amount or extent of an adjustment, if any, in Contract Price or Contract Times as a result of deleting a portion of the Work, then either party may make a claim therefore. The Owner may perform the deleted Work.

4.5.4 Anything to the contrary notwithstanding, Contractor shall have no liability for any hazardous material not introduced to the Work location by it, and Owner shall indemnify, defend and hold harmless Contractor for any claims or liabilities arising from preexisting or latent hazardous material, except to the extent Contractor negligently or willfully exacerbates same and fails to take action to mitigate any resultant damage.

4.6 **Preservation of Cultural Resources.** The Contractor shall conform to the applicable requirements of the National Historic Preservation Act of 1966 and NRS 383.121 as they relate to the preservation of cultural resources. In the event potential cultural resources are discovered during subsurface excavations at the Site of construction, the following procedures shall be instituted:

4.6.1 The Owner’s Representative shall issue a Field Order directing the Contractor to cease all construction operations at the location of such potential cultural resources. The area shall be marked by the Contractor in

an appropriate manner to ensure that all construction equipment, activities, and personnel remain clear of the area until further notice.

4.6.2 The Owner may retain a qualified archaeologist to evaluate the discovery, and in consultation with the State Historic Preservation Office, shall determine if any additional mitigation is required. The Owner shall implement any required study or removal. The Owner's Representative shall notify the Contractor when the mitigation is complete and construction in the affected area may resume.

4.7 **Burial Sites.** The Contractor shall comply with provisions of NRS 383.170 regarding procedures to be followed in the event a burial site is discovered during construction and shall be subject to the penalties provided for in NRS 383.180 regarding such sites. In the event a burial site in discovered, the Contractor shall notify the Owner's Representative immediately.

5. Insurance, Bonds and Indemnification.

5.1 General. The Contractor shall not commence any Work under this Contract until it obtains, at its own expense, all insurance and surety bonds as required in this section. The types of surety bonds and insurance to be obtained are Bid, Performance, Payment and Guaranty Bonds, and Workers' Compensation, Employers' Liability, Automobile Liability, Commercial General Liability, and Property Insurance, as outlined in the following portions of this subsection. The Workers' Compensation, Employers' Liability and Automobile Liability shall be maintained in force for the full period of this Contract or until the Owner has finally accepted the Work, whichever occurs later. The Commercial General Liability policy shall be maintained in force for the full period of the Contract and for three years following final acceptance of the Work performance under this Contract by the Owner.

5.2 **Generally Accepted Professional Practices.** The Services provided and/or procured, and/or Work performed by the Contractor shall be in accordance with generally accepted applicable professional practices and principles, except where a higher standard is called for by this Contract. Except as otherwise set forth in this Contract, ~~T~~these insurance, bond and indemnification provisions are in addition to and cumulative to any other right of indemnification or contribution, which the Owner may have in law, in equity, or otherwise and shall survive the completion of the Project.

5.3 **Indemnification.** The Contractor indemnifies and saves harmless and defends Indemnitees against any and all third party claims, liability, loss, damage, cost, expense, award, fine or judgment (including reasonable attorneys' fees and costs) to the extent caused by Contractor's negligence in its conduct or performance of the Work including (without limitation) such claims, liability, loss, damage, cost, expense, award, fine or judgments which are attributable to or arising by reason of

death or bodily injury of persons, injury or damage to property, caused by the Contractor's negligent acts or omissions, except to the extent those losses are caused by the Indemnitees. In claims against any person or entity indemnified under this section by an employee of the Contractor, anyone directly or indirectly employed by the Contractor or anyone for whose acts the Contractor may be liable, the indemnification obligation under this section shall not be limited by a limitation on amount or type of damages, compensation or benefits payable by or for the Contractor's workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. It is the Contractor's sole responsibility to ascertain that the insurance requirements of this Contract are fulfilled. In the event that they are not, the Contractor shall not be relieved of his duty to perform, indemnify, defend and hold harmless the Indemnitees nor shall the Owner or the Indemnitees be liable to the Contractor or any others in the event the Contractor's insurance, as accepted by the Owner, fails to meet the full requirements herein.

5.4 **Performance, Payment and Guaranty Bonds.** The Contractor shall furnish with the executed Contract, a Performance and Payment Bond, each in an amount at least equal to the Contract Price, as security for faithful performance and payment of all the Contractor's obligations under the Contract Documents, pursuant to NRS 339. The Contractor shall also furnish a Guaranty Bond in the amount of 5 percent (5%) of the final Contract Price at Contract close-out which shall remain in effect for one year after Substantial Completion of the Work. The Contractor shall use the Performance and Payment Bond forms contained in the Contract Documents. All bonds shall be executed by sureties included in the current list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies as published in Circular 570 by the Audit Staff Bureau of Government Financial Operations, U.S. Treasury Department". All Bonds signed by an agent must be accompanied by a certified copy of agent's authority to act. Only surety companies authorized to do business in, and having an agent for service of process in the State of Nevada will be acceptable. If the Surety on any Bonds furnished by the Contractor is declared bankrupt or becomes insolvent or its right to do business is terminated in any state where any part of the Project is located or it ceases to meet the requirements of the preceding paragraph, the Contractor shall within ten (10) days thereafter substitute another Bond and Surety, both of which must be acceptable to the Owner.

5.5 **Intentionally Omitted.**

5.6 **Property Insurance.**

5.6.1 **Builders Risk Insurance.**

5.6.1.1 The Contractor shall purchase and maintain proper insurance upon the Work at the site, and the value of the Owner-furnished equipment and materials received and installed by the

Contractor, to the full insurable value thereof (subject to such deductible amounts as follows or required by Laws and Regulations). This insurance shall be on the completed value form, shall include the interests of the Owner, the Contractor, Subcontractors, and the Owner's consultants in the Work, all of whom shall be listed as insureds or additional insured parties, (shall insure against the perils of fire and extended coverage and shall include "all risk" insurance for physical loss and damage including theft, vandalism and malicious mischief, collapse and water damage, and such other perils as flood) and shall include damages , losses and expenses arising out of or resulting from any insured loss or incurred in the repair or replacement of any insured property (including but not limited to fees and charges of engineers, architects, attorneys and other professionals). If not covered under the "all risk" insurance, the Contractor shall purchase and maintain similar property insurance on portions of the Work stored on and off the site or in transit when such portions of the Work are to be included in an Application for Payment. Deductible Amount: $5,000.

5.6.1.2 All policies of insurance (or the certificates or other evidence thereof) required to be purchased and maintained by the Contractor in accordance with Volume II, Section 1000, subsection 5.6 will contain a provision or endorsement that the coverage afforded will not be canceled or coverage reduced or renewal refused until at least thirty days' prior written notice has been given to the Contractor by certified mail and will contain waiver provisions in accordance with Volume II, Section 1000, Paragraph 5.6.3 below.

5.6.1.3 Intentionally Omitted.

5.6.1.4 Total value of the Owner-furnished equipment receive and installed by this contract:

$800,000.00

5.6.1.5 All Builder's Risk Claims will be reported immediately to the Owner at (702) 856-3611 or fax (702) 856-3617.

5.6.2 **Transit Insurance.**

5.6.2.1 Transit Insurance shall be furnished by the Contractor to insure and protect the Contractor and the Owner from all risks of physical loss or damage to equipment and materials, not

otherwise covered under other policies, during transit from point of origin to the site of installation or erection.

5.6.2.2 This insurance shall be written on an All Risk basis with additional coverages applicable to the circumstances which may occur in the particular Work included in this Contract.

5.6.2.3 This insurance shall be in an amount equal to 100 percent of the manufactured or fabricated value of the items exposed to risk in transit at any one time.

5.6.3 **No Right of Recovery.** The Owner and the Contractor intend that any policies provided in response to Volume II, Section 1000, subsection 5.6 shall protect all of the parties insured and provide primary coverage for all losses and damages caused by the perils covered thereby. Accordingly, all such policies shall contain provisions to the effect that in the event of payment of any loss or damage the insurer will have no rights of recovery against any of the parties named as insureds or additional insureds.

5.6.4 **Receipt and Application of Proceeds.**

5.6.4.1 Any insured loss under the policies of insurance required by Volume II, Section 1000, subsection 5.6 will be adjusted with the Owner and made payable to the Owner as trustee for the insureds, as their interests may appear, subject to the requirements of any applicable mortgage clause and of Volume II, Section 1000, subsection 5.6.4.2. The Owner shall deposit in a separate account any money below so received, and shall distribute it in accordance with such agreement as the parties in interest may reach. If no other special agreement is reached the damaged Work shall be repaired or replaced, the moneys so received applied on account thereof and the Work and the cost thereof covered by an appropriate Change Order or Written Amendment.

5.6.4.2 The Owner as trustee shall have power to adjust and settle any loss with the insurers unless one of the parties in interest shall object in writing in fifteen (15) days after the occurrence of loss to the Owner's exercise of this power. If such objection be made, the Owner as trustee shall make settlement with the insurers in accordance with such agreement as the parties in interest may reach. If required in writing by an party in interest, the Owner as trustee shall, upon the occurrence of an insured loss, give bond for proper performance of such duties.

5.6.5 **Acceptance of Insurance.** If the Owner has any objection to the coverage afforded by or other provisions of the insurance required to be purchased and maintained by the Contractor in accordance with Volume II, Section 1000, subsection 5.6 on the basis of its not complying with the Contact Documents, the Owner shall notify the Contractor in writing thereof within ten days of the date of delivery of such certificates to the Owner.

5.6.6 **Partial Utilization – Property Insurance.** If the Owner finds it necessary to occupy or use a portion or portions of the Work prior to Substantial Completion of all the Work, such use or occupancy may be accomplished in accordance with Volume II, Section 1000, subsection 13.4, provided that no such use or occupancy shall commence before the insurers providing the property insurance have acknowledged notice thereof and in writing effected the changes in coverage necessitated thereby. The insurers providing the property insurance shall consent by endorsement on the policy or policies, but the property insurance shall not be canceled or lapse on account of any such partial use or occupancy; provided Contractor shall not be responsible for any damage or loss arising from Owner's fault or negligence.

5.7 **Industrial Insurance.** The Contractor shall procure, and maintain such insurance and see that its subcontractors (if any) purchase and maintain such insurance as required under Nevada Industrial Insurance Act, Nevada Revised Statutes, Chapters 616 and 617 for all of its employees working on the Project as described in this Contract.

5.8 **Employee Protection in Lieu of Industrial Insurance.** In the event any class of employees engaged in any work on the Project relative to this Contract is not protected under the Nevada Industrial Insurance Act, then the Contractor shall provide to the Owner adequate insurance coverage in a form and by an insurance carrier satisfactory to the Owner for the protection of such employees.

5.9 **Employer's Liability Insurance.** The Contractor shall procure and obtain Employers' Liability Insurance with limits as set forth in Volume II, Section 1000, subsection 5.12.

5.10 **Automobile Liability Insurance.** The Contractor shall procure and maintain automobile liability insurance limits as set forth in Volume II, Section 1000, subsection 5.12, written on a combined single limit basis for bodily injury and property damage including all owned, leased, hired or non-owned motorized vehicles and apparatus and shall specifically indicate "any auto" on the Certificate.

5.11 **Commercial General Liability Insurance.** The Contractor shall procure and maintain commercial general liability insurance coverage. The coverage under

this policy shall include, but not be limited to, commercial general liability, completed operations liability, protective liability, blanket contractual liability, products liability and broad form property damage. The Commercial General Liability Insurance policy shall be written for limits as set forth in Volume II, Section 1000, subsection 5.12. The amount of coverage, as a combined single limit, shall apply to bodily injury, sickness, disease or death, personal injury, damage to or destruction of the property of persons which may occur directly or indirectly out of or arise out of or in connection with the activities under this Contract and for the defense of claims arising there from.

5.12 The amount of insurance required to be carried by the Contractor and each Subcontractor is as follows:

Value of Contract	Coverage	Limits of Liability
$25,000 to $1,000,000	General Liability Automobile Liability Workers' Compensation Employers Liability	$1,000,000 per occurrence $2,000,000 aggregate $1,000,000 per occurrence Statutory $100,000 each person
$1,000,000 to $5,000,000	General Liability Automobile Liability Workers' Compensation Employers Liability	$2,000,000 per occurrence $4,000,000 aggregate $2,000,000 per occurrence Statutory $100,000 each person
$5,000,000 to $10,000,000	General Liability Automobile Liability Workers' Compensation Employers Liability	$3,000,000 per occurrence $5,000,000 aggregate $3,000,000 per occurrence Statutory $100,000 each person
$10,000,000 to $20,000,000	General Liability Automobile Liability Workers' Compensation Employers Liability	$5,000,000 per occurrence $10,000,000 aggregate $5,000,000 per occurrence Statutory $100,000 each person
$20,000,000 and Over	General Liability Automobile Liability Workers' Compensation Employers Liability	$10,000,000 per occurrence $10,000,000 aggregate $5,000,000 per occurrence Statutory $100,000 each person

5.13 Additional Insured. By endorsement (I.S.O. Form "CG2010" or its equivalent), the Owner, the Southern Nevada Water Authority, their member agencies and their officers and employees, and owner(s) of the property where the Work will be performed shall be included as an additional insured under the Automobile Liability and Commercial General Liability insurance policies as to bodily injury, sickness, disease or death, personal injury, damage to or destruction of the property of persons pursuant and subject to ISO Endorsement Form CG 20 10 12 19 and/or CG 20 37 12 19 or equivalent forms for policies other than Commercial General Liability; and only to the extent of Contractor's negligence in and during the performance of Work, to no greater extent than is necessary to provide insurance coverage for the covered indemnity obligations expressly assumed by Contractor under this Contract. To the extent of the indemnification obligations expressly assumed by Contractor hereunder, the Contractor's insurance shall be primary with respect to the additional insureds; and insurance coverage maintained by the Owner shall be in excess of the Contractor's insurance and be non-contributing,

5.14 Endorsements. The additional insured, as included by the endorsements, shall read as follows: "The Colorado River Commission of Nevada, the Southern Nevada Water Authority and its members and affiliated governmental entities, the Las Vegas Valley Water District, and their successors or assigns, including their directors, officers and employees, individually and collectively; and the owner(s) of property where the Work will be performed."

5.15 Waiver of Subrogation. By endorsement (I.S.O. Form #CG 24 04 12 19 or its equivalent), the Contractor's insurance carriers (except from Nevada Workers' Compensation) shall waive their rights of recovery against the Colorado River Commission, the Southern Nevada Water Authority and its members and affiliated governmental entities and other additional insured as defined in Volume II, Section 1000, subsection 5.14, and their successors or assigns including their directors, officers and employees individually and collectively to the extent permitted by law, and except to the extent any loss, claim, damage, etc. is caused by the negligence, recklessness or willful misconduct of any party indemnified hereunder by Contractor.

5.16 Primary Insurance. In the event of any claim by a third party for loss, the insurance policies of the Contractor shall be primary insurance to the extent of the indemnity obligations expressly assumed by Contractor hereunder. To such extent, any of the Owner's insurance shall stand in an unbroken chain of coverage in excess of the Contractor's scheduled underlying primary coverage.

5.17 Evidence of Insurance Required. At the time of executing this Contract and before commencement of the Work, the Contractor and Subcontractors shall have delivered to the Owner Certificates of Insurance that attest to the fact that the Contractor and Subcontractors have obtained the insurance as required in the insurance section of this Contract.

5.18 Owner's Satisfaction with Form and Content. The Certificate of Insurance and related endorsements must be satisfactory to the Owner as to form and content and must comply with all insurance requirements as set forth herein or the certificate and endorsement may be rejected; and thereby, at the option of the Owner, rendering this Contract cancelable.

5.19 Endorsements. All endorsements are to be dated, reflect the name of the insurance company, the type of insurance and policy number, be executed by a duly authorized representative of the insurance company and be attached to the certificate.

5.20 Contractor's Name. The full legal operating names of the Contractor and insurance carrier shall be properly shown where applicable.

5.21 Separate or Cumulative Coverage. By endorsement (I.S.O Form #CG 25 01 12 19 or its equivalent), the limits of Commercial General Liability Insurance as required in this Contract shall apply separately to this Project and shall not be reduced by other claims unless the insurance carrier has provided an endorsement agreeing, during the term of the Contract, to immediately notify the Owner each time the Commercial General Liability limits have been impaired by more than ten percent (10%), either cumulatively or severally, of the limits indicated on the certificate.

5.22 Owner's Right to Obtain Insurance. If the Contractor fails to procure and/or maintain insurance set forth herein, in addition to other rights or remedies, the Owner shall have the right, if the Owner so chooses, to procure and/or maintain the said insurance for and in the name of the Contractor with the Owner as co-insured and the Contractor shall pay the cost thereof and shall furnish all necessary information to make effective and/or maintain such insurance. In the event the Contractor fails to pay cost, the Owner hereby has the right to set off any sums from the compensation set forth in this Contract and directly pay for such coverage.

5.23 Nevada-Based Insurance Providers. The insurance and bonds specified in this section of the Contract will be written with property and casualty insurance companies admitted to do business in Nevada and rated A- or better and Class VIII or higher of financial size category in the current issue of Best's Key Rating Guide.

5.24 Nevada Agent. The evidence of insurance coverage and all endorsements, if written by an agent outside the State of Nevada, shall be countersigned by a Nevada Resident Agent.

5.25 Cost of Claims. The cost of any claims under any policy(ies) with deductibles and/or self-insured retentions (except the Builders' Risk Insurance) shall be the sole responsibility of the Contractor.

5.26 Deductibles. With respect to any and all insurance required under this subsection of the Contract shall be borne by Contractor.

5.27 Intentionally Omitted.

5.28 Notice of Cancellation. The Certificate of Insurance will provide for 30 day written notice of cancellation, or nonrenewal or any reduction in the coverage for all insurance policies required in this contract other than Nevada State Workers' Compensation insurance.

5.29 Renewal Certificates. Renewal certificates and related endorsements will be provided to the Owner not later than fifteen (15) calendar days prior to the expiration date of the then current coverage.

6. Contractor's Responsibilities.

6.1 **Supervision and Superintendence.** The Contractor shall supervise, inspect and direct the Work competently and efficiently, devoting such attention thereto and applying such skills and expertise as may be necessary to perform the Work in a safe manner and in accordance with the Contract Documents. The Contractor shall be solely responsible for the means, methods, techniques, sequences and procedures of construction, but the Contractor shall not be responsible for the negligence or error of others in the design or selection of a specific means, method, technique, sequence, or procedure of construction indicated in and required by the Contract Documents. The Contractor shall be responsible to see that the completed Work complies accurately with the Contract Documents.

6.2 **Contractor's Superintendent.** The Contractor shall keep on the Work at all times during its progress a competent resident Superintendent. All communications given to the Superintendent shall be as binding on the Contractor. Whenever the Superintendent is not present at any particular Work Site he shall designate a person in charge (Acting Superintendent). Any information given by the Owner's Representative to the Acting Superintendent shall be as binding as if given to the Superintendent.

6.3 **Labor and Working Hours.** The Contractor shall provide competent, suitably qualified personnel to survey, lay out, provide and construct the Work as required by the Contract Documents. The Contractor shall at all times maintain good discipline and order at the Site. Except as otherwise required for the safety or protection of persons or the Work or property at the Site or adjacent thereto, and except as otherwise indicated in the Contract Documents, all Work at the Site shall be performed during standard work hours, Monday through Friday, and the

Contractor will not permit overtime work or the performance of Work on Saturday, Sunday or any legal holiday without the Owner's written consent given after prior written notice to OWNER'S Representative. Written notice of the Contractor's request to work overtime, on Saturdays, Sundays or any legal holiday must be received by the Owner forty-eight (48) hours in advance.

6.4 **Materials, Equipment, Etc.** Unless otherwise specified in Volume III, the Contractor shall furnish and assume full responsibility for all materials, equipment, labor, transportation, construction equipment and machinery, tools, appliances, fuel, power, light, heat, telephone, water, sanitary facilities, temporary facilities and all other facilities and incidentals necessary for the furnishing, performance, testing, start-up and completion of the Work.

6.5 **Quality of Work.**

6.5.1 All materials and equipment furnished by the Contractor shall be of good quality and new, except as otherwise provided in the Contract Documents. If required by the Owner's Representative, the Contractor shall furnish satisfactory evidence (including reports of required tests) as to the kind and quality of materials and equipment. All materials and equipment shall be applied, installed, connected, erected, used, cleaned and conditioned in accordance with instructions of the applicable Supplier, except as otherwise provided in the Contract Documents. When the quality of a material, process, or article is not specifically set forth in the Contract Documents, commercial quality of the materials, process, or article shall be provided.

6.5.2 The Contractor shall check and verify all dimensions and conditions in the field as reasonably required during construction. The Contractor shall be solely responsible for any inaccuracies built into the Work due to the Contractor's (including Subcontractor's) failure to comply with this requirement. The Contractor shall visually inspect related and appurtenant Work and report in writing to the Owner's Representative any apparent conditions which will prevent proper completion of the Work. Failure to report any such conditions shall constitute acceptance of all Site conditions, except for concealed or latent conditions, and any required removal, repair, or replacement caused by unsuitable visible conditions shall be performed by the Contractor solely and entirely at the Contractor's expense.

6.5.3 All work performed by the Contractor and Subcontractors shall be inspected by the Contractor and nonconforming Work and any safety hazards in the work area shall be noted and promptly corrected. The Work shall be conducted under the general observation of the Owner's Representative and is subject to inspection by the Owner's Representatives to ensure strict compliance with the requirements of the

Contract Documents. Such inspection may include mill, plant, shop, or field inspection, as required. The Owner's Representative shall be permitted access to all parts of the Work, including plants where materials or equipment are manufactured or fabricated. The presence of the Owner's Representative or any inspector(s), however, shall not relieve the Contractor of the responsibility for the proper execution of the Work in accordance with all requirements of the Contract Documents. Compliance is the responsibility of the Contractor. No act or omission on the part of the Owner's Representative or any inspector(s) shall be construed as relieving the Contractor of this responsibility. Inspection of Work later determined to be nonconforming shall not be cause or excuse for acceptance of the nonconforming Work. The Owner may accept nonconforming Work if the Contractor offers compensation acceptable to the Owner and it is in the Owner's best interest as determined by the Owner.

6.5.4 All materials and articles furnished by the Contractor or Subcontractors shall be subject to rigid documented inspection, by qualified personnel, and no materials or articles shall be used in the Work until they have been inspected and accepted by the Contractor and the Owner's Representative or other designated representative. The Contractor shall receive, maintain and catalog any material safety data sheet (MSDS) provided in connection with any materials or articles used in the Work. No Work shall be backfilled, buried, cast in concrete, covered, or otherwise hidden until it has been inspected. Any Work covered in the absence of inspection shall be subject to being uncovered. Where un-inspected Work cannot be easily uncovered, such as in concrete cast over reinforcing steel, all such Work shall be subject to demolition, removal, and reconstruction under proper inspection.

6.5.5 All materials and articles furnished to the Contractor by the Owner shall be subject to rigid visual inspection by the Contractor before being used or placed by the Contractor. The Contractor shall inform the Owner's Representative, in writing, of the results of said inspections within one working day after completion of inspection. In the event the Contractor believes any material or articles provided by the Owner to be of insufficient quality for use in the Work, the Contractor shall immediately notify Owner's Representative.

6.5.6 The Owner's Representative or designated representative, acting for the Owner, shall have the right at all times and places to reject any articles, materials, equipment or Work to be furnished hereunder which, in any respect, fail to meet the requirements of the Contract Documents, regardless of whether the defects in such articles materials are detected at the point of manufacture or after completion of the Work at the Site through the warranty period.

6.5.6.1 If the Owner's Representative, through an oversight or otherwise, has accepted materials or Work which are defective or in any way contrary to the Contract Documents, such materials, no matter in what stage or condition of manufacture, delivery, or erection, may be rejected through the warranty period. The Contractor shall promptly remove or replace rejected articles or materials from the Site of the Work after notification of rejection. All costs of removal and replacement of rejected articles or materials, as specified therein, shall be borne by the Contractor. Failure to promptly commence and diligently pursue action to remove and replace rejected Work shall be considered a breach of this contract and the Owner may, after 7 days notice, terminate the Contractor's right to proceed with the affected Work and remove and replace the Work and issue a back charge to cover the cost of the Work.

6.5.7 During unfavorable weather, wet ground, or other unsuitable construction conditions, the Contractor shall confine his operations to Work which will not be affected adversely by such conditions. No portion of the Work shall be constructed under conditions which would affect adversely the quality or efficiency thereof, unless special means or precautions are taken by the Contractor to perform the Work in a proper and satisfactory manner.

6.6 **Adjusting Progress Schedule**. The Contractor shall submit to the Owner's Representative for acceptance proposed adjustments in the progress schedule that will not change the Contract Times, or Milestones. Such adjustments will conform generally to the progress schedule then in effect and additionally will comply with any provisions of the General Requirements applicable thereto. Proposed adjustments in the progress schedule that would change the Contract Times (or Milestones) shall be submitted in accordance with the requirements of Volume II, Section 1000, subsection 11.1. Such adjustments may only be made by a Change Order.

6.6.1 If the Contractor fails to meet the Milestone on the approved Project Schedule, the Owner may deduct from the Contractor's progress payment a sum equal to the liquidated damages of such Milestone as shown in Volume II, Section 1000, subsection 13, for the number of days the Contractor is behind schedule.

6.6.2 In the event that the Contractor works overtime, weekends or holidays to regain the schedule for delays for which Contractor is responsible, all of the Owner's additional or premium costs resulting from inspection, or construction management resulting from such overtime, weekend or holiday work shall be identified to the Contractor and the Contract Price reduced by a like amount via Change Order.

6.6.3 The Contractor's employee responsible for scheduling and coordinating Work at the Site shall attend all meetings convened by the Owner or the Owner's Representative for the purpose of scheduling the Work at the Construction Site.

6.7 **Substitutes or "Or-Equal" Items.** Whenever Equipment or Materials are specified or described in the Contract Documents by using the name of a proprietary item or the name of a particular Supplier, the naming of the item is intended to establish the type, function, and quality required. Unless the name is followed by words indicating that no substitution is permitted, Equipment or Materials of other Suppliers may be accepted by the Owner if sufficient information is submitted by the Contractor to allow the Owner to determine that the Equipment or Material proposed is equivalent or equal to that named.

6.7.1 If the Contractor wishes to furnish or use a substitute item of Equipment or Material, the Contractor shall make written application to the Owner for acceptance thereof, certifying that the proposed substitute will perform adequately the functions and achieve the results called for by the general design, be similar and of equal substance to that specified, and be suited to the same use as that specified. The application shall state i)that the evaluation and acceptance of the proposed substitute will not prejudice the Contractor's achievement of Substantial Completion on time; ii) whether acceptance of the substitute for use in the Work will require a change in any of the Contract Documents (or in the provisions of any other direct contract with the Owner for work on the Project); and iii) whether incorporation or use of the substitute in connection with the Work is subject to payment of any license fee or royalty. All variations of the proposed substitute from that specified shall be identified in the application and available maintenance, repair, and replacement service for the substitute shall be indicated. The application shall also contain an itemized estimate of all costs that will result directly or indirectly from acceptance of such substitute, including costs of redesign and claims of other contractors affected by the resulting change, all of which shall be considered by the Owner in evaluating the proposed substitute. The Owner may require the Contractor to furnish at the Contractor's expense additional data about the proposed substitute.

6.7.2 If a specific means, method, technique, sequence, or procedure of construction is indicated in or required by the Contract Documents, the Contractor may furnish or use a substitute means, method, sequence, technique, or procedure of construction acceptable to the Owner, if the Contractor submits sufficient information to allow the Owner to determine that the substitute proposed is equivalent to that indicated or required by the Contract Documents. The procedure for review by the Owner will be similar to that provided for substitute Equipment and Material.

6.7.3 The Owner shall be allowed a reasonable time within which to evaluate each proposed substitute. The Owner shall be the sole judge of acceptability, and no substitute will be ordered, installed, or used without the Owner's prior written acceptance which shall be evidenced by either a Change Order or an approved Submittal. The Owner may require the Contractor to furnish at the Contractor's expense a special performance guarantee or other surety with respect to any substitute.

6.7.4 The Owner shall record the time required by the Owner and the Owner's Consultants in evaluating substitute(s) proposed or submitted by the Contractor pursuant to Volume II, Section 1000, subsection 6.7.1 and 6.7.2, and in making changes in the Contract Documents occasioned thereby. Whether or not the Owner approves a substitute item so proposed or submitted by the Contractor, the Contractor shall reimburse the Owner for the charges of the Owner and the Owner's Consultants for evaluating each such proposed substitute.

6.8 **Subcontractors, Suppliers and Others.** The Contractor shall perform with his own organization work amounting to not less than fifty-one (51) percent of the combined value of all items of the Work covered by the Contract.

6.8.1 Report to Labor Commissioner. In compliance with NRS 338.013(2), the Contractor shall report to the Labor Commissioner the name and address of each Subcontractor whom he engages for Work on the Project within ten (10) days after the Subcontractor commences Work on the Contract.

6.8.2 The Contractor shall not employ any Subcontractor, Supplier or other person or organization, whether initially or as a substitute, against whom the Owner may have reasonable objection.

6.8.3 Particular consideration shall be given to the qualifications of each Subcontractor proposed on the Subcontractors Information list contained in Volume I, Section 600. The use of Subcontractors listed by Bidder and accepted by the Owner prior to the Notice of Award will be required in the performance of the Work.

6.8.4 No acceptance by the Owner of any such Subcontractor, Supplier or other person or organization shall constitute a waiver of any right of the Owner to reject defective Work.

6.9 **Contractor's Responsibilities Regarding Subcontractors and Supplies.** The Contractor shall be fully responsible to the Owner for all acts and omissions of the Subcontractors, Suppliers and other persons and organizations performing or furnishing any of the Work under a direct or indirect contract with the Contractor just as the Contractor is responsible for the Contractor's own acts and omissions.

6.9.1 Nothing in the Contract Documents shall create for the benefit of any such Subcontractor, Supplier or other person or organization any contractual relationship between the Owner and any such Subcontractor, Supplier or other person or organization, nor shall it create any obligation on the part of the Owner to pay or to see to the payment of any moneys due any such Subcontractor, Supplier or other person or organization except as may otherwise be required by Laws and Regulations.

6.9.2 The Contractor shall be solely responsible for scheduling and coordinating the Work of Subcontractors, Suppliers and other persons and organizations performing or furnishing any of the Work under a direct or indirect contract with the Contractor. The Contractor shall require all Subcontractors, Suppliers and such other persons and organizations performing or furnishing any of the Work to communicate with the Owner's Representative through the Contractor.

6.10 **Specifications and Drawings.** The sections of the Specifications and the identifications of any Drawings shall not control the Contractor in dividing the Work among Subcontractors or Suppliers or delineating the Work to be performed by any specific trade.

6.11 **Written Agreements with Subcontractors.** All Work performed for the Contractor by a Subcontractor or Supplier shall be pursuant to an appropriate agreement between the Contractor and the Subcontractor or Supplier which specifically binds the Subcontractor or Supplier to the applicable terms and conditions of the Contract Documents for the benefit of the Owner, and contains or incorporates provisions whereby the Subcontractor or Supplier waives all rights against the Owner, the Contractor, their Consultants and all other additional insured for all losses and damages caused by, arising out of or resulting from any of the perils covered by such policies and insurance applicable to the Work. If the insurers on any such policies require separate waiver forms to be signed by any Subcontractor or Supplier, the Contractor shall obtain the same.

6.12 **Patent Fees and Royalties.** The Contractor shall pay all license fees and royalties and assume all costs incident to the use in the performance of the Work or the incorporation in the Work of any invention, design, process, product or device which is the subject of patent rights or copyrights held by others. If a particular invention, design, process, product or device is specified in the Contract Documents for use in the performance of the Work and, if to the actual knowledge of the Owner, its use is subject to patent rights or copyrights calling for the payment of any license fee or royalty to others, the existence of such rights shall be disclosed by the Owner in the Contract Documents. To the fullest extent permitted by Laws and Regulations, the Contractor shall defend, indemnify and hold harmless Indemnitees, and anyone directly or indirectly employed by Indemnitees, from and against all claims, costs, losses and damages arising out of

or resulting from any infringement of patent rights or copyrights incident to the use in the performance of the Work or resulting from the incorporation in the Work of any invention, design, process, product or device not specified in the Contract Documents. The Contractor does further agree to indemnify indemnitees against any suit or claim brought or instituted, whether or not such suit or claim be rightfully or wrongfully brought or instituted, and in any case, Indemnitees shall be at liberty to employ attorneys of their own selection to appear and defend the suit(s) on Indemnitees' behalf at the sole expense of the Indemnitees. Anything to the contrary notwithstanding, to the extent that the Contractor is required by the specifications, or by the written direction of Owner to provide the offending design, apparatus or article, then Contractor makes no warranties, and shall have none of the aforementioned liabilities nor responsibilities, including any responsibility to indemnify and/or hold harmless and/or defend Owner or any other person from any infringement or intellectual property claims; additionally, to said extent, Owner shall indemnify, hold harmless, and defend Contractor from any such claims.

6.13 **Permits.** The Contractor shall at the Contractor's sole cost and expense obtain and pay for all construction permits and licenses specified in Volume III, Section 1150, and ensure that the list of all permits known to be required in performance of the Work has been listed there. The Contractor shall be responsible to assure this list is complete and to obtain other permits which are required to be obtained in the name of Contractor but not listed. The Owner shall assist the Contractor, when necessary, in obtaining such permits and licenses. The Contractor shall pay all governmental charges and inspection fees necessary for the execution of the Work which are applicable at the time of opening of Bids. The Contractor shall pay all charges of utility owners for connections to the Work, and the Owner shall pay all charges of such utility owners for capital costs related thereto such as plant investment fees.

6.14 **Laws and Regulations.**

6.14.1 The Contractor and its officers, employees, agents, contractors, licensees or invitees shall comply, at the Contractor's sole cost and expense and at all times, with all applicable laws, ordinances, statutes, rules, acts or regulations in effect or that become in effect during the time work is performed under this Contract.

6.14.2 The Contractor shall give all notices and comply with all Laws and Regulations applicable to furnishing and performing the Work and shall cause all his agents, employees, Subcontractors, and Suppliers to observe and comply with all existing and future laws, ordinances, and regulations. Except where otherwise expressly required by applicable Laws and Regulations, the Owner shall not be responsible for monitoring the Contractor's compliance with any Laws or Regulations.

6.14.3 If the Contractor knows or has reason to know that the Contractor's performance of the Work is contrary to Laws or Regulations, the Contractor shall bear all claims costs, losses and damages arising there from.

6.14.4 **Fair Employment Practices Pursuant to NRS 338.125.** It is unlawful for the Contractor in connection with the performance of work under the Contract to refuse to employ or discharge from employment any person because of his race, color, creed, national origin, sex, or age, or to discriminate against a person with respect to hire, tenure, advancement, compensation or other terms, conditions, or privileges of employment because of his race, creed, color, national origin, sex, or age.

6.14.5 **Preferential Employment.** In accordance with NRS 338.130, where persons are employed in the construction of public works, preference shall be given, the qualifications of applicants being equal, first to honorably discharged soldiers, sailors, and marines of the United States who are citizens of the State of Nevada and second to other citizens of the State of Nevada. Nothing in NRS 338.130 shall be construed to prevent the working of prisoners by the State of Nevada, or by any political subdivision of the state, on street or road work or other public work. If the provisions of NRS 338.130 are not complied with by the Contractor, the Contract shall be void, and any failure or refusal to comply with any of the provisions of NRS 338.130 shall render any Contract void.

6.14.6 **Hourly Minimum Wage Rates for Clark County, Nevada.** In accordance with NRS Chapter 338, the Clark County Prevailing Wage Rates for Public Works, State of Nevada, are established by the State of Nevada, Office of the Labor Commissioner. Every workman employed by the Contractor or any of its Subcontractors shall be entitled to the wage rate applicable to the particular class of that workman contained in the prevailing wage rates at the time of Bid closing.

6.14.6.1 Because Prevailing Wage Rates are subject to change, it is the Contractor's responsibility to ensure that they are aware and use the most current published Prevailing Wage Rates for Public Works at the time of Bid Closing. In accordance with NRS 338.020, the Contractor shall post the hourly and daily rates of wages to be paid each of the classes of mechanics and workmen on the Site of Work of this Contract, in a place generally visible to the workmen.

6.14.6.2 In accordance with NRS 338.060, the Contractor shall forfeit, as a penalty to the Owner, not less than $10.00 nor more than $25.00 for each workman employed for each calendar day or portion thereof that such workman is paid less than the

designated rate for any Work done under the Contract, by him or any Subcontractor under him. If a penalty is imposed, the cost of the preceding, including investigative costs and attorneys' fees, may be recovered by the labor commission.

6.14.6.3 The Owner shall take cognizance of complaints of violations of the provisions of NRS 338.010 to 339.090, inclusive, committed in the course of the execution of the Contract, and when making payments to the Contractor of money becoming due under the Contract, withhold and retain all sums forfeited pursuant to the provisions of NRS 338.010 to 338.090, inclusive. No sum may be withheld, retained, or forfeited, except from the final payment, without a full investigation being made by the awarding body or its agents.

6.14.6.4 The Contractor and each Subcontractor shall keep or cause to be kept an accurate record showing the name, the occupation, and the actual per diem, wages, and benefits paid to or on behalf of each workman employed in connection with the Work. The record must be open at all reasonable hours to the inspection of the Owner, and its officers and agents. A copy of the record for each calendar month must be sent to the labor commissioner and the public body awarding the contract not later than 1 week after the end of the month. The copy must be open to public inspection as provided in NRS 239.010. The Contractor or any Subcontractor, or agent or representative thereof, doing work on the Project who neglects to comply with the provisions of this section is guilty of a misdemeanor.

6.14.6.5 **Contractual Relationship.** In accordance with NRS 338.040 and 338.050, workmen employed by the Contractor or a Subcontractor at the Site of the Work and necessary in the execution of the Contract are deemed to be employees on public works and every workman employed by the Contractor or a Subcontractor shall be subject to all of the requirements of NRS 338.010 to 338.090, inclusive, regardless of any contractual relationship alleged to exist between the Contractor and Subcontractor and such workman.

6.14.6.6 In accordance with NRS 338.135, where a truck or truck and trailer combination is rented by the Contractor or Subcontractor, the hourly rate for the rental or lease of such truck or truck and trailer combination shall, when added to the prevailing rate of wages required by NRS 338.020 for the driver, not be less than the hourly rate for similar vehicles with a driver as such hourly rate appears in freight tariffs approved by the Public Service

Commission of Nevada for the area in which the public work is located.

6.14.7 **Nevada Industrial Insurance Act.** The Contractor shall comply with all applicable sections of NRS 616.280, "Nevada Industrial Insurance Act".

6.14.8 **Unemployment Compensation Act.** The Contractor shall comply with all applicable sections of NRS Chapter 612, "Unemployment Compensation Law".

6.14.9 **Overhead Electrical Lines.** The Contractor shall comply with all legal requirements in NRS 455.200 through NRS 455.250 pertaining to activities to be performed near overhead electrical lines. Any liability or penalty incurred for violating the above referenced laws shall be borne strictly by the Contractor and the Contractor shall indemnify, defend and hold the Owner harmless from any such liability or penalty to the extent caused by the negligence of Contractor in performance of the Work.

6.14.10 **Occupational Diseases.** In accordance with NRS 617.210, the Contractor shall carry adequate coverage for Occupational Diseases.

6.14.11 **Occupational Safety and Health.** The Contractor shall comply with all applicable provisions of NRS 618.375 pertaining to Occupational Safety and Health.

6.14.12 **Historic Preservation.** In accordance with NRS 383.121, in the event that historic, prehistoric, or paleoenvironmental evidence is discovered during subsurface excavation at the site of construction, the Contractor shall immediately notify the Owner's Representative and cooperate to the fullest extent practicable, within the financial resources available to the Owner for that purpose, to preserve or permit study of such evidence before its destruction, displacement, or removal. In the event of delay of the completion of the Work because of the discovery of such evidence, equitable adjustment of the construction contract shall be made by Change Order in the following manner:

6.14.12.1 **Time Extension.** If the work temporarily suspended is on the "critical path," the total number of days which the suspension is in effect shall be added to the number of allowable contract days. If a portion of work at the time of such suspension is not on the "critical path," but subsequently becomes work on the critical path, the allowable Contract Time will be computed from the date such work is classified as on the critical path.

6.14.12.2 **Additional Compensation.** If, as a result of a suspension of the Work, the Contractor sustains a loss which could not otherwise have been avoided by his reassignment of employees, equipment or materials to other Work within the Project which has not been suspended without additional cost to Contractor, the Owner shall pay the Contractor an amount as determined by the Owner to be fair and reasonable compensation for the Contractor's actual loss in accordance with the following:

Idle Time of Equipment. Compensation for equipment idle time will be determined on a force account (time and materials) basis and shall include the cost of extra moving of equipment and rental loss. The Contractor shall make a concerted effort to minimize idle time and equipment moves. Idle time of equipment will only include payment of the equipment without operator except during the time an operator is required to move the equipment.

Idle Time of Labor. Compensation for idle time of workers will be determined by OWNER based on actual idle or show-up time pursuant to the applicable labor agreement.

Increased Costs of Labor and Materials. Increased costs of labor and materials will be compensated only to the extent such increase was in fact caused by the suspension or the reassignment of the employees, equipment or materials.

Compensation for actual loss due to idle time of either equipment or labor shall not include markup for profit.

The days for which compensation will be paid shall be full or partial calendar days, excluding Saturdays, Sundays, and legal holidays, during the existence of such delay.

6.15 **Taxes.** The Contractor shall include in the Bid prices and pay all sales, consumer, use and other similar taxes required to be paid or withheld by the Contractor in accordance with the Laws and Regulations of the place of the Project which are applicable during the performance of the Work.

6.16 **Interference with Adjacent Work, Use of Premises.** The Contractor shall confine construction equipment, the storage of materials and equipment and the operations of workers to the Site and land and areas identified in and permitted by the Contract Documents and other land and areas permitted by Laws and Regulations, rights-of-way, permits and easements, and shall not unreasonably

encumber the premises with construction equipment or other materials or equipment.

6.16.1 The Contractor shall assume full responsibility for any damage to any land or area, or to the owner or occupant thereof or of any adjacent land or areas, resulting from the performance of the Work. Should any claim be made by the owner or occupant of any adjacent land because of the performance of the Work, the Contractor shall promptly settle with the other party by negotiation or otherwise resolve the claim by negotiation or other dispute resolution proceeding or at law. The Contractor shall, to the fullest extent permitted by Laws and Regulations, indemnify, defend and hold Indemnitees harmless from and against all third party claims, costs, losses and damages arising out of or resulting from any claim or action, legal or equitable, brought by any owner or occupant of adjacent land against Indemnitees to the extent caused by or based upon the Contractor's negligent performance of the Work.

6.16.2 The Contractor shall cooperate fully with all utility work forces, other contractors of the Owner, and work forces of other public or private agencies engaged in any type of work that may interfere with the progress of the Contractor's Work. The Contractor shall schedule the Work so as to minimize any interference with these work forces and entities, including those discussed in Volume III, Section 1100, of these specifications.

6.16.3 Nothing in the Contract shall be interpreted as granting to the Contractor exclusive occupancy of the Site of the project. The Contractor must ascertain to his own satisfaction the scope of the project and the nature of any other contracts that have been or may be awarded by the Owner in the construction of this and adjoining projects to the end that the Contractor may perform this Contract in the light of such other contracts, if any.

6.16.4 The Contractor shall not cause any unnecessary hindrance or delay to any other contractor working on the Project. If the performance of any contract for the project is likely to be interfered with by the simultaneous performance of some other contract or contracts, the Owner or the Owner's Representative shall decide which contractor shall cease Work temporarily and which contractor shall continue or whether the Work under the contracts can be coordinated so that the contractors may proceed simultaneously. On all questions concerning conflicting interest of contractors performing related Work, the decision of the Owner or the Owner's Representative shall be binding upon all contractors concerned. Anything to the contrary notwithstanding, in the event any schedule change generated by Owner, or any impact by any party other than Contractor (or its subcontractors and/or suppliers), including re-sequencing, causes Contractor to incur additional costs, Contractor shall be equitably compensated for same, and shall be allowed reasonable and

sufficient time, in accordance with the industry standards, in which to complete the phases of its Work as they occur.

6.16.5 If through negligence on the part of the Contractor, any other contractor or subcontractor shall suffer loss or damage on the Work, the Contractor agrees to settle with such other contractor or subcontractor by agreement or arbitration, if possible. If such other contractor or subcontractor shall assert any claim against the Owner, on account of any damage alleged to have been so sustained, the Owner shall notify the Contractor who shall hold harmless, indemnify and defend the Owner, and each of their officers, employees, and agents against any such third party claim, including reasonable attorneys' fees and any other costs incurred by the indemnified parties relative to any such claim, to the extent caused by Contractor's negligence in the performance of the Work.

6.17 **Waste Materials and Rubbish Control.** During the progress of the Work, the Contractor shall keep the premises free from accumulations of waste materials, rubbish and other debris resulting from the Work. Disposal of all rubbish and surplus materials shall be off the Site of construction in accordance with local codes and ordinances governing locations and methods of disposal, and in conformance with all applicable safety laws, and to the particular requirements of Part 1926 of the OSHA Safety and Health Standards for Construction. The Contractor shall leave the Site clean from waste or rubbish caused by Contractor and ready for occupancy by the Owner upon Substantial Completion of the Work.

6.18 **Excessive Loads.** The Contractor shall not load nor permit any part of any structure to be loaded in any manner that will endanger the structure, nor shall the Contractor subject any part of the Work or adjacent property to stresses or pressures that will endanger it.

6.19 **Record Documents.** The Contractor shall maintain in a safe place at the Site one record copy of all Drawings, Specifications, Addenda, Change Orders, Work Change Directives, Field Test Records, Field Orders, Requests for Information, and all other written interpretations and clarifications in good order and annotated to show all changes made during construction. These record documents together with all final samples and a counterpart of all approved Submittals will be available to the Owner's Representative for reference. Records shall be protected from deterioration, damage or destruction and maintained in a manner that provides for immediate retrieval. Upon completion of the Work, all record documents, samples and Shop Drawings shall be delivered to the Owner. Receipt and acceptance of record documents will be a prerequisite for final payment to the Contractor.

6.20 **Safety and Protection.** The Contractor shall be solely responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the Work. The Contractor shall give notices, erect and maintain all

safeguards and comply with all laws, ordinances, regulations, codes and lawful orders of any public agency.

6.20.1 The Contractor shall take all necessary precautions for the safety of, and shall provide the necessary protection and training to prevent damage, injury or loss to:

6.20.1.1 all persons on the Work Site or anyone who may be affected by the Work;

6.20.1.2 all the Work and materials and equipment to be incorporated therein, whether in storage on or off the Site;

6.20.1.3 other property at the Site or adjacent thereto, including trees, shrubs, lawns, walks, pavements, roadways, structures, utilities and underground facilities not designated for removal, relocation or replacement in the course of construction; and

6.20.1.4 other property and people at the Site or in proximity thereto which or who foreseeably may be injured by activities on Site.

6.20.2 All damage, injury or loss to any property referred to in this subsection 6.20 caused by the fault or negligence of Contractor, any Subcontractor, Supplier or any other person or organization directly or indirectly employed by any of them to perform or furnish any of the Work or anyone for whose acts any of them may be liable, shall be remedied by the Contractor (except damage or loss attributable to the fault of Drawings or Specifications or to the acts or omissions of the Owner or its Consultants or anyone employed by any of them or anyone for whose acts any of them may be liable, and not attributable, directly or indirectly, in whole or in part, to the extent of fault or negligence of the Contractor or any Subcontractor, Supplier or other person or organization directly or indirectly employed by any of them).

6.20.3 The Contractor's duties and responsibilities for safety and protection of the Work shall continue until substantial completion of the Work.

6.20.4 The Contractor shall make reasonable efforts to detect and abate any violations of safety standards of which it is aware and to which its employees are exposed, despite the fact that the Contractor did not commit the violation.

6.20.5 The Contractor shall designate a qualified and experienced safety representative, meeting the definition of OSHA competent person, at the Site whose duties and responsibilities shall be the prevention of accidents and the maintaining and supervising of safety precautions and programs.

The Safety Representative shall have the ability to recognize hazards and the authority to take corrective action.

6.21 **Safety Program.** Within thirty (30) days of the Owner's Notice to Proceed, the Contractor shall demonstrate compliance action with the requirements of Nevada Occupational Safety and Health Administration requirements and all other applicable local, state and federal requirements by submitting a copy of all safety plans, programs and permits to the OWNER'S Representative. Such plans and permits shall include but is not limited to:

6.21.1 Safe Work Plan (job task analysis)

6.21.2 Emergency Plan.

6.21.3 Rigging and Hoisting Plans.

6.21.4 Excavation and Trenching Plans.

6.21.5 Respiratory Protection Program.

6.21.6 Fire Protection Plan.

6.21.7 Hazard Communication Program.

6.21.7.1 **Hazard Communication Programs.** The Contractor shall be responsible for coordinating any exchange or provision of material safety data sheets or other hazard communication information required to be made available to or exchanged between or among employers at the Site in accordance with Laws or Regulations.

6.21.7.2 The Contractor shall, upon completion of the Project, forward all material safety data sheets to the Owner. A material safety data sheet shall be provided for any materials to which the Laws and Regulations may apply.

6.22 **Site Security.** The Contractor shall provide Site security as specified in Volume III, Section 1300.

6.23 **Emergencies.** In emergencies or imminent danger situations affecting the safety or protection of persons or the Work or property at the Site or adjacent thereto, the Contractor, without special instruction or authorization from the Owner or the Owner's Representative, shall act to reasonably prevent threatened damage, injury or loss. The Contractor shall give the Owner's Representative prompt written notice if the Contractor experiences any accident or injury or believes that any significant changes in the Work or variations from the Contract Documents have

been caused thereby. If the Owner determines that a change in the Contract Documents is required because the action taken by the Contractor was required by an emergency not caused by the Contractor or its subcontractors, the Owner shall issue a Change Order.

6.24 **Submittals.** Procedures for processing submittals are provided in Volume III, Section 1250.

6.24.1 After checking and verifying all field measurements and after complying with applicable procedures, the Contractor shall submit to the Owner for review and acceptance in accordance with the accepted schedule of submissions, copies of Submittals which will bear the required information that the Contractor has satisfied the Contractor's responsibilities under the Contract Documents with respect to the review of the submission. All submissions shall be identified as the Owner may require. The data shown on Submittals shall be complete with respect to quantities, dimensions, specified performance and design criteria, materials, and similar data to enable the Owner to review the information as required.

6.24.2 Before submission of each Submittal, the Contractor shall have determined and verified all quantities, dimensions, specified performance criteria, installation requirements, materials, catalog numbers, and similar data with respect thereto and reviewed or coordinated each Submittal with other Submittals and with the requirements of the Work and the Contract Documents.

6.24.3 At the time of each submission, the Contractor shall give the Owner specific written notice of each variation that the Submittal may have from the requirements of the Contract Documents, and in addition, shall cause a specific notation to be made on each Submittal submitted to the Owner for review and approval of each such variation.

6.24.4 The Owner shall review Submittals with reasonable promptness, but OWNER'S review and acceptance will be only for conformance with the design concept of the Project and for compliance with the information given in the Contract Documents and shall not extend to means, methods, techniques, sequences, or procedures of construction (except where a specific means, method, technique, sequence, or procedure of construction is indicated in or required by the Contract Documents) or to safety precautions or programs incident thereto. The review and approval of a separate item as such shall not indicate approval of the assembly in which the item functions. The Contractor shall make corrections required by OWNER, and shall return the required number of corrected copies of Submittals and resubmit as required for review and acceptance. The

Contractor shall direct specific attention in writing to revisions other than the corrections called for by the Owner on previous Submittals.

6.24.5 The Owner's review and acceptance of Submittals shall not relieve the Contractor from responsibility for any variation from the requirements of the Contract Documents unless the Contractor has in writing called the Owner's attention to each such variation at the time of submission and the Owner has given written approval of each such variation by a specific written notation thereof incorporated in or accompanying the Submittal. Nor shall any acceptance by the Owner relieve the Contractor from responsibility for errors or omissions in the Submittals.

6.24.6 Where a Submittal is required by the Specifications, any related Work performed prior to the Owner's review and acceptance of the pertinent submission shall be the sole expense and responsibility of the Contractor.

6.25 **Continuing the Work.** The Contractor shall carry on the Work and adhere to the progress schedule during all disputes or disagreements with the Owner, provided Owner otherwise remains in compliance with its payment obligations. No Work shall be delayed or postponed pending resolution of any disputes or disagreements, except as the Owner and the Contractor may otherwise agree in writing.

6.26 **Contractor's Liability; Indemnification.** To the full extent permitted by law, the Contractor shall at all times indemnify and keep indemnified Indemnitees and hold and save Indemnitees harmless from and against any and all liability for damages, claims, judgments, losses, fines, penalties, charges and expenses of whatever kind or nature, including but not limited to all professional and reasonable attorneys' fees and costs, for third party claims which Indemnitees shall or may at any time sustain or incur by reason of or in consequence of the negligent acts or omissions in the performance of the Work under this Contract by the Contractor, anyone directly or indirectly employed by the Contractor or anyone for whose acts the Contractor may be liable, except to the extent those claims, losses, fines, penalties or expenses are caused by the negligence of Indemnitees. The Contractor shall pay over, reimburse and make good Indemnitees, all monies which Indemnitees shall pay or cause to be paid, or become liable to pay, by reason of the foregoing circumstance. The Contractor does further agree to indemnify Indemnitees against any third party suit or claim brought or instituted against Indemnitees by any person or entity and concerning any damages or injuries sustained or incurred as a result of the Contractor's negligent acts or omissions in performance of its Work under this Contract, and in any such case Indemnitees shall be at liberty to employ attorneys of their own selection to appear and defend the suit or suits in Indemnitees' behalf at the expense of the such Indemnitee. This provision applies whether or not it is caused in part by an act or omission (active, passive, or comparative negligence

included), or any party indemnified hereunder, but to the extent of the negligence of a party indemnified there under.

6.27 **No Limits on Indemnification.** In any and all claims brought against Indemnitees by any employee (or the survivor or personal representative of such employee) of the Contractor, any Subcontractor, any Supplier, any person or organization directly or indirectly employed by any of them to perform or furnish any of the Work, or anyone for whose acts any of them may be liable, the indemnification obligation under paragraph 6.26 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any such Subcontractor, Supplier or other person or organization under workers' compensation acts, disability benefit acts or other employee benefit acts.

6.28 **Exception to Indemnification.** The obligations of the Contractor under Volume II, Section 1000, subsection 6.26 shall not extend to the liability of Indemnitees caused by the preparation of maps, drawings, surveys, designs or specifications upon which is placed the applicable state-authorized design professional seal of the Owner or the Owner's Consultant's, officers, directors, partners, employees or agents.

6.29 Waiver of Certain Damages: Notwithstanding any other provisions of this Contract to the contrary, neither Owner nor Contractor shall be liable under this Contract or under any cause of action related to the subject matter of this Contract, whether in contract, tort (including negligence), strict liability, products liability, indemnity, contribution, or any other cause of action for punitive, special, indirect, incidental or consequential losses or damages, including loss of profits, use, opportunity, revenues, financing, bonding capacity, or business interruptions; provided that the limitation of liability set forth in this Section shall not apply to Contractor's : (i) indemnity obligations with respect to third-party claims, (ii) gross negligence or willful misconduct, and/or (iii) breach of confidentiality provisions.

6.30 Overall Liability Cap: Notwithstanding anything in this Contract, any Change Order, or otherwise to the contrary, and in addition to, cumulative of and not in limitation of any other limits on liability herein, Contractor's maximum aggregate liability under or with respect to this Contract, any Change Order or the subject matter thereof, regardless of cause (whether in contract, tort, strict liability, or otherwise), other than third-party claims indemnified by Contractor hereunder, shall not exceed in the aggregate an amount equal to the lesser of (A) the Contract Price and the total amount of any Change Order; and (B) (with respect to losses covered by policies of insurance Contractor is required to obtain and maintain under this Contract) actual proceeds from the coverage amounts required under this Contract for the policy covering such loss.

6.31 Survival of Obligations. All representations, indemnifications, warranties and guarantees made in, required by or given in accordance with the Contract Documents, as well as all continuing obligations of the Contractor indicated in the Contract Documents, will survive final payment, completion and acceptance of the Work and termination or completion of the Contract.

7. The Work.

7.1 The Work to be performed under this Contract shall consist of furnishing all plant, tools, equipment, materials, supplies, and manufactured articles and furnishing all labor, transportation, and services, including fuel, power, water, and essential communications, and performing all Work, or other operations required for the fulfillment of the Contract in accordance with the Contract Documents. The Work shall be complete, and all Work, materials, and services not expressly indicated or called for in the Contract Documents which may be necessary for the complete, safe and proper construction of the Work in good faith shall be provided by the Contractor as though originally so indicated.

7.2 The Contractor shall schedule and perform the Work in such a manner as to result in the least possible disruption to the public's use of roadways, driveways, and utilities. Utilities shall include but not be limited to water, sewerage, drainage structures, ditches and canals, gas, electric, cable television, and telephone. The approximate location of utilities shall be provided by the Owner's Representative on plan and profile sheets therefore. Such approximate locations are guaranteed for neither accuracy nor completeness. The Contractor shall incorporate as-built locations on the reproducible record plans, in red ink, showing proper location on each sheet where these utilities are located.

7.3 **Related Work at Site.** The Owner may perform other work related to the Project at the Site by the Owner's own forces, or let other direct contracts therefore which shall contain General Conditions similar to these, or have other work performed by utility owners. In addition to the Work under this Contract, the Owner has awarded, or will award, separate contracts for other work related to the Project to be performed at the Site.

7.4 **Safe Access.** The Contractor shall afford each other contractor who is a party to another direct contract with the Owner or the Southern Nevada Water Authority and each utility owner proper and safe access to the Site and a reasonable opportunity for the introduction and storage of materials and equipment and the execution of such other work and shall properly connect and coordinate the Work with other contractors as appropriate. Unless otherwise provided in the Contract Documents, the Contractor shall do all cutting, fitting and patching of the Work that may be required to make its several parts come together properly and integrate with such other work. The Contractor shall not endanger any work of others by cutting, excavating or otherwise altering the other contractor's work and will only cut or alter the other contractor's work with the written consent of the

Owner's Representative and the others whose work will be affected. The duties and responsibilities of the Contractor under this paragraph are for the benefit of utility owners and other contractors to the extent that there are comparable provisions for the benefit of the Contractor in direct contracts between the Owner and such utility owners and other contractors.

7.5 **Notice of Delays by Others.** If the proper execution or results of any part of the Contractor's Work depends upon work performed by others under Volume II, Section 1000, subsection 7, the Contractor shall visually inspect such other work and promptly report to the Owner's Representative in writing any delays, defects or deficiencies in such other work that render part of the Contractor's Work unavailable or unsuitable for the proper execution and results of the Contractor's Work. The Contractor's failure so to report shall constitute an acceptance of such other work as fit and proper for integration with the Contractor's Work except for latent or non-apparent defects and deficiencies in such other work.

7.6 **Coordination.** In addition to overseeing the execution of this Contract, the Owner's Representative shall also be responsible for overseeing related Work at the Site under other Owner contracts. The Contractor shall coordinate directly with other contractors that have been issued Notice to Proceed by the Owner when developing the Contractor's initial schedule submittal. The Contractor's schedule shall reflect this coordination to eliminate conflicts with all other contractors. The Contractor shall coordinate directly with the Owner's Representative and any other contractors to schedule day-to-day access to the site as necessary. The Owner's Representative shall make final determination regarding schedule adjustments if necessary to avoid schedule conflicts between contractors.

7.7 **Interference with Work on Utilities.** The Contractor shall cooperate and coordinate fully with all utility forces of the Owner or forces of other public or private agencies engaged in the relocation, altering, or otherwise rearranging of any facilities which interfere with the progress of the Work, and shall schedule the Work so as to minimize interference with said relocation, altering, or other rearranging of facilities. The Contractor shall review with the various utility companies the construction methods, safety procedures and Work to be done in the vicinity of utilities. When temporary relocation of utilities is necessary, sufficient advance notice shall be given by the Contractor to the utility involved. Utilities and other concerned agencies shall be contacted at least seven (7) days prior to cutting or closing streets or other traffic areas or excavating near underground utilities or pole lines. The Contractor shall submit the findings of a utility investigation to the Owner's Representative.

7.8 **Notices to Owners of Adjacent Properties.** The Contractor shall notify owners of adjacent property and utilities when prosecution of the Work may affect them. When it is necessary to temporarily deny access by owners or tenants to their property, or when any utility service connection must be interrupted, the

Contractor shall give notices sufficiently in advance to enable the affected persons to provide for their needs. Notices shall conform to any applicable local ordinance and, whether delivered orally or in writing, shall include appropriate information concerning the interruption and instructions on how to limit any resulting inconvenience.

7.9 **Time Limitations.** Time limitations required by the Owner shall be for the benefit of the Owner and contractors under other contracts who have entered into such contracts with the Owner in reliance on the time limitations set forth in these Contract Documents. Any claim by a contractor for damages due to delay or damage to the Work or the property of a contractor by another contractor shall be asserted against that contractor.

7.10 **Lines and Grades; Survey Data.** All Work shall be done to the lines, grades, and elevations shown on the Drawings. The Contractor shall establish basic horizontal and vertical control points and the Contractor shall use these points as datum for the Work. Any additional survey, layout, or measurement Work needed for proper construction of the Work shall be performed by the Contractor as a part of the Work at no additional cost to the Owner. The Contractor shall employ experienced instrument personnel, competent assistants, and such instruments, tools, stakes, and other materials required to complete the survey, layout, and measurement Work. The Contractor shall remove and reconstruct Work which is improperly located. The Contractor shall make available for examination throughout the construction period all field books, notes, and other data developed by the Contractor in performing the surveys required by the Work and shall submit all such data to the Owner's Representative with documentation required for final acceptance of the Work.

8. Owner's Representative.

8.1 **Owner's Representative.** The Owner's Representative during the construction of the Project shall be the Assistant Director of Engineering and Operations.

8.2 **Project Representation.**

8.2.1 Communications pertaining to Submittals, written interpretations, and Change Orders shall be directed to the Owner's Representative.

8.2.2 Communications pertaining to day-to-day operations at the Site shall be directed to Owner's Representative.

8.2.3 The Owner's Representative and his assistants shall conduct observations of the Work in progress determine that the Work is proceeding in accordance with the Contract Documents.

8.2.4 The Owner's Representative shall not have authority to permit any deviation from the Contract Documents, except with concurrence of the Owner.

8.2.5 The Owner's Representative shall be authorized to disapprove or reject any defective workmanship, Equipment, or Material.

8.3 **Clarifications and Interpretations.** The Owner shall issue with reasonable promptness such written clarifications or interpretations of the requirements of the Contract Documents (in the form of drawings or otherwise) as the Owner may determine necessary. Such clarifications shall be consistent with or reasonably inferable from the overall intent of the Contract Documents. If the Contractor believes that a written clarification or interpretation justifies an increase in the Contract Price or an extension of the Contract Times and the parties are unable to agree on the amount or extent thereof, the Contractor may make a claim therefore.

8.4 **Authorized Variations in Work.** The Owner may authorize minor variations in the Work from the requirements of the Contract Documents that do not involve an adjustment in the Contract Price or the Contract Times and are consistent with the overall intent of the Contract Documents. These may be accomplished by a Field Order and shall be binding on the Owner and the Contractor, who shall perform the Work involved promptly.

8.5 **Rejecting Defective Work.** The Owner's Representative will have authority to disapprove or reject Work which the Owner believes to be defective, and will also have authority to require special inspection or testing of the Work, whether or not the Work is fabricated, installed, or completed.

8.6 **Determination for Unit Prices.** The Owner's Representative shall determine the actual quantities and classifications of Unit Price Work performed by the Contractor. The Owner's Representative shall review with the Contractor, the Owner's Representative's preliminary determinations on such matters before rendering a written decision thereon (by recommendation of an Application for Payment or otherwise). The Owner's Representative's written decisions thereon shall be final and binding upon the Owner and the Contractor, unless, within ten days after the date of any such decision, either the Owner or the Contractor delivers to the other party to the Contract and to the Owner's Representative written notice of intention to appeal from such a decision.

8.7 **Decisions on Claims and Disputes.**

8.7.1 The Owner's Representative shall be the initial interpreter of the requirements of the Contract Documents and judge of the acceptability of the Work there under. Claims, disputes, and other matters relating to the acceptability of the Work or the interpretation of the requirements of the Contract Documents pertaining to the performance and furnishing of the

Work and claims under Volume II, Section 1000, subsections 10 and 11 in respect of changes in the Contract Price or Contract Times shall be referred initially to the Owner's Representative in writing with a request for a written decision in accordance with this paragraph, which the Owner's Representative shall render within a reasonable time. Written notice of each such claim, dispute, and other matter shall be delivered by the claimant to the Owner's Representative and the other party to the Contract promptly, but in no event later than thirty (30) days, after the knowledge of the claim, and written supporting data shall be submitted to the Owner's Representative and the other party within sixty (60) days after unless the Owner's Representative allows an additional period of time to ascertain more accurate data in support of the claim.

8.7.2 The rendering of a decision by the Owner's Representative with respect to any such claim, dispute, or other matter shall be a condition precedent to any exercise by Owner or the Contractor of such rights or remedies as either may otherwise have under the Contract Documents or by Laws or Regulations in respect of any such claim, dispute, or other matter, provided such decision is rendered within thirty (30) days of receipt of the supporting data.

9. **Changes in the Work.**

9.1 **Owner's Order to Change Work.** Without invalidating the Contract and without notice to any surety, the Owner may, at any time or from time to time, order additions, deletions or revisions in the Work within the scope of this Contract. Such additions, deletions or revisions shall be authorized by a Written Amendment, Field Order, or Change Order. Upon receipt of any such document, the Contractor shall promptly proceed with the Work involved which do not affect the Contract Price or Contract Times and which shall be performed under the conditions of the Contract Documents, unless otherwise specifically provided.

9.2 **Claim Based on Change Order.** If the Owner and the Contractor are unable to agree as to the extent, if any, of an adjustment in the Contract Price or an adjustment of the Contract Times, that should be allowed as a result of a Change Order, a claim may be made therefore.

9.3 **Limitation on increase in Contract Price or Contract Times.** The Contractor shall not be entitled to an increase in the Contract Price or an extension of the Contract Times with respect to any Work performed that is not required by the Contract Documents as amended, modified or supplemented, or to perform the Work in a safe manner, except in the case of an emergency or in the case of uncovering Work.

9.4 **Execution of Change Orders.** The Owner and the Contractor shall execute appropriate Change Orders covering:

9.4.1 changes in the Work which are (i) ordered by the Owner, (ii) required because of acceptance of defective Work or correcting defective Work, (iii) premises for which Contractor has relief hereunder or (iv) are otherwise agreed to by the parties;

9.4.2 changes in the Contract Price or Contract Times which are agreed to by the Owner and the Contractor; and

9.4.3 changes in the Contract Price or Contract Times which embody the substance of any written decision rendered by the Owner's Representative; provided that in lieu of executing any such Change Order an appeal may be taken from any such decision in accordance with the provisions of the Contract Documents and applicable Laws and Regulations but during any such appeal the Contractor shall carry on the Work and adhere to the progress schedule.

9.5 In the event that the Owner and the Contractor are unable to agree as to the extent, if any, of an adjustment in the Contract Price or Contract Time without causing delay, in, or disruption of the Contractor's schedule for completion of the Project; or increase in the cost for rework; the Owner's Representative is authorized to issue a Change Order for the addition, deletion or change to proceed on an extra work basis, subject to the submittal of daily reports of all labor, equipment, materials and supplies utilized while performing extra Work.

9.6 **Notice of Change Orders to Surety.** If notice of any change affecting the general scope of the Work or the provisions of the Contract Documents, including but not limited to Contract Price or Contract Time s, is required by the provisions of any Bond to be given to a surety, the giving of any such notice shall be the Contractor's responsibility and the amount of each applicable Bond will be adjusted accordingly.

10. Change of Contract Price.

10.1 **Total Compensation.** The Contract Price constitutes the total compensation, subject to adjustments hereunder, payable to the Contractor for performing the Work. All duties, responsibilities, and obligations assigned to or undertaken by the Contractor shall be at his expense without change in Contract Price.

10.2 **Change of Contract Price.** The Contract Price may only be changed by a Written Amendment or a Change Order. Any claim for an adjustment in the Contract Price shall be based on written notice delivered by the party making the claim to the other party promptly, but in no event later than thirty (30) days, after knowledge of the claim and stating the general nature of the claim. Notice of the amount of the claim with supporting data shall be delivered within sixty days after the occurrence of the event, unless the Owner allows additional time for claimant

to submit additional or more accurate data in support of the claim, and shall be accompanied by claimant's written statement that the adjustment claimed covers all known amounts including direct, indirect and consequential costs, to which the claimant is entitled as a result of the occurrence of said event. The Owner shall review and render a decision on all claims for adjustment in the Contract Price.

10.3 **Determination of Value of Work Covered by Change Order.** The value of any Work covered by a Change Order or of any claim for an adjustment in the Contract Price shall be determined in one of the following ways:

10.3.1 where the Work involved is covered by unit prices contained in the Contract Documents, by application of such unit prices to the quantities of the items involved, subject to the provisions of Volume II, Section 1000, subsection 10.9.1 through 10.9.3 inclusive.

10.3.2 by mutual acceptance of a lump sum, which may include an allowance for overhead and profit not necessarily in accordance with Volume II, Section 1000, subsection 10.6.2.

10.3.3 on the basis of the Cost of the Work, determined as provided in Volume II, Section 1000, subsection 10.4 and 10.5; plus a Contractor’s fee for overhead and profit, determined as provided in Volume II, Section 1000, subsection 10.6.

10.4 **Cost of the Work.** The term "Cost of the Work" means the sum of all costs necessarily incurred and paid by the Contractor in the proper performance of the Work. Except as may otherwise be agreed in writing by the Owner, such costs shall be in amounts no higher than those prevailing in the locality of the Project, shall include only the following items and shall not include any of the costs itemized in Volume II, Section 1000, subsection 10.5:

10.4.1 Payroll costs for employees in the direct employ of the Contractor in the performance of the Work under schedules of job classifications agreed upon by the Owner and the Contractor. Payroll costs for employees not employed full time on the Work shall be apportioned on the basis of their time spent on the Work. Payroll costs shall include, but shall not be limited to, salaries and wages plus the cost of fringe benefits which shall include social security contributions, unemployment, excise and payroll taxes, workers' compensation, health and retirement benefits, bonuses, sick leave, vacation and holiday pay applicable thereto. The expenses of performing Work after regular working hours, on Saturday, Sunday or legal holidays, shall be included in the above to the extent authorized by the Owner.

10.4.2 Cost of all materials and equipment furnished and incorporated in the Work, including costs of transportation and storage thereof, and Suppliers'

field services required in connection therewith. All cash discounts shall accrue to the Contractor unless the Owner deposits funds with the Contractor with which to make payments, in which case the cash discounts shall accrue to the Owner. All trade discounts, rebates and refunds, and returns from sale of surplus materials and equipment shall accrue to the Owner, and the Contractor shall make provisions so that they may be obtained.

10.4.3 Payments made by the Contractor to the Subcontractors for Work performed or furnished by Subcontractors. If required by the Owner, the Contractor shall obtain competitive bids from Subcontractors acceptable to the Owner and the Contractor and shall deliver such bids to the Owner who shall then determine which bids, if any, will be accepted. If any subcontract provides that the Subcontractor is to be paid on the basis of Cost of the Work plus a fee, the Subcontractor's Cost of the Work shall be determined in the same manner as the Contractor's Cost of the Work. All subcontracts shall be subject to the other provisions of the Contract Documents insofar as applicable.

10.4.4 Costs of special consultants (including but not limited to engineers, architects, testing laboratories, surveyors, attorneys and accountants) employed for services specifically related to the Work.

10.4.5 Supplemental costs including the following:

10.4.5.1 Necessary transportation, travel and subsistence expenses of the Contractor's employees incurred in discharge of duties connected with the Work.

10.4.5.2 Costs, including transportation and maintenance, of all materials, supplies, equipment, machinery, appliances, office and temporary facilities at the Site, and hand tools not owned by the workers, which are consumed in the performance of the Work; and the cost less market value of such items used but not consumed and which remain the property of the Contractor.

10.4.5.3 Rentals of all construction equipment and machinery and the parts thereof whether rented from the Contractor or others in accordance with rental agreements approved by the Owner; and the costs of transportation, loading, unloading, installation, dismantling, and removal thereof all in accordance with terms of said rental agreements. The rental of any such equipment, machinery, or parts shall cease when the use thereof is no longer necessary for the Work.

10.4.5.4 Sales, consumer, use or similar taxes related to the Work, as imposed by Laws and Regulations and for which the Contractor is liable.

10.4.5.5 Deposits lost for causes other than negligence of the Contractor, any Subcontractor or anyone directly or indirectly employed by any of them or for whose acts any of them may be liable, and royalty payments and fees for permits and licenses.

10.4.5.6 Losses and damages (and related expenses) caused by damage to the Work, not compensated by insurance, or otherwise, sustained by the Contractor in connection with the performance and furnishing of the Work, provided they have resulted from causes other than the negligence of the Contractor, any Subcontractor, or anyone directly or indirectly employed by any of them or for whose acts any of them may be liable. Such losses shall include settlements made with the written consent and approval of the Owner. No such losses, damages and expenses shall be included in the Cost of the Work for the purpose of determining the Contractor's fee. If, however, any such loss or damage requires reconstruction and the Contractor is placed in charge thereof, the Contractor shall be paid for services a fee proportionate to that stated in Volume II, Section 1000, subsection 10.6.2.

10.4.5.7 The cost of utilities, fuel and sanitary facilities at the Site.

10.4.5.8 Expenses such as telegrams, long distance telephone calls, telephone service at the Site, expressage and similar petty cash items in connection with the Work.

10.4.5.9 Cost of premiums for additional Bonds and insurance required because of changes in the Work.

10.5 **Exclusions from Cost of the Work.** The term "Cost of the Work" shall not include any of the following:

10.5.1 Payroll costs and other compensation of the Contractor's officers, executives, principals (of partnership and sole proprietorships), general managers, estimators, attorneys, auditors, accountants, purchasing and contracting agents, expediters, timekeepers, clerks, and other personnel employed by the Contractor whether at the Site or in the Contractor's principal or a branch office for general administration of the Work and not specifically included in the agreed upon schedule of job classifications referred to in Volume II, Section 1000, subsection 10.4.1 or specifically covered by subsection 10.4.4 all of which are to be considered administrative costs covered by the Contractor's fee.

10.5.2 Expenses of the Contractor's principal and branch offices other than the Contractor's office at the Site.

10.5.3 Any part of the Contractor's capital expenses, including interest on the Contractor's capital employed for the Work and charges against the Contractor for delinquent payments.

10.5.4 Cost of premiums for all bonds and for all insurance whether or not the Contractor is required by the Contract Documents to purchase and maintain the same, except for the cost of premiums covered by Volume II, Section 1000, subsection 10.4.5.9.

10.5.5 Costs due to the negligence of the Contractor, any Subcontractor, or anyone directly or indirectly employed by any of them or for whose acts any of them may be liable, including but not limited to, the correction of defective Work, disposal of materials or equipment wrongly supplied, and making good any damage to property.

10.6 **Contractor's Fee.** The Contractor's fee allowed to the Contractor for overhead and profit shall be determined as follows:

10.6.1 a mutually acceptable fixed fee; or if none can be agreed upon,

10.6.2 a fee based on the following percentages of the various portions of the Cost of the Work:

10.6.2.1 for costs incurred under Volume II, Section 1000, subsection 10.4.1 and 10.4.2, the Contractor's fee shall be fifteen (15) percent;

10.6.2.2 for costs incurred under Volume II, Section 1000, subsection 10.4.3, the Contractor's fee shall be fifteen (15) percent;;

10.6.2.3 no fee shall be payable on the basis of costs itemized under Volume II, Section 1000, subsections 10.5;

10.6.2.4 the amount of credit to be allowed by the Contractor to the Owner for any change which results in a net decrease in cost shall be the amount of the actual net decrease in cost plus a deduction in the Contractor's fee in an amount equal to five percent of such net decrease; and

10.6.2.5 when both additions and credits are involved in any one change, the adjustment in the Contractor's fee shall be computed on the

basis of the net change in accordance with Volume II, Section 1000, subsection 10.6.2.1 through 10.6.2.4, inclusive.

10.7 **Records Supporting Cost Items.** Whenever the cost of any Work is to be determined pursuant to Volume II, Section 1000, subsection 10.4, the Contractor shall establish and maintain records thereof in accordance with generally accepted accounting practices and shall submit an itemized cost breakdown together with supporting data to the Owner's Representative. The Owner may audit the Contractor's records related to such costs during customary business hours.

10.8 **Allowances.** It is understood that the Contractor has included in the Contract Price all allowances named in the Contract Documents, and shall cause the Work to be done by such suppliers or Subcontractors and for such sums within the limit of the allowances as may be acceptable to the Owner's Representative on behalf of the Owner. Prior to final payment, an appropriate Change Order shall be issued as recommended by the Owner's Representative to reflect actual amounts due the Contractor on account of Work covered by allowances, and the Contract Price shall be correspondingly adjusted. The Contractor agrees that the allowances include the cost to the Contractor (less any applicable trade discounts) of equipment and materials required by the allowances to be delivered to the Site, labor, installation costs, and all applicable taxes. The Contractor further agrees that all overhead, profit, and other expenses contemplated for the allowances have been included in the Contract Price and not in the allowances, and that no demand for additional payment on account of any thereof will be valid.

10.9 **Unit Price Work.**

10.9.1 Where the Contract Documents provide that part of the Work is to be Unit Price Work, the Contract Price shall initially be deemed to include, for all Unit Price Work, an amount equal to the sum of the established unit prices for each separately identified item of Unit Price Work times the quantity of each item as indicated in the Contract Documents. The quantities of items of Unit Price Work are expected maximums and are provided for the purpose of determining the maximum, not to exceed, Contract Price. Determinations of the actual quantities and classifications of Unit Price Work performed by the Contractor shall be made by OWNER'S Representative.

10.9.2 Each unit price shall be deemed to include an amount considered by the Contractor to be adequate to cover the Contractor's overhead and profit for each separately identified item.

10.9.3 Where the quantity of any item of Unit Price Work performed by the Contractor differs materially and significantly from the estimated quantity of such item indicated in the Contract Documents and there is no corresponding adjustment with respect to any other item of Work and if

the Contractor believes that the Contractor has incurred additional expense as a result thereof, but the parties are unable to agree as to the amount of any such increase, the Contractor may make a claim for an increase in the Contract Price.

11. Change Of Contract Times.

11.1 **Contract Time.** The Contract Times, or Milestones, may only be changed by a Written Amendment, or Change Order. Any claim for an adjustment of the Contract Times, or Milestones, shall be based on Work that affects the Critical Path only and a written notice delivered by the party making the claim to the other party promptly, but in no event later than thirty (30) days, after the knowledge of the claim and stating the general nature of the claim. Notice of the extent of the claim with supporting data shall be delivered within sixty (60) days after, unless the Owner allows an additional period of time to ascertain more accurate data in support of the claim, and shall be accompanied by the claimant's written statement that the adjustment claimed is the entire adjustment to which the claimant has reason to believe it is entitled as a result of the occurrence of said event. The Contractor shall demonstrate the requested Contract Time change through schedule submittals if so requested by the Owner's Representative. The Owner shall review and render a decision on all claims for adjustment in the Contract Times, or Milestones. Any change to the Contract Times agreed to by the Owner shall be incorporated in a Change Order or Written Amendment.

11.2 **Extension for Delays Beyond Contractor's Control.** Where the Contractor is prevented from completing any part of the Work within the Contract Times, or Milestones, due to delay beyond the reasonable control of the Contractor, the Contract Times, or Milestones, may be extended in an amount equal to the impact due to the time lost due to such delay if a claim is made therefore as provided in Volume II, Section 1000, subsection 11.1 and there shall be an equitable adjustment to the Contract Price. Delays beyond the reasonable control of the Contractor shall include, but not be limited to, acts or neglect by the Owner, acts or neglect of utility owners or other contractors performing other work, or to fires, floods, epidemics, pandemics, quarantine, severe weather conditions or acts of God. Delays attributable to and within the reasonable control of a Subcontractor or Supplier shall be deemed to be delays within the reasonable control of the Contractor.

12. Tests and Inspections; Correction, Removal or Acceptance of Defective Work.

12.1 **Warranty and Guarantee.** The Contractor warrants and guarantees to the Owner that all Work will be in accordance with the Contract Documents and will not be defective. Prompt notice of all defects of which the Owner's Representative is aware shall be provided to the Contractor. All defective Work, whether or not in place, may be rejected, corrected or accepted as provided in this subsection.

12.1.1 All Equipment and Materials furnished by the Contractor for the Work shall carry a written guarantee from the manufacturer or Supplier of such items when called for in the Specifications. Written guarantees shall be submitted to the Owner with other Submittals.

12.2 **Access to the Work.** The Owner, the Owner's Representative, other representatives of the Owner, testing agencies and governmental agencies with jurisdictional interests shall be permitted access to the Work for their observation, inspecting and testing. The Contractor shall provide proper and safe conditions for such access.

12.3 **Tests and Inspections.** The Contractor shall give the Owner & Owner's Representative timely notice of readiness of the Work for all required inspections, tests, or approvals.

12.3.1 The Contractor shall be responsible for and shall pay all costs in connection with any inspection or testing required in connection with the Owner's acceptance of a Supplier of Materials or Equipment proposed to be incorporated in the Work, or of Materials or Equipment submitted for approval prior to the Contractor's purchase thereof for incorporation in the Work.

12.3.2 If Laws or Regulations of any public body having jurisdiction require any Work (or part thereof) to specifically be inspected, tested, or approved, the Contractor shall assume full responsibility therefore, pay all costs in connection therewith, and furnish the Owner's Representative the required certificates of inspection, testing, or approval.

12.3.3 The cost of all inspections, tests, and approvals in addition to the above which are required by the Contract Documents shall be paid by the Owner, unless otherwise specified.

12.3.4 All inspections, tests, or approvals other than those required by Laws or Regulations of any public body having jurisdiction shall be performed by organizations acceptable to the Owner and the Contractor.

12.3.5 If any Work, including the work of others, which is to be inspected, tested, or approved is covered without written concurrence of the Owner's Representative, it must, if requested by the Owner's Representative, be uncovered for observation. Such uncovering shall be at the Contractor's expense unless the Contractor has given the Owner's Representative timely notice of the Contractor's intention to cover the same and the Owner's Representative has not acted with reasonable promptness in response to such notice.

12.3.6 Neither observations by the Owner's Representative nor inspections, tests, or approvals by others shall relieve the Contractor from the Contractor's obligations to perform the Work in accordance with the Contract Documents.

12.4 **Defective Work.** The term "defective" is used in these documents to describe Work that is faulty, not in conformance with the requirements of the Contract Documents, or not meeting the requirements of any inspection, test, approval, or acceptance required by Law or the Contract Documents.

12.4.1 Any defective Work may be disapproved or rejected by the Owner or Owner's Representative at any time before final acceptance even though it may have been overlooked and included in a previous Application for Payment.

12.4.2 The Owner or Owner's Representative shall provide the Contractor prompt notice of defects as they become evident.

12.5 **Owner May Stop the Work.** If the Work is defective, or the Contractor fails to supply sufficient skilled workers or suitable materials or equipment, or fails to furnish or perform the Work in such a way that the completed Work will conform to the Contract Documents, the Owner may order the Contractor to stop the Work, or any portion thereof, until the cause for such order has been eliminated; however, this right of the Owner to stop the Work shall not give rise to any duty on the part of the Owner to exercise this right for the benefit of the Contractor or any other party.

12.6 **Correction or Removal of Defective Work.** If required by the Owner or Owner's Representative, the Contractor shall promptly, as directed, either correct all defective Work, whether or not fabricated, installed or completed, or, if the Work has been rejected by the Owner's Representative, remove it from the Site and replace it with nondefective Work. The Contractor shall bear all direct costs of such correction or removal (including but not limited to fees and charges of engineers, architects, reasonable attorneys, and other professionals) made necessary thereby.

12.7 **One-Year Correction Period.** Under the provisions of the Guaranty Bond furnished by CONTRACTOR at the completion of the Work, if within one year after the Date of Substantial Completion of the Project, any Work is found to be defective, the Contractor shall promptly, without cost to the Owner and in accordance with the Owner's written instructions, either correct such defective Work, or, if it has been rejected by the Owner, remove it from the Site and replace it with nondefective Work and in addition, with regard to defects and non-conformances corrected pursuant thereto, Contractor's warranty term shall extend one (1) year from the date of repair; however, in no event shall Contractor's

foregoing warranty, nor any warranty obligations of Contractor under this Contract, extend for more than two (2) years from Substantial Completion of its Work. If the Contractor does not promptly comply with the terms of such instructions, or in an emergency where delay would cause serious risk of loss or damage, the Owner may have the defective Work corrected or the rejected Work removed and replaced, and all direct costs of such removal and replacement (including but not limited to fees and charges of engineers, architects, reasonable attorneys fees, and other professionals) will be paid by the Contractor.

12.8 **Acceptance of Defective Work.** The Owner may, at its election, choose to accept defective Work instead of requiring correction or removal and replacement of defective Work. The Contractor shall bear all direct costs attributable to the Owner's evaluation of and determination whether to accept such defective Work (including but not be limited to fees and charges of engineers, architects, attorneys, and other professionals). If any such acceptance occurs prior to the Owner's Representative's recommendation of final payment, a Change Order shall be issued incorporating the necessary revisions in the Contract Documents with respect to the Work. If the Owner's acceptance occurs after such recommendation, the Contractor shall pay the Owner for the Owner's costs of evaluation and determination whether to accept the defective Work.

12.9 **Owner May Correct Defective Work.** If the Contractor fails within a reasonable time after written notice of the Owner's Representative to proceed to correct defective Work or to remove and replace rejected Work as required by the Owner's Representative, the Owner may, after seven days' written notice to the Contractor, correct and remedy any such deficiency.

12.9.1 To the extent necessary to complete corrective and remedial action, the Owner may exclude the Contractor from all or part of the Site, take possession of all or part of the Work, and suspend the Contractor's services related thereto, and incorporate in the Work all Equipment and Materials stored at the Site or for which the Owner has paid the Contractor but which are stored elsewhere.

12.9.2 All direct costs of the Owner in exercising such rights and remedies shall be charged against the Contractor and a Change Order shall be issued incorporating the necessary revisions in the Contract Documents with respect to the Work. The Owner shall be entitled to an appropriate decrease in the Contract Price. If the parties are unable to agree as to the amount thereof, the Owner may make a claim therefore. Such direct costs shall include but not be limited to fees and charges of engineers, architects, reasonable attorneys fees and other professionals, all court and arbitration costs.

12.9.3 The Contractor shall not be allowed an extension of the Contract Times because of any delay in performance of the Work attributable to the exercise by the Owner of the Owner's rights and remedies hereunder.

12.10 THE EXPRESS WARRANTIES OF CONTRACTOR SET FORTH HEREIN ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, WHETHER STATUTORY, EXPRESS, OR IMPLIED, (INCLUDING, BUT NOT LIMITED TO, ALL WARRANTIES OF PERFORMANCE, MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND ALL WARRANTIES ARISING FROM COURSE OF DEALING AND USAGE OF TRADE), AND CONTRACTOR HEREBY DISCLAIMS, AND OWNER HEREBY WAIVES, ANY AND ALL SUCH OTHER WARRANTIES. THE WARRANTY COVERAGE SET FORTH HEREIN IS THE SOLE AND EXCLUSIVE REMEDY BY OWNER FOR CLAIMS RELATED TO AND ARISING FROM DEFECTIVE WORK.

CONTRACTOR IS NOT AND SHALL NOT BE HELD LIABLE FOR ANY ALLEGED BREACH OF THE WARRANTIES GIVEN IN THIS AGREEMENT TO THE EXTENT CAUSED BY OR ARISING OUT OF:

(a) ORDINARY WEAR AND TEAR IN THE OPERATION OF THE PROJECT;
(b) ALTERATIONS OR REPAIRS CARRIED OUT BY PERSONS NOT AUTHORIZED BY CONTRACTOR;
(c) SERVICES PROVIDED BY, OR THE USE OF MATERIALS, EQUIPMENT, LAYOUTS OR DESIGNS SUPPLIED OR REQUIRED BY, ANY PARTY OTHER THAN CONTRACTOR, ITS SUBCONTRACTORS OR SUPPLIERS UNLESS APPROVED BY CONTRACTOR IN WRITING; OR
(d) A FORCE MAJEURE EVENT.

13. Payments to Contractor, Project Completion.

13.1 **Applications for Progress Payment.** Within fifteen (15) days following the last day of each month, the Owner's Representative and the Contractor shall meet to review and agree upon the value in the Application for Progress Payments. Once agreed the Application for Progress Payments shall be signed by both the Owner's Representative and the Contractor. Contractor shall submit an invoice based on the finalized Application for Progress Payment. The Application for Progress Payment shall be accompanied by such supporting documentation as required by the Contract Documents.

13.1.1 If payment is requested on the basis of Equipment and Materials not incorporated in the Work but delivered and suitably stored at the Site or at another location agreed to in writing, the Application for Progress Payment shall also be accompanied by a bill of sale, invoice, or other

documentation warranting that the Owner has received the Equipment and Materials will be free and clear of all liens, charges, security interests, and encumbrances upon receipt of payment for the same, which are hereinafter referred to as "Liens", and evidence that the Equipment and Materials are covered by appropriate property or Builder's Risk insurance and other arrangements to protect the Owner's interest therein, all of which shall be satisfactory to the Owner.

13.1.2 Progress payments shall be in the amount of ninety percent (90%) of the amount of the Application for Progress Payment less the sum of all previous payments. When the amount retained by the Owner becomes equal to five percent (5%) of the Contract Price, the remaining progress payments shall be made in full, provided the Contractor's performance is satisfactory in the opinion of the Owner.

13.1.3 The Contractor warrants and guarantees that title to all Work, Materials, and Equipment covered by any Application for Progress Payment, whether incorporated in the Project or not, shall pass to the Owner free and clear of all Liens no later than the time of the Owner's payment and delivery to the Site.

13.1.4 The Owner's Representative shall refuse to recommend payment, either in whole or any part if:

13.1.4.1 subsequently discovered evidence or the results of subsequent inspections or tests, nullify any such payment previously recommended;

13.1.4.2 the Work is defective, or completed Work has been damaged requiring correction or replacement;

13.1.4.3 written claims have been made against the Owner or Liens have been filed in connection with the Work provided Owner is in compliance with its payment obligations;

13.1.4.4 the Contract Price has been reduced by Written Amendment or Change Order;

13.1.4.5 the Owner has been required to correct defective Work or complete Work;

13.1.4.6 the Contractor has failed to satisfactorily prosecute the Work in accordance with the Contract Documents; or

13.1.4.7 the Contractor has failed to make payment to Subcontractors, or for labor, Materials, or Equipment provided Owner is in compliance with its payment obligations; or

13.1.4.8 the Owner is entitled to terminate the Contract.

13.1.5 The Owner may refuse to make payment of the full amount recommended by the Owner's Representative because claims have been made against the Owner on account of the Contractor's performance the Work, because Liens have been filed in connection with the Work provided Owner is in compliance with its payment obligations, or because there are other items entitling the Owner to a set-off against the amount recommended. The Owner shall give the Contractor immediate written notice stating the reasons for such action.

13.1.6 In compliance with NRS 338.160, the Owner shall authorize progress payments of the amount due under the Contract at the end of each calendar month, or as soon thereafter as practical, to the Contractor if the Contractor is satisfactorily performing the Contract and the Owner has not been required to withhold payment to the Contractor in accordance with NRS 338.160(5).

13.1.7 Except as otherwise provided in NRS 338.170, the Contractor shall disburse money paid to him pursuant to NRS 338.170, including any interest which he receives, to his Subcontractors and suppliers within fifteen (15) days after he receives the money, in direct proportion to the subcontractor's and supplier's basis (including payments of interest on amounts withheld) in the total Contract between the Contractor and the Owner.

13.2 **Substantial Completion.** When the Contractor considers the entire Work substantially complete, the Contractor shall notify the Owner in writing that the entire Work is substantially complete (except for items specifically listed by the Contractor as incomplete) and request that the Owner's Representative issue a certificate of Substantial Completion. Within a reasonable time thereafter, the Owner and the Contractor shall make an inspection of the Work to determine the status of completion. If the Owner does not consider the Work substantially complete, the Owner shall notify the Contractor in writing giving its reasons therefore. If the Owner considers the Work substantially complete, the Owner's Representative shall prepare and deliver a tentative certificate of Substantial Completion which shall fix the Date of Substantial Completion. The Owner's Representative shall attach thereto a tentative list of items to be completed or corrected before final payment.

13.2.1 At the time of delivery of the tentative certificate of Substantial Completion, Owner's Representative shall deliver to the Contractor a

written recommendation as to division of responsibilities pending final payment between the Owner and the Contractor with respect to security, operation, safety, maintenance, heat, utilities, insurance, and warranties.

13.3 **Partial Utilization.** Use by the Owner of any finished part of the Work, which has specifically been identified in the Contract Documents, or which the Owner and the Contractor agree constitutes a separately functioning and useable part of the Work that can be used by the Owner without significant interference with the Contractor's performance of the remainder of the Work, may be accomplished prior to Substantial Completion of all the Work subject to the following:

13.3.1 The Owner at any time may request the Contractor in writing to permit the Owner to use any such part of the Work which the Owner believes to be ready for its intended use and substantially complete. If the Contractor agrees, the Contractor shall certify to the Owner that said part of the Work is substantially complete and request the Owner's Representative to issue a certificate of Substantial Completion for that part of the Work. The Contractor at any time may notify the Owner in writing that the Contractor considers any such part of the Work ready for its intended use and substantially complete and request the Owner's Representative to issue a certificate of Substantial Completion for that part of the Work. Within a reasonable time after either such request, the Contractor and the Owner's Representative shall make an inspection of that part of the Work to determine its status of completion.

13.3.2 The Owner may at any time request the Contractor in writing to permit the Owner to take over operation of any such part of the Work although it is not substantially complete. The Contractor and the Owner's Representative shall make an inspection of that part of the Work to determine its status of completion and will prepare a list of the items remaining to be completed or corrected thereon before final payment. The Owner's Representative shall list any additional work which shall be completed or corrected and deliver such list to the Contractor and shall recommend any division of responsibilities pending final payment between the Owner and the Contractor with respect to security, operation, safety, maintenance, utilities, insurance, warranties, and guarantees for that part of the Work. Prior to Substantial Completion of such part of the Work, the Owner shall allow the Contractor reasonable access to complete or correct items on said list and to complete other related Work.

13.4 **Final Inspection.** Upon written notice from the Contractor that the Work or an agreed portion thereof is complete, the Owner shall make a final inspection of the Work and shall notify the Contractor in writing of all particulars in which this inspection reveals that the Work is incomplete or defective. The Contractor shall immediately take such measures as are necessary to remedy such deficiencies.

13.5 **Final Application for Payment.** After the Contractor has completed all Work to the reasonable satisfaction of the Owner and delivered all maintenance and operating instructions, schedules, guarantees, Bonds, certificates of inspection, marked-up record documents, and other documents - all as required by the Contract Documents, and after the Owner's Representative has indicated that the Work is acceptable, the Contractor may make application for final payment following the procedure for progress payments. The final Application for Payment shall be accompanied by all documentation called for in the Contract Documents, except to the extent they have been previously delivered, together with complete and legally effective releases or waivers, satisfactory to the Owner, of all liens arising out of or filed in connection with the Work. In lieu thereof and as approved by the Owner, the Contractor may furnish receipts or releases in full; an affidavit of the Contractor that the releases and receipts include all labor, services, Material, and Equipment for which a lien could be filed, and that all payrolls, Equipment and Material bills, and other indebtedness connected with the Work for which the Owner or the Owner's property might in any way be responsible, have been paid or otherwise satisfied; and consent of the surety, if any, to final payment. If any Subcontractor or Supplier fails to furnish a release or receipt in full, the Contractor may furnish a Bond or other collateral satisfactory to the Owner to indemnify the Owner against any lien.

13.6 **Contractor's Continuing Obligation.** Neither recommendation of any progress or final payment by the Owner, nor the issuance of a certificate of Substantial Completion, nor any payment by the Owner to the Contractor under the Contract Documents, nor any use or occupancy of the Work or any part thereof by the Owner, nor any act of acceptance by the Owner nor any failure to do so, nor any review and approval of a Submittal, nor the issuance of any notice of acceptability, nor any correction of defective Work by the Owner will constitute an acceptance of Work not in accordance with the Contract Documents or a release of the Contractor's obligation to perform the Work in accordance with the Contract Documents.

13.7 **Waiver of Claims.** The Owner's making and the Contractor's acceptance of final payment shall constitute a waiver of all claims by the Owner against the Contractor, except claims arising from unsettled liens, from defective work appearing after final inspection, or from failure to comply with the Contract Documents or the terms of any special guarantees specified therein. The Owner's making and the Contractor's acceptance of final payment shall not constitute a waiver by the Owner of any rights in respect of the Contractor's continuing obligations under the Contract Documents, nor a waiver of those claims previously made in writing and still unsettled.

13.8 **Contract Times and Liquidated Damages.**

13.8.1 The Owner and the Contractor recognize that time is of the essence for the performance of the Contractor's obligations pursuant to this Contract, that

Work under other contracts is dependent on timely and satisfactory completion of the Work, and that the Owner will suffer financial loss if the Work is not completed within the time specified in the Contract Document, plus any extensions thereof. Nothing in this or any other 'time is of the essence' provision shall be construed as affecting any cure periods specifically set forth in the applicable Contract Documents and Owner must comply with the termination provisions of this Contract in order to terminate it. They also recognize that losses incurred by the Owner for delay would be extremely difficult or impossible to calculate or ascertain. The Owner and the Contractor recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by the Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, the Owner and the Contractor agree that as liquidated damages for delay, but not as a penalty, the Contractor shall pay the Owner the amounts as indicated below for each day that expires after the time specified for each milestone.

13.8.1.1 In case of joint responsibility for delay in the completion of the Work, where two or more separate contracts are in force at the same time and cover work at the same site, liquidated damages assessed against any one contractor shall be based upon the individual responsibility of that contractor for the delay as determined by, and in the reasonable judgment of Owner.

13.8.1.2 The Owner shall have the right to deduct the liquidated damages from any money in its hands, otherwise due, or to become due, to the Contractor hereunder, or to initiate applicable dispute resolution procedures and recover liquidated damages for nonperformance of this Contract within the time stipulated.

13.8.1.3 Contract Times and Liquidated Damages for each calendar day that each milestone is not met are as follows:

Milestone	**Date**	**Liquidated Damages (Per Day)**
Mobilization (Switchyard Pad and Fence)	September 13, 2024	$5,000.00
Mobilization (Switchyard and Transmission Line Construction)	September 13, 2024	$5,000.00
Substantial Completion (Switchyard and Transmission Line)	December 1, 2025	$5,000.00
Switchyard Energization	December 8, 2025	$5,000.00
Final Completion	December 22, 2025	$5,000.00

Liquidated Damages shall be assessed on each milestone separately until that milestone is completed.

13.8.2 When the Contractor is in default for nonperformance within the stipulated Contract Times including any intermediate Milestone Dates, the Owner's Representative shall notify the Contractor in writing within 30 days after the Contract Times or intermediate Milestone Date, and deduct the liquidated damages in the amount stated from any monies due the Contractor. The deductions of liquidated damages shall be in addition to any retainage withheld and shall be non-reimbursable.

13.8.3 The Owner shall have no obligation to credit liquidated damages to the Contractor for any Work completed ahead of schedule. Liquidated damages are solely for deduction from money due or to become due for delays in the completion of the Work. Notwithstanding anything to the contrary, the parties agree that the aggregate liability for delay or liquidated damages shall not exceed, ten percent (10%) of the Contract Price. Notwithstanding anything to the contrary, the assessment of any such delay or liquidated damages shall be Owner's exclusive remedy and Contractor's sole liability for delay caused by Contractor.

14. Suspension of Work, Termination.

14.1 **Owner May Suspend Work.** The Owner may, at any time and without cause, suspend the Work or any portion thereof for a period of not more than one hundred and twenty (120) days by notice in writing to the Contractor which shall fix the date on which Work shall be resumed. The Contractor shall resume the Work on the date so fixed. The Contractor shall be allowed an increase in the Contract Price or an extension of the Contract Times, or both, directly attributable to any suspension if the Contractor makes an approved claim therefore.

14.2 **Owner May Terminate.** The Owner may terminate this Contract upon the occurrence of any one or more of the following events:

14.2.1 the Contractor commences a voluntary case under any chapter of the Bankruptcy Code (Title 11, United States Code), as now or hereafter in effect, or the Contractor takes any equivalent or similar action by filing a petition or otherwise under any other federal or state Law in effect at such time relating to the bankruptcy or insolvency;

14.2.2 a petition is filed against the Contractor under any chapter of the bankruptcy Code as now or hereafter in effect at the time of filing, or a petition is filed seeking any such equivalent or similar relief against the Contractor under any other federal or state Law in effect at the time relating to bankruptcy or insolvency and is not dismissed within sixty (60) days;

14.2.3 the Contractor makes a general assignment for the benefit of creditors;

14.2.4 a trustee, receiver, custodian, or agent of the Contractor is appointed under applicable Law or under contract, whose appointment or authority to take charge of property of the Contractor is for the purpose of enforcing a Lien against such property or for the purpose of general administration of such property for the benefit of the Contractor's creditors;

14.2.5 the Contractor admits in writing an inability to pay its debts generally as they become due;

14.2.6 the Contractor persistently fails to perform the Work in accordance with the Contract Documents (including, but not limited to, failure to supply sufficient skilled workers or suitable Equipment or Materials or failure to adhere to the progress schedule);

14.2.7 the Contractor disregards Laws or Regulations of any public body having jurisdiction over the Work; or

14.2.8 the Contractor violates any provisions of the Contract Documents in any substantial way.

14.3 The Owner may, after giving the Contractor, and the surety, seven (7) days' written notice of the Owner's intention to terminate the services of the Contractor, exclude the Contractor from the Site and take possession of the Work and use the same to the full extent they could be used by the Contractor, without liability to the Contractor for trespass or conversion, incorporate in the Work all Equipment and Materials stored at the Site or for which the Owner has paid the Contractor but which are stored elsewhere, and finish the Work as the Owner may deem expedient. In such case, the Contractor shall not be entitled to receive any further payment until the Work is finished. If the unpaid balance of the Contract Price exceeds the direct costs of completing the Work (including but not limited to fees and charges of engineers, architects, attorneys and other professionals, and court and arbitration costs), such excess will be paid to the Contractor. If such costs exceed such unpaid balance, the Contractor shall pay the difference to the Owner. Such costs incurred by the Owner shall be incorporated in a Change Order. When exercising any rights or remedies under this paragraph, the Owner shall not be required to obtain the lowest price for the Work performed.

14.4 Where the Contractor's services have been terminated by the Owner, the termination shall not affect any rights or remedies of the Owner against the Contractor then existing or which may thereafter accrue. Any retention or payment of moneys due to the Contractor by the Owner shall not release the Contractor from liability.

14.5 The Owner may, without cause and without prejudice to any other right or remedy, upon seven days' written notice to the Contractor, elect to abandon the Work and terminate the Contract. In such case, the Contractor shall be paid for all Work executed and any expense sustained plus reasonable termination expenses, which shall include, but not be limited to, direct, indirect, and consequential costs.

14.6 **Contractor May Stop Work or Terminate.** If, through no act or fault of the Contractor, the Work is suspended for a period of more than one hundred and twenty (120) days by the Owner or under an order of court or other public authority, or the Owner fails for sixty (60) days to pay the Contractor any sum due, then the Contractor may, upon seven (7) days' written notice to the Owner, terminate the Contract and recover from the Owner payment for all Work executed and any expense sustained plus reasonable termination expenses. In addition and in lieu of terminating the Contract, if the Owner has failed to make any payment when due, the Contractor may upon seven (7) days' written notice to the Owner stop the Work until payment of all amounts then due. The provisions of this paragraph shall not relieve the Contractor of the obligations to carry on the Work in accordance with the progress schedule and without delay during disputes and disagreements with the Owner.

15. Resolution Of Disputes.

15.1 Controversies arising out of this Contract must be resolved pursuant to the jurisdiction and substantive law of the courts of competent jurisdiction of the State of Nevada, or upon the concurrence of the Parties, in accordance with and pursuant to the procedures of the Uniform Arbitration Act of 2000, NRS 38.206 through 38.248.

15.2 No demand for arbitration of any such claim, dispute, or other matter, that involves any report, submittal or referral required by the Contract Documents to be made to the Owner for review, approval or consideration, shall be made until the Owner has reported in writing to the Contractor regarding such review, approval or consideration or Owner fails to respond to such report, submittal or review within thirty (30) days of Contractor’s submittal. Nor shall such a demand be made later than thirty (30) days after such written report is made.

15.3 The Contractor shall carry on the Work and maintain the progress schedule during any arbitration proceedings, unless otherwise agreed by the Contractor and the Owner in writing and provided Owner continues to comply with its payment obligations hereunder.

16. Miscellaneous.

16.1 **Giving Notice**. Whenever any provision of the Contract Documents requires the giving of written notice the notice shall be dated and signed by the party giving

such notice or his duly authorized representative. The notice shall be deemed to have been validly given if delivered in person to the individual or to a member of the firm or to an officer of the corporation for whom it is intended, or if sent by fax (with oral verification of receipt followed by mailing of the original), or if delivered by overnight delivery, or sent by registered or certified mail, postage prepaid, to the last business address known to the giver of the notice. For the purposes of the various notice requirements contained in the Contract Documents, notice shall be deemed given on the date it is personally delivered, one day after it is sent by overnight mail, three days after the date it is mailed, as evidenced by the postmark or if such notice is given by facsimile transmission, as provided herein, it shall be deemed served immediately upon receipt of transmission if transmitted during normal business hours or, if not transmitted during normal business hours, on the next business day following facsimile transmission.

16.2 **Computation of Time.** When any period of time is referred to in the Contract Documents by days, it will be computed to exclude the first and include the last day of such period. If the last day of any such period falls on a Saturday or Sunday or on a day made a legal holiday by the Law of the applicable jurisdiction, such day will be omitted from the computation.

16.3 **Notice of Claims.** Should the Owner or the Contractor suffer injury or damage to person or property because of any error, omission, or act of the other party or of any of the other party's employees or agents or others for whose acts the other party is legally liable, claim will be made in writing to the other party within a reasonable time of the first observance of such injury or damage. The provisions of this paragraph shall not be construed as a substitute for or a waiver of the provisions of any applicable statute of limitations or repose.

16.4 **Cumulative Remedies.** Except as otherwise provided herein, the duties and obligations imposed by these General Conditions and the rights and remedies available hereunder to the parties hereto, are in addition to, and are not to be construed in any way as a limitation of, any rights and remedies available to any or all of them which are otherwise imposed or available by Laws or Regulations, or by other provisions of the Contract Documents, and the provisions of this paragraph shall be as effective as if repeated specifically in the Contract Documents in connection with each particular duty, obligation, right, and remedy to which they apply. All representations, warranties, and guarantees made in the Contract Documents shall survive final payment and termination or completion of the Contract.

16.5 **Governing Law and Venue.** The Contract Documents shall be governed and interpreted in accordance with the laws of the State of Nevada. The Contractor hereby agrees and consents to the exclusive jurisdiction of the courts of the State of Nevada, and that venue of any action brought hereunder shall be in Clark County, Nevada.

16.6 **Taxes.** The Contractor must promptly pay all taxes that are lawfully assessed against the Contractor in connection with the Work. The Owner is exempt from sales tax pursuant to a ruling and determination of the attorney general of the State of Nevada.

16.7 **Unemployment Compensation.** The Contractor must at all times comply with the requirements of Nevada Revised Statutes ("NRS") chapter 612 (Unemployment Compensation).

16.8 **Discrimination.** The Contractor shall not, during its performance of the Contract, discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, or age, including, but not limited to, the following: employment, upgrading, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Contractor shall insert or incorporate this provision in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials. Any violation of such provision by the subcontractor constitutes a material breach of the Contract.

16.9 **Assignment of Contract.** The Contractor shall not assign or otherwise transfer its rights or obligations under the Contract without the prior written approval of the Owner. This Contract inures to the benefit of and is binding upon the respective successors and assigns of the Parties to the Contract but any assignment or other transfer of the Contract does not relieve the Parties of any obligation hereunder.

16.10 **Severability.** Should any provision of the Contract Documents for any reason be declared invalid or unenforceable by final and applicable order of any court or regulatory body having jurisdiction, such decision shall not affect the validity of the remaining portions, and the remaining portions shall remain in effect as if the Contract Documents had been executed without the invalid portion. In the event any provision of the Contract Documents is declared invalid, the Parties shall promptly renegotiate to restore the Contract as near as possible to its original intent and effect.

16.11 **Survival.** Any provision of the Contract Documents that expressly or by implication comes into or remains in force following the termination or expiration of the Contract survives the termination or expiration of the Contract.

16.12 **Article Headings.** The article headings in the Contract Documents are included only for convenience and reference and the Parties intend that they be disregarded in interpreting the Contract Documents.

16.13 W**aiver.** Either of the Parties shall have the right to excuse or waive performance by the other Party of any obligation under the Contract by a written notice signed by the Party so excusing or waiving. No delay in exercising any right or remedy

shall constitute a waiver thereof, and no waiver by either Party of the breach of any covenant of the Contract shall be construed as a waiver of any preceding or succeeding breach of the same or any other covenant or condition of the Contract.

EXHIBIT B

AMENDMENT NO. 2 TO

BOULDER FLATS SOLAR INTERCONNECTION PROJECT DOCUMENTS

CONTRACT NO. CRCBF-14

EXHIBIT B

Change Order #	Date	Change Order Description	Change Order Amount
1	8/15/2025	Structural Steel Increase from 130,186 lbs to 202,769 lbs	
		Increase of 797 Man hours @ $148/Hour (Blended Rate)	**$117,960.61**
2	8/18/2025	Addition of electric equpment from IFB to IFC Revision	
		Redesign of 86 Pieces to 145 Pieces of Equipment	
		Increase of 1,453 Man hours @ $148/Hour (Blended Rate)	$215,044.00
		Equipment Hour Increase of 1,453 @ $32/Hour	$46,496.00
		Surge arrestors increase from 11 to 14 ($7,314 ea)	$21,941.00
		1,272 KCMIL 61 strnd AAC from 1620 to 1850 (230 lf @ $106.47/lf)	$24,488.24
		5" Sch 80 Alum bus from 813 to 1,850 @ $198.96 per foot	$206,321.52
		2.5" Sch 40 Alum bus for A Frames from 312 to 750	$10,222.92
		Static Wire 1/2" EHS from 900 to 750	($842.40)
		230 kV Ckt Bkr 300A gassing from 3 to 4	$12,244.80
			$535,916.08
3	8/18/2025	Above Grade Conduit Increase	
		Increase of 37 Man hours @ $148/Hour (Blended Rate)	$5,476.00
		2" Flex Conduit Increase from 30 to 85 lf @ $62.40 per lf	$3,432.00
		4" Rigid Conduit Increase from 45 lf to 97 lf @ $85.49 per lf	$4,445.94
			$13,353.94
4	8/15/2025	Power and Control Cable Increase from Revision	
		Increase of Man hours from 696 to 959 @ $148/hr	$34,928.00
		Control Wire Increase from 2,670 lf to 3,318 lf @ $21.59 per foot	$13,987.51
		Terminations Increase from 876 to 1,320 @ $30.84 ea	$13,690.74
		Termination Materials Increase 444 @ $2.50 ea	$1,110.00
		ADSS Fiber increase from 1,260 lf to 1,375 lf @ $2.07 per foot	$255.34
			$63,971.59
5	8/15/2025	Lighting Changes from 195W to 349W Lights	
		13.95 man hours increase @ $148/hr	**$2,064.96**
6	8/18/2025	Added 2" Conduit Runs for Auxillary Switches	
		Increase of 190 Man hours @ $148/Hour	$28,120.00
		Equipment Hour Increase of 190 @ $32/Hour	$6,080.00
		Conduit, bends and fittings	$8,800.00
		Ground grid repair materials	$7,910.92
			$50,910.92
7	8/18/2025	Temporary Power for 6 Months	
		Sept 15 - March 15 Temp Power for Control House	$53,588.91
		Hook up and Ground Temp Power 40 Man hours @ $148/hr	$5,920.00
			$59,508.91
8	8/15/2025	Added T Line Foundations with Townsite II Ckt Addition	
		Added 900 Labor Hours @ $172.22 per hour	$154,998.00
		Added 900 Equipment Hours @ $65 per hour	$46,800.00
		Rebar Increase 180 cy @ $205 per cy	$36,900.00
		Concrete Increase 180 cy @ $220 per cy	$39,600.00
		Framing Materials 180 cy @ $75 per cy	$13,500.00
		Concrete waste and wash out facilities	$16,230.00
			$308,028.00

Change Order #	Date	Change Order Description	Change Order Amount
9	8/15/2025	Added Structural Steel for Townsite II Ckt Addition	
		Added Structural Steel 4 each dead end poles	
		Each dead end pole 82.5 hrs at $172.22 per hour	
		Increase of 330 Man Hours @ $172.22 per hour	$56,832.60
		Equipment Hour Increase of 330 @ $65.00 per hour	$21,450.00
			$78,282.60
10	8/18/2025	Added Conductor for Townsite II Ckt Addition	
		Increase Man Hours by 700 for 22.55 kft @ $172.22 per hour	$125,892.82
		Equipment Hour Increase of 700 @ $65.00 per hour	$47,515.00
			$173,407.82
11	8/18/2025	Added OPGW for Townsite II Ckt Addition	
		Increase Man Hours by 237 for 7.55 kft @ $172.22 per hour	$55,971.50
		Equipment Hour Increase of 237@ $65.00 per hour	$21,125.00
			$77,096.50
12	8/15/2025	Control House Addition of the Townsite Panel and Modifications	**$283,486.00**
13	8/15/2025	Control House Damage from Vandals	**$225,000.00**
14	11/4/2025	De Mobilization and Re Mobilzation	
		De Mob Crew T Line	$8,729.00
		Re Mob Crew T Line	$8,729.00
		De Mob Crew Electrical	$15,999.47
		Re Mob Crew Electrical	$15,999.47
		Control House Generator Jan 1 '26 to June 31 '26	$11,340.00
		Wire and cable for Generator	$774.00
		Fuel for Generator	$11,293.95
		Labor to Fuel Generator - 2 hrs 2x week @ $122.4/hr	$12,607.20
		Storage Conex	$2,967.00
		E Cam Security - 6 months	$9,930.00
		SWWP cost - 6 months	$12,072.00
		Office Trailer	$7,820.46
		Overhead and Profit @ 15%	$17,698.73
			$135,960.28
15	11/5/2025	Added Grounding, Conduit, and Piers for Security	
		4 ea piers with rebar cage and anchor bolts	
		Provide and place 1400 lf of 1" Sch 40 conduit and PVC bends	
		Trenching and Backfill for 1" conduits 690 lf	
		Sand for conduit shading	
		Spoils haul off	
		Grouding for 4 each piers and 1 each 7' tail at each pier	**$81,000.00**
		Change Order Total	**$2,205,948.21**

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM G
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: *For Possible Action*: Consideration of and possible action to approve First Amendment to Lease Agreement between the Colorado River Commission of Nevada and Southern Nevada Water Authority for office space which extends the current Lease Agreement for an additional two years terminating on June 30, 2028, with options to extend the term for two more years to June 30, 2030, and increases the rent due.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION: Staff recommend the Commission approve the First Amendment to Lease Agreement with SNWA and authorize the Executive Director to sign the contract on behalf of the Commission.

STAFF COMMENTS AND BACKGROUND:

A. Background

In July 2024, the Colorado River Commission of Nevada (Commission) approved a two-year lease with the Southern Nevada Water Authority (SNWA) that allowed the Commission's offices to relocate from the Grant Sawyer Office Building (GSOB), which the State of Nevada vacated and placed for sale. The two-year lease enabled the Commission to move quickly to meet the State's requirement to vacate the GSOB by mid-July 2024, while allowing the Commission to evaluate the new location without a long-term commitment.

The new location has worked well for Commission staff. Its proximity to SNWA provides improved access for the Commission's Natural Resource Group to coordinate with SNWA on Colorado River water and environmental programs. The closer proximity has also increased coordination among SNWA, the Power Delivery Group, and the Commission's fiscal staff, and the location provides ready access to the Clark County Hearing Chamber for Commission meetings.

B. First Amendment to Lease

The First Amendment to Lease Agreement would extend the lease term by an additional two years, with the option of two one-year extensions, for a maximum lease term of six years, from July 1, 2024 through June 30, 2030. The amendment increases rent by 4% to $40,668.16 for the first 2-year extension and increases by 4% again if the lease is extended to June 30, 2029, but will remain the same if the lease is extended to June 30, 2030.

The lease is structured to maintain flexibility should the Commission determine it is necessary to relocate in the last two years of the potential maximum term. One potential consideration is the possible relocation of SNWA during the lease period. SNWA has purchased property on Valley View and may relocate at a future date. The lease provides flexibility should the Commission elect to relocate when SNWA moves, either to the Valley View location or to another suitable location

C. Staff Recommendation

Staff recommend approval of the First Amendment to Lease Agreement.

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (this "**Amendment**") is made and effective as of _____ ___, 2026 regardless of its date of execution (the "**Amendment Effective Date**"), and is made by and between Southern Nevada Water Authority, a political subdivision of the State of Nevada ("**Lessor**"), and the State of Nevada, through its Colorado River Commission of Nevada, an agency of the State of Nevada ("**Lessee**") (Lessee and Lessor may be individually referenced herein as a "**Party**" or collectively as the "**Parties**"). Capitalized terms not specifically defined in this Amendment have the meanings ascribed to them in the Lease (defined below).

R E C I T A L S

A. Pursuant to that certain Lease Agreement between Lessor and Lessee dated as of July 9, 2024 (the "**Lease**"), Lessor leased to Lessee that certain real property more particularly described in the Lease as the Demised Premises.

B. The term of the Lease expires on June 30, 2026.

C. The Parties desire to extend the term of the Lease, to grant certain renewal options for the term of the Lease, to increase the rental payments during portions of the term of the Lease, and to make such other amendments as are set

forth in this Amendment.

D. Section 23 of the Lease authorizes the Parties to amend the Lease through a written amendment signed by each of the Parties, and approved by the State of Nevada Board of Examiners.

E. The Parties mutually desire to amend the Lease as set forth in this Amendment.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Parties hereto hereby agree as follows:

A G R E E M E N T

1. Recitals. The Recitals to this Amendment are true and correct and are incorporated herein by this reference as material terms.

2. Amendment to the First Paragraph of Section 1 of the LEASE. The first paragraph of Section 1 of the LEASE (but not, for the purpose of clarity, Sections 1.1 and 1.2, which are retained in their entirety) is hereby amended and restated in its entirety to provide as follows:

> ***ONE. TERM OF LEASE.*** *LESSOR hereby leases unto LESSEE and LESSEE agrees to lease from LESSOR, the Demised Premises, effective as of July 9, 2024 and terminating on June 30, 2028 (the "Initial Term"); provided, that, this Lease may*

be extended, by the mutual agreement of the Parties, as set forth below, for up to two (2) one year extension terms (each, an "Extension Term," and if and as applicable, collectively with the Initial Term, the "Lease Term".). If LESSEE desires to enter into an Extension Term, LESSEE shall provide LESSOR no less than seven (7) months' advance notice prior to the expiration of the Initial Term or the then-effective Extension Term, as applicable, with a notice of intent to extend; LESSOR shall then have a period of thirty (30) days from receipt of LESSEE's notice to either approve or deny (in LESSOR's sole but reasonable discretion) such request, which approval or disapproval shall be made by and vested in LESSOR's General Manager. In the event that LESSOR fails to respond to LESSEE's extension request within such thirty (30) day period, LESSEE's extension request shall be deemed approved.

3. <u>Amendment to Section 4.1 the Lease</u>. The first paragraph of Section 4.1 of the Lease is hereby amended and restated in its entirety as follows:

4.1 *A monthly total of Thirty Nine Thousand One*

Hundred Four Dollars ($39,104.00) ("Base Rent"), from July 1, 2024, through June 30, 2026. Base Rent for the period of July 1, 2026 through June 30, 2028 shall increase by Four Percent (4%) over the Base Rent payable during the prior period of July 1, 2024 through June 30, 2026 such that the monthly Base Rent payable from July 1, 2026 through June 30, 2028 shall be Forty Thousand Six Hundred Sixty-Eight Dollars and Sixteen Cents ($40,668.16). Base Rent shall then increase by Four Percent (4%) over the Base Rent payable during the July 1, 2027 through June 30, 2028 period during the annual Extension Term(s), if any. For clarity, if this Lease proceeds to each potential Extension Term, the monthly Base Rent payable during such Extension Term(s) shall be as follows:

July 1, 2028 – June 30, 2029: $42,294.89

July 1, 2029 – June 30, 2030: $42,294.89

; and

4. Board Approvals. This Amendment is contingent upon prior approval by the Nevada State Board of Examiners and Lessee's Board of Directors, respectively, and is not binding upon the Parties or effective until approval. The

Nevada State Board of Examiners' and Lessee's respective signatures on this Amendment shall serve as conclusive evidence of such approval.

5. Effect of Amendment on Lease; Ratification. Except as set forth in Sections 2 and 3, above, this Amendment does not alter, amend, or otherwise modify the terms and conditions of the Lease, all of which unmodified terms and conditions shall continue in full force and effect. In the event of any conflict between this Amendment and the Lease, the terms of this Amendment shall control. The Lease is hereby ratified by the Parties. The Parties agree that the Lease is in full force and effect and that, as of the Amendment Effective Date, no lapses of the Lease or breaches under the Lease have occurred or are ongoing, and all of which actual, alleged, or potential lapses or breaches are hereby waived.

6. Updated Notice Address for Lessor. Pursuant to Section 21 of the Lease, Lessor hereby updates its notice address as follows:

Southern Nevada Water Authority
1001 S. Valley View Blvd., MS #480
Las Vegas, NV 89153
Attn: Tabitha Simmons
Email: tabitha.simmons@lvvwd.com

7. Miscellaneous

7.1 Successors and Assigns. This Amendment shall be

binding upon, and shall inure to the benefit of, the Parties and their respective permitted successors and assigns.

7.2 Entire Agreement. This Amendment contains the entire agreement of the Parties with respect to the subject matter hereof and cannot be altered, amended, or modified except by a written instrument executed by the Parties hereto.

7.3 Counterparts; Electronic Signatures. This Amendment may be signed in one or more counterparts with the same force and effect as if all required signatures were contained in a single, original instrument. DocuSign or similar electronic transmission of a counterpart signed by a Party hereto shall be regarded as an original signed by such Party for all purposes.

7.4 Governing Law. This Amendment shall be construed, interpreted, and enforced pursuant to the laws of the State of Nevada.

7.5 Binding Obligation. The Parties hereby represent and warrant to each other that this Amendment is valid and binding upon such Party, and that the individuals executing this Amendment on behalf of such Party are authorized to so act.

[signatures next page]

IN WITNESS WHEREOF, Lessee and Lessor have executed this Amendment with the intention that it be effective as of the Amendment Effective Date.

LESSOR:

SOUTHERN NEVADA WATER AUTHORITY, a political subdivision of the State of Nevada

By_____
John J. Entsminger
General Manager

Date_____

LESSEE:

THE STATE OF NEVADA, through its COLORADO RIVER COMMISSION of Nevada, an agency of the State of Nevada

By_____
Eric P. Witkoski
Director

Date_____

Reviewed as to form and compliance with law only:

AARON D. FORD
ATTORNEY GENERAL

By_____
Michelle Briggs
Special Counsel

Date_____

Approved by:

THE NEVADA STATE
BOARD OF EXAMINERS

By_____

_____
Clerk of the Board

Date_____

ORIGINAL

LEASE AGREEMENT

THIS LEASE AGREEMENT (the "Lease"), made and entered into this 1ST day of July, 2024, by and between SOUTHERN NEVADA WATER AUTHORITY, a Political Subdivision of the State of Nevada, hereinafter referred to as "LESSOR," and STATE OF NEVADA, through its COLORADO RIVER COMMISSION OF NEVADA, an agency of the State of Nevada, hereinafter referred to as "LESSEE," (hereinafter collectively known as "the Parties").

W I T N E S S E T H:

For and in consideration of the rents herein reserved and the covenants, terms and conditions herein contained, LESSOR does by these presents lease unto LESSEE the following described property:

12,220 usable square feet of office space located on the 11th Floor, a partial unit of the Molasky Corporate Center located at 100 N. City Parkway, Las Vegas, NV 89106 and depicted on **EXHIBIT "A"** attached hereto and incorporated herein (the "Demised Premises").

ONE. TERM OF LEASE. Subject to Section Thirty-Four below, LESSOR hereby leases unto LESSEE and LESSEE agrees to lease from LESSOR, effective upon approval by LESSOR'S Board of Directors, and, as necessary, approval by the Nevada State Board of Examiners, the Demised Premises, commencing July 1, 2024, and terminating on June 30, 2026.

1.1 Lessee's Funding. Lessee is not funded by the State's general fund. Pursuant to NRS 538, Lessee's budget is funded

through a budget allocation process to water purveyors and customers of Lessee's hydroelectric energy, including Lessor.

1.2 Federal Funding. In the event federal funds are used for payment of all or part of the rent due under this Lease:

a) LESSOR certifies, by signing this Lease, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency. This certification is made pursuant to the regulations implementing Executive Order 12549, Debarment and Suspension, 28 C.F.R. pt. 67, § 67.510, as published as pt. VII of the May 26, 1988, Federal Register (pp. 19160-19211), and any relevant program-specific regulations.

b) LESSOR and its principals shall comply with the requirements of the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, P.L. 93-112, as amended, and any relevant program-specific regulations, and shall not discriminate against any employee or offeror for employment because of race, national origin, creed, color, sex, religion, age, disability or handicap condition (including AIDS and AIDS-related conditions).

c) For Leases in excess of $150,000, LESSOR agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). To the extent this provision is applicable, LESSOR agrees

to report all violations to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

d) For all Leases exceeding $100,000, LESSOR certifies, by signing this Lease that it will not and has not used federally appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352 (Byrd Anti-Lobbying Amendment). LESSOR must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Disclosures will be forwarded to the appropriate agencies.

TWO. COMPLIANCE WITH THE LAW. LESSOR shall deliver the Demised Premises, on the Lease commencement date set forth in Section 1, in compliance with all statutes, rules, orders, building codes, fire codes ordinances, requirements, and regulations of the City, County, State, and Federal governments ("Laws") applicable to the physical condition of the Demised Premises then in effect.

THREE. INTENTIONALLY DELETED.

FOUR. RENT. LESSEE agrees to pay to LESSOR as and for rental for said Demised Premises the sum of:

4.1 A monthly total of Thirty Nine Thousand One Hundred Four Dollars ($39,104.00)("Base Rent"), from July 1, 2024, through June 30, 2026 ("Lease Term"); and

Rent shall be payable without notice, invoice, or demand, quarterly in advance without offset or deduction except as provided for elsewhere in the Lease on the first day of each quarter to LESSOR. In the event the Commencement Date of this Lease is not the first day of a calendar month, the rent shall be prorated on a per diem basis for the calendar month in which the Lease Term begins.

FIVE. OPERATING EXPENSES. It is understood and agreed between the Parties that except as set forth in Sections 6.3(a)and 26, the rent described in Section Four above, shall compensate LESSOR for LESSEE'S pro rata share of any and all operating expenses attributable to the building complex, the building, or the Demised Premises. There shall be no pass-through of property tax or any type of operating expense to LESSEE.

SIX. UTILITIES AND SERVICES.

6.1 Utilities and Services Provided by LESSOR. Unless specified to the contrary in Section 6.3 below, LESSOR shall provide and pay for the following to the Demised Premises and common areas with the following utilities and services:

a) UTILITIES. Electricity, sewer, and water (hot and cold to be sufficient for drinking, lavatory, toilet, and ordinary cleaning purposes).

b) HVAC SYSTEM. A heating, ventilation and air conditioning ("HVAC") system, fully equipped and of sufficient capacity to

provide a comfortable, professional office environment in the Demised Premises for LESSEE'S staff and office equipment.

c) SERVICES.

i. Trash collection, to include recycling containers, if available.

ii. Elevator service, (if applicable).

iii. Telecommunication entrance facilities to the Building that is provisioned by the State of Nevada contracted Local Exchange Carrier.

iv. Janitorial Services (including paper products) for the Demised Premises consistent with such services Lessor provides elsewhere in the Building.

6.2 Normal Business Hours and After Hour Usage of HVAC and Other Services. LESSOR shall, at LESSOR'S sole cost, provide the utilities and services detailed in Section 6.1 above, during the normal business hours of Monday through Friday between the hours of 8:00 a.m. to 6:00 p.m. ("Normal Business Hours"). In the event LESSOR determines that LESSEE'S usage other than during Normal Business Hours becomes excessive, LESSOR may impose a reasonable hourly charge for LESSEE'S usage of electricity, gas and water, during those times.

6.3 Utilities and Services Provided and Paid by LESSEE.

a) TELEPHONE/DATA/INTERNET. LESSEE at LESSEE'S sole cost, shall retain telephone, computer/data and internet equipment and

services and shall pay all fees associated with installation, removal at Lease termination, and services for the same.

SEVEN. REPAIR AND MAINTENANCE. Subject to the Grant of Reciprocal Easements and Declaration of Covenants of Molasky Corporate Center Owner's Association recorded October 25, 2007 as entry number 20071025-0003993 in the Clark County Recorder's Office, as may be amended ("Declaration") and the Bylaws of the Molasky Corporate Center Owners' Association, Inc. ("Association") adopted on June 5, 2007, as may be amended ("Bylaws"), the LESSOR, at LESSOR'S sole cost and expense, agrees to provide maintenance and make any and all repairs necessary to keep the Demised Premises in a first-class condition during the Lease Term, including but not limited to the following found within the Demised Premises: systems; fire sprinklers and systems, fire extinguisher service, life safety and security systems (as required by governmental authorities); heating, and air conditioning; (including supply and return air ducts, grills and diffusers); flooring (including but not limited to, carpet, pad, tile, sub-floor and structural floor); window coverings; interior paint; interior lighting (including replacement of fixtures, ballasts and bulbs); ceilings (including ceiling tiles and T-bars); electrical; interior plumbing, pipes, fixtures and equipment (except those owned by LESSEE);interior walls; windows; doors; stairs; corridors; restrooms; and other similar repairs required as a result of any defect or as a result of the same wearing out or becoming unserviceable or damaged

through no carelessness or negligence on the part of LESSEE. LESSEE shall reimburse LESSOR for repairs and replacements to the Demised Premises which are necessary due to LESSEE'S misuse or negligence. LESSEE agrees to maintain the Demised Premises and common areas in as good a state of repair as when first occupied, ordinary wear and tear, obsolescence and damage by the elements, fire or other casualty excepted. LESSEE shall route requests for repairs and/or maintenance through LESSOR'S Facilities Manager or his or her designee.

LESSOR agrees to conduct any and all repairs and maintenance to the Demised Premises, at reasonable times and without undue inconvenience to LESSOR or LESSEE and for which, reasonable access shall be provided thereby. When making repairs, LESSOR shall take necessary actions to protect LESSEE'S property and personnel from loss, damage and injury and to avoid disrupting LESSEE'S use and occupancy of the Demised Premises. Should the Association Declaration and/or Bylaws be amended, LESSOR agrees to provide LESSEE a copy of amended documents within (5) days of recordation.

EIGHT. DEFAULT BY LESSOR AND DESTRUCTION OF PREMISES. In the event LESSOR fails or refuses to perform any of the provisions, covenants or conditions of this Lease, or in the event a substantial impairment of the use or enjoyment of the Demised Premises is of such extent or nature as to materially handicap, impede or impair LESSEE'S use of the Demised Premises rendering the Demised Premises unfit for use by LESSEE in the ordinary

conduct of its business, LESSOR shall be in default of the Lease, and, subject to LESSOR's opportunity to cure described below, LESSEE is entitled to abate or offset rents or terminate the Lease as provided below. LESSEE, prior to exercising any right or remedy LESSEE may have against LESSOR on account of such default, shall give written notice to LESSOR of such default, specifying in said notice the default with which LESSOR is charged. LESSOR shall not be deemed in default if the same is cured within thirty (30) days of receipt of said notice. LESSEE agrees that if the default complained of in the notice to LESSOR is of such a nature that the same can be rectified or cured by LESSOR, but cannot with reasonable diligence be rectified or cured within said thirty (30) day period, then such default shall be deemed to be rectified or cured if LESSOR within said thirty (30) day period shall commence the cure thereof and shall continue thereafter with all due diligence to cause such cure to proceed expediently. Notwithstanding the foregoing, if LESSOR'S default substantially impairs and/or materially interferes with LESSEE'S intended use or enjoyment of the Demised Premises, including but not limited to an interruption of heating, ventilation or air conditioning, and/or water, and/or sewer, and LESSOR fails to correct or commence correction within two (2) business days after receipt of written notice from LESSEE per Section Twenty-One below, LESSEE may cause such repairs to be made by a licensed contractor and at LESSEE'S discretion, either have LESSOR billed directly by contractor (if

acceptable to contractor) or LESSEE may submit a paid invoice to LESSOR for reimbursement. In the case of (i) the total destruction of the Demised Premises; or (ii) any portion thereof or of the Building substantially interfering with LESSEE's use of the Demised Premises; whether by fire or other casualty, not caused by the fault or negligence of LESSEE, its agents, employees, servants, contractors, licensees or customers, this Lease shall terminate except as herein provided. If LESSOR notifies LESSEE in writing within sixty (60) days of such destruction of LESSOR's election to repair said damage, and if LESSOR proceeds to and does repair such damage with reasonable dispatch, this Lease shall not terminate, but shall continue in full force and effect, except that LESSEE shall be entitled to a reduction in the Base Rent, in whole or in part for that portion of the Demised Premises that is unusable beginning with the date the interruption occurred and ending when use of the Demised Premises is restored.

Any reimbursement due LESSEE from LESSOR shall be paid by LESSOR within thirty (30) days after receipt of invoices from LESSEE.

NINE. SMOKING POLICY. State law prohibits smoking in public buildings (NRS 202.2491). This policy applies to buildings that are either owned or leased by the State and are managed by the State Public Works Division's Leasing Services section. Smoking is prohibited in, near, or adjacent to any entrance or exit of any public building. The "no smoking zone" is a minimum of 30 feet,

away from the main entrance or exit of any public building so that no smoke will drift or travel into the building or be smelled by any person entering or exiting the building. Authorized smoking locations must be outdoors in an area that is safe and free from any hazardous chemicals, materials, or conditions.

TEN. ALTERATIONS, ADDITIONS AND IMPROVEMENTS. LESSEE shall not cause to be made any alterations, additions or improvements in or to the Demised Premises without the prior written consent of LESSSOR. Any such alteration, addition or improvement shall be performed by LESSEE or at LESSEE'S direction in a workmanlike manner, in accordance with all applicable governmental regulations and requirements, and shall not weaken or impair the structural strength of the Demised Premises or building. All alterations, additions or improvements in or to the Demised Premises at the commencement of or during the Lease Term shall remain the property of LESSEE until Lease termination, at which point they will become part of the Demised Premises and the sole property of LESSOR unless LESSOR notifies LESSEE otherwise upon installation of the alteration, addition or improvement. All movable fixtures installed by LESSEE shall be and remain their property and shall not become the property of LESSOR.

ELEVEN. INSURANCE. The State of Nevada is self-insured for both liability and property insurance. Regarding property insurance, the State self-insures the first Five Hundred Thousand Dollars ($500,000.00) of each loss. Claims above that amount are

commercially insured under an all risks property insurance policy. The LESSOR is self-insured for both liability and property insurance. Regarding property insurance, the LESSOR self-insures the first One Million Dollars ($1,000,000.00) of each loss. Claims above that amount are commercially insured under an all risks property insurance policy. Subject to the Declaration, all liability claims may be handled in accordance with Nevada Revised Statutes, Chapter 41.

TWELVE. INDEMNIFICATION. To the extent of the liability limitation set forth in NRS Chapter 41, LESSEE hereby agrees to indemnify and hold harmless LESSOR, its successor, assigns, agents and employees from all claims, damages, losses and expenses arising out of or resulting from the use and occupancy of the Demised Premises or any accident in connection therewith, but only to the extent caused in whole or in part by negligent acts or omissions of LESSEE, its SUBLESSEES, employees or agents. LESSEE shall not be required to indemnify LESSOR, its successors, assigns, agents and employees for any liability, claims, damages, losses or expenses relating to or arising out of this Lease to the extent caused in whole or in part by the acts, negligence or omission of LESSOR, its successors, assigns, agents, and employees, or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right

or obligation of indemnity which would otherwise exist as to any party or person described in this paragraph.

THIRTEEN. CHOICE OF LAW AND FORUM. The validity, construction, interpretation, and effect of this Lease shall be governed by the laws of the State of Nevada. The Parties agree any dispute and/or legal proceedings regarding this Lease are subject to the sole jurisdiction of the State courts in the State of Nevada.

FOURTEEN. WAIVER OF SUBROGATION. LESSOR and LESSEE hereby waive any rights each may have against the other, for loss or damage to its property or property in which it may have an interest where such loss is caused by a peril of the type generally covered by all risk property insurance with extended coverage or arising from any cause which the claiming party was obligated to insure against under this Lease or the Declaration, and each party waives any right of subrogation regarding such property damage or losses, that it might otherwise have against the other party. The Parties agree to cause their respective insurance companies insuring the Demised Premises or insuring their property on or in the Demised Premises to execute a waiver of any such rights of subrogation or, if so provided in the insurance contract, to give notice to the insurance carrier or carriers that the foregoing mutual waiver of subrogation is contained in this Lease.

FIFTEEN. BREACH OR DEFAULT. Subject to the provisions, if applicable, outlined in Section Eight above, in the event of any

failure by LESSEE to keep and comply with any of the non-monetary terms, covenants or provisions of this Lease or remedy any breach thereof, the LESSEE shall have thirty (30) days from the receipt of written notice of such default or breach within which to remove or cure said default or breach, or in the event the LESSEE is diligently pursuing the removal or cure of such breach, a reasonable time shall be allowed beyond the thirty (30) days. In the event of a monetary breach or default by LESSEE, or a non-monetary default which is not removed or cured within the time limits set forth above, LESSOR may in addition to any other right of re-entry or possession and at LESSOR'S sole option, consider the Lease forfeited and terminated and may re-enter and take possession of the Demised Premises, removing all persons and property there from with prior notification to LESSEE so that arrangements concerning the removal of property can be made.

SIXTEEN. ATTORNEY'S FEES. In case suit shall be brought by LESSOR or by LESSEE for breach of any express provision or condition of this lease, the prevailing party of such action shall be entitled to reasonable attorney's fees which shall be deemed to have accrued on the commencement of the action and shall be paid on the successful completion of that suit by LESSOR or LESSEE whichever the case may be.

SEVENTEEN. HOLDOVER TENANCY. If LESSEE holds possession of the Demised Premises after the expiration of this Lease, LESSEE shall be in default and subject to all remedies available at law and

under this Lease, or LESSOR may choose, in its sole discretion, to place LESSEE on a month-to-month lease on the terms herein specified. The monthly rent for the holdover period shall be in an amount equal to 150% of the monthly rental immediately preceding the Expiration Date. Rent shall be due and payable monthly in advance on the first day of each month, and LESSEE shall continue to be a month-to-month LESSEE until the tenancy is terminated by any Party hereto by delivering written notice per Section Twenty-One below, of Intent to Terminate at least thirty (30) calendar days prior to the date of termination, in which case the termination period shall commence upon delivery of written notification to terminate. In the event the termination period begins on other than the first day of a month, the rent shall be prorated on a per diem basis for the calendar months involved.

EIGHTEEN. WAIVER. The failure of LESSOR or LESSEE to insist upon strict performance of any of the covenants, terms or provisions contained in this Lease, shall not be construed to be a waiver or relinquishment of any such covenant, term or provision or any other covenants, terms or provisions, but the same shall remain in full force and effect.

NINETEEN. SUBJECT TO DECLARATION. This Lease and the LESSEE's use and occupancy of the Demised Premises are subject to the terms and conditions of the Declaration. The terms and conditions of the Declaration are hereby incorporated by reference in this Declaration, and, in consideration of this Lease, the LESSEE hereby

assumes and agrees to perform and be bound by all the terms and conditions contained in the Declaration binding upon the LESSOR as if the LESSEE was the LESSOR and the LESSEE was the Owner under the Declaration from and after the commencement date and until the expiration of the Lease or earlier termination of this Lease, and thereafter to the extent any of such provisions survive the expiration or earlier termination of the Lease.

TWENTY. REMEDIES. The remedies given to LESSOR and LESSEE shall be cumulative, and the exercise of any one remedy shall not be to the exclusion of any other remedy.

TWENTY-ONE. NOTICES. All notices under this Lease shall be in writing and delivered in person or sent by certified mail, return receipt requested, to LESSOR or to LESSEE at their respective addresses set forth below or to such other address as may hereafter be designated by either party in writing:

LESSOR

Southern Nevada Water Authority
1001 S Valley View Blvd., MS #480
Las Vegas, NV 89153
Telephone: (702) 258-3976
Email: doa.ross@lvvwd.com

LESSEE

Colorado River Commission of Nevada
100 City Parkway, Suite 1100
Las Vegas, Nevada 89106
Telephone: (702) 486-2670
Email: ewitkoski@crc.nv.gov; mdbriggs@crc.nv.gov

TWENTY-TWO. SEVERABILITY. If any term or provision of this Lease or the application of it to any person or circumstance shall to any extent determined in a legal proceedings to be invalid and unenforceable, the remainder of this Lease (or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable) shall not be affected thereby, and each term and provision of this Lease shall be valid and shall be enforced to the extent permitted by law.

TWENTY-THREE. AMENDMENT OR MODIFICATION. This Lease constitutes the entire agreement between the Parties and may only be amended or modified with the mutual consent of the Parties hereto, which amendment or modification must be in writing, executed and dated by the Parties hereto and approved by the State Board of Examiners.

TWENTY-FOUR. LESSEE IMPROVEMENTS. LESSOR shall provide the LESSEE improvements as shown on **EXHIBIT "B"** attached hereto and incorporated herein. Said LESSEE improvement exhibits shall be initialed on all pages to show approval by LESSOR and LESSEE. All LESSEE improvements shall be deemed acceptable upon receipt of all pertinent governmental approvals and inspection and/or receipt of written approval from LESSEE with copy to LESSEE. LESSEE shall reimburse LESSOR for all LESSEE improvements deemed accepted by LESSEE and depicted on EXHIBIT B.

TWENTY-FIVE. INTENTIONALLY DELETED.

TWENTY-SIX. PARKING AND COMMON AREAS. LESSEE, its employees and business invitees shall have the nonexclusive right, in common with LESSOR and all others who have rights or may hereafter have rights, to use such common areas in or adjoining the Molasky Corporate Center ("Building") (including but not limited to, lobbies, corridors, walkways and sidewalks) as are designated from time to time, subject to the rules and regulations as may be imposed by the LESSOR or the Association. During the term of the Lease, LESSOR shall provide a minimum of 26 parking cards which will be available for the use of LESSEE, LESSEE employees, invitees, visitors or others having business with LESSEE. LESSEE shall pay a fee of One Hundred Sixty Dollars ($160.00) per card per month. LESSOR has up to 66 parking cards available for use by LESSOR and should LESSOR request parking in addition to the 26 cards contemplated herein, LESSEE will be billed for the additional cards at the rate of $160.00 per card per month. LESSEE may return parking cards at any time and will not be charged for parking cards returned to LESSOR. LESSOR or the Association may at any time close the garage to make repairs or changes (provided the closure does not unreasonably impede access to the Demised Premises by customers and employees of LESSEE) to prevent acquisition of public rights in such garage, or to discourage non-customer parking. LESSEE shall upon request furnish to LESSOR the license number of cars operated by LESSEE and its employees.

Visitors, invitees, or others having business with LESSEE that enter the garage without a parking card will be required to pay upon exit at the then established rate for guest parking. LESSOR may elect to have a validator for guest parking in which case parking requiring validation will be billed back monthly separately from the Base Rent and fixed parking charges described in this section. Rates are established by the Association and billing and validation are managed by the Association or its designee.

TWENTY-SEVEN. SIGNAGE. LESSOR shall provide lobby directory signage, Building website identification and suite identification signage consistent with that provided to other lessees of the Building, wherein all costs associated with the construction and installation of such signage shall be at LESSOR'S sole cost and expense.

TWENTY-EIGHT. PRIOR TERMINATION. This Lease may be terminated prior to the terms set forth herein above for any condemnation, casualty or force majeure event, the purpose of this agreement is substantially impaired or obstructed by any event, occurrence or circumstance outside the control of LESSOR or LESSEE, including any governmental condemnation, without prejudice or penalty to any party hereto and without such event, occurrence or circumstance being defined, and interpreted or construed as breach or default on the part of any party.

TWENTY-NINE. ASSIGNMENT OR SUBLEASE. Upon prior written notice to and the prior approval in writing of LESSOR, granted, or not, in LESSOR's sole discretion, this Lease may be assigned or subleased to any individual or entity.

THIRTY. SUCCESSORS. Except as otherwise specifically provided, the terms, covenants, and conditions contained in this Lease shall apply to and bind the heirs, successors, executors, administrators, and permitted assignees of the Parties to this Lease.

THIRTY-ONE. ESTOPPEL CERTIFICATE. In the event of any sale, exchange, or refinance of LESSOR'S interest in the Demised Premises by LESSOR or designee of LESSOR of this Lease, within ten (10) calendar days after receipt of written request from LESSOR, LESSEE shall execute and acknowledge an estoppel certificate certifying as to such matters as may be requested by LESSOR.

THIRTY-TWO. ARMS LENGTH TRANSACTION. All Parties to the LEASE hereby affirm that this is an "Arm's Length Transaction,". No party to this Lease is a family member, business associate, or share a business interest with the other party. Further, there are no hidden terms or special understandings between LESSOR, or their agents, and LESSEE, or its agents.

THIRTY-THREE. CAPTION AND SECTION NUMBERS. The captions and section numbers appearing herein are inserted only as a matter of convenience and are not intended to define, limit, construe or describe the scope or intent of any section or paragraph.

THIRTY-FOUR. BOARD APPROVAL. This Lease is contingent upon prior approval by the Nevada State Board of Examiners and is not binding upon the Parties hereto or effective until such approval. Lessee reserves the right to update commencement and termination dates in accordance with submittal to the State Board of Examiners' meeting date.

THIRTY-FIVE. COUNTERPARTS. This Lease may be executed in one or more counterparts and with facsimile and/or electronically scanned copies of the signature page, each of which will be deemed an original and all of which together will constitute one and the same instrument.

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IN WITNESS WHEREOF, the Parties hereto have executed this Lease as of the day and year first above written.

LESSOR

SOUTHERN NEVADA WATER AUTHORITY, a Political Subdivision of the State of Nevada

By _____
John J. Entsminger
General Manager

Date 05/30/2024

LESSEE

STATE OF NEVADA through its, COLORADO RIVER COMMISSION of Nevada, an agency of the State of Nevada

By _____
Eric Witkoski
Director

Date May 21, 2024

Reviewed as to form and compliance with law only:

AARON D. FORD
ATTORNEY GENERAL

By _____
Michelle Briggs
Special Counsel

Date May 21, 2024

Approved by:

BOARD OF EXAMINERS

By _____
Amy Stephenson
Clerk of the Board

Date JUL - 9 2024

EXHIBIT "A" **DEPICTION OF DEMISED PREMISES**

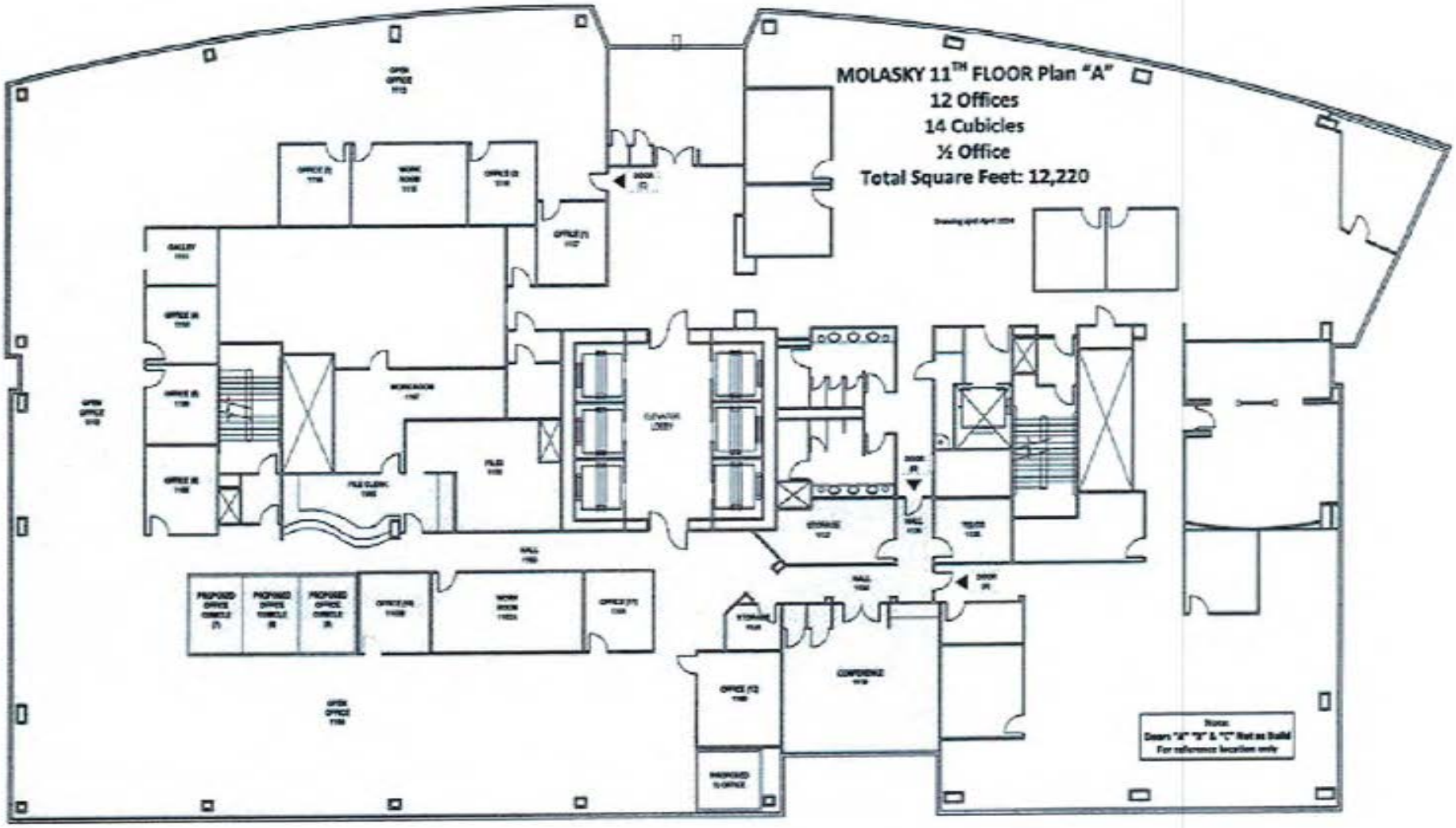
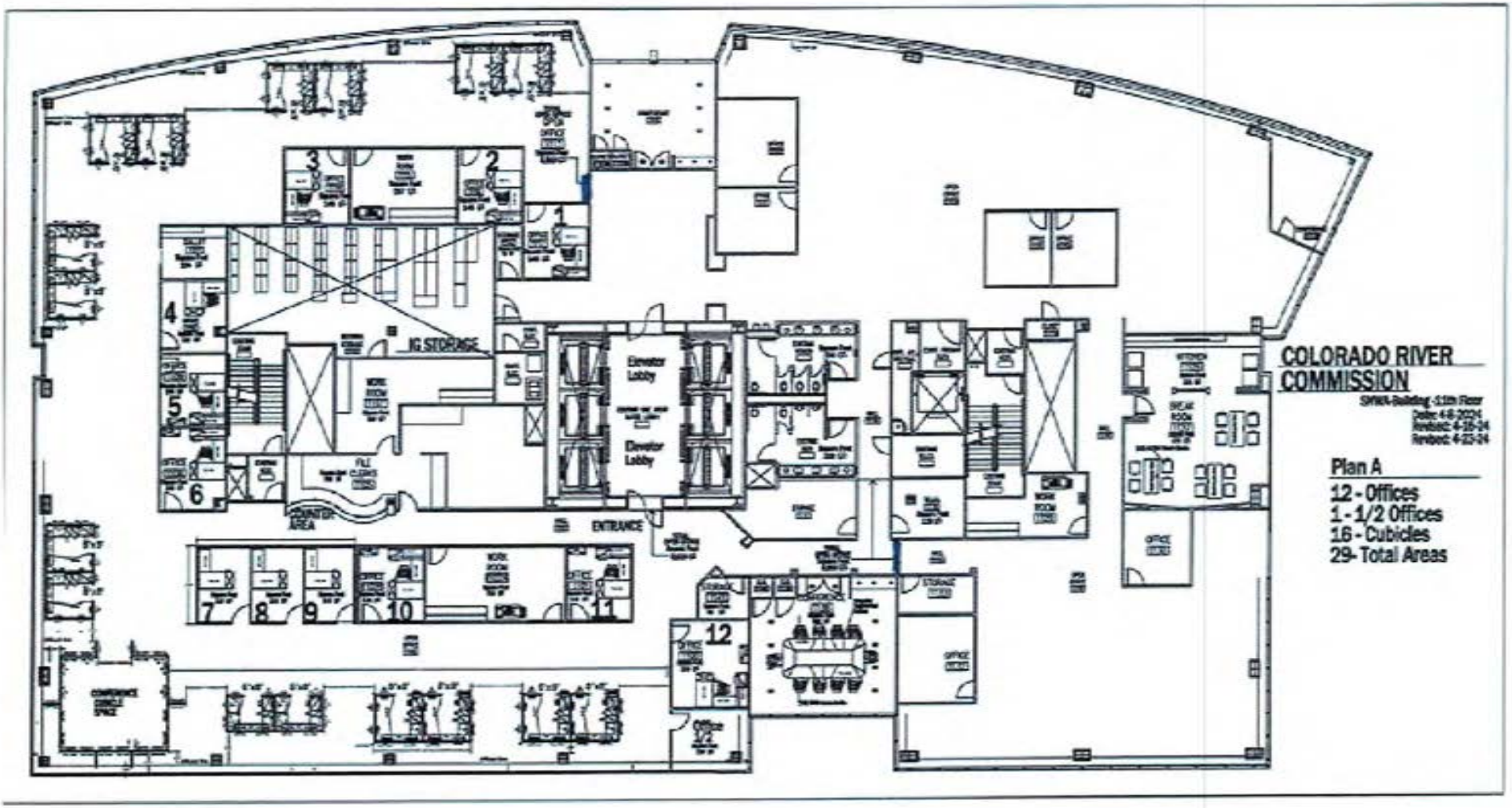

MOLASKY 11TH FLOOR Plan "A"
12 Offices
14 Cubicles
½ Office
Total Square Feet: 12,220

EXHIBIT "B" **SPACE PLAN / WORK LETTER**


COLORADO RIVER COMMISSION
SNWA Building -11th Floor
Date: 4-8-2024
Revised: 4-15-24
Revised: 4-23-24
Plan A
12 - Offices
1 - 1/2 Offices
16 - Cubicles
29- Total Areas
Elevator Lobby
Elevator Lobby
JG STORAGE
COUNTER AREA
ENTRANCE
1
2
3
4
5
6
7
8
9
10
11
12

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM H
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: *For Information Only:* Update on the financial audit and preparation of the Annual Comprehensive Financial Report for Fiscal Year 24 and 25.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION:

STAFF COMMENTS AND BACKGROUND:

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM I
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: *For Information Only:* Update on pending legal matters, including filings before the Federal Energy Regulatory Commission, the Public Utilities Commission of Nevada filings and federal legislation, and related matters.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION:

STAFF COMMENTS AND BACKGROUND:

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM J
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: *For Information Only:* Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION: None.

STAFF COMMENTS AND BACKGROUND:

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM K
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comments until the matter itself has been specifically included on the agenda as an item for possible action.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION: None.

STAFF COMMENTS AND BACKGROUND:

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM L
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: Comments and questions from the Commission members.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION: None.

STAFF COMMENTS AND BACKGROUND:

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM M
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: Selection of the next possible meeting date.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION: None.

STAFF COMMENTS AND BACKGROUND:

The next meeting is tentatively scheduled for 1:30 p.m. on March 10, 2026, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155.

COLORADO RIVER COMMISSION OF NEVADA
AGENDA ITEM N
FOR MEETING OF FEBRUARY 10, 2026

SUBJECT: Adjournment.
RELATED TO AGENDA ITEM: None.
RECOMMENDATION OR RECOMMENDED MOTION:

STAFF COMMENTS AND BACKGROUND: