

**SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY  
NRS 233B.0608/233B.0609**

**LCB File No. RO45-21**

**1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

*The Governor's Office of Energy (GOE) solicited comments via email from stakeholders, contractors, county representatives, developers, utilities and labor unions. They were also encouraged to attend a workshop held by GOE and express their support or concerns. There were nearly 20 parties who attended the workshop, only a couple of attendees expressed a concern in an effort to preserve the confidentiality of documents submitted to this office and the county in which a project resides. GOE took note of these concerns and made changes to the proposed amendments accordingly. The proposed regulations are in response to new language approved during the 2019 and 2021 Legislative Sessions. The language was discussed at length during these hearings. Any stakeholder or member of the public may request a copy of the summary by contacting staff at GOE.*

**2. The manner in which the analysis was conducted, including the methods used to determine the impacts of the proposed regulation on small business.**

*The Director and staff analyzed the typical applicant to the program and determined that the proposed amended regulations are necessary as a result of SB 298 and SB 448 which passed during the 2019 and 2021 Legislative Sessions. Additionally, the changes proposed will result in benefits to employees of the contractors and sub-contractors. Further language clarification pertaining to which benefits may be included in wages will more accurately reflect benefits to an employee and will allow an employer to account for benefits provided. The net effect of the proposed amended regulations is still positive in that a business complying with the requirements of the regulations will also be receiving abatements that outweigh any additional cost.*

**3. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:**

**(a) Both adverse and beneficial effects; and**

*The proposed regulation amendments further clarify requirements which must be met by applicants to the program. GOE concluded that these amendments were intended to have only positive impacts upon contractors by encouraging and promoting facilities to construct and operate renewable energy power generation facilities in Nevada. New language also broadens the definition for the types of facilities which are now eligible for partial tax abatements.*

*GOE considered the ability for small businesses to identify the policies and procedures that GOE utilizes to manage the abatement program under its authority. The revision or addition of regulations might require additional time or expertise to review, however, GOE provides free, state-wide assistance to all companies who wish to understand this abatement program. Thus,*

*GOE believes that the amendments or additions in the proposed regulations will have no negative impact to small businesses.*

**(b) Both direct and indirect effects.**

*The proposed regulations are intended to effectuate the Legislative intent and will not and are not intended to have any negative impact both directly and indirectly.*

**4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.**

*There were no methods considered as the proposed regulation changes are not known to have an impact upon small business or contractors in the state of Nevada. No concerns were voiced by small business when comment was solicited.*

**5. The estimated cost to the agency for enforcement of the proposed regulation.**

*The estimated cost to the agency has been taken into consideration when calculating the new fees.*

**6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

SB 298 allows for an increase in fees by the agency. These fees are based on projected work performed by the agency on each project and to further the development of renewable energy in the State. The agency receives on average 6 applications per year, at the new rate of \$9,000 per application, the office projects revenue of \$54,000.00 for fiscal year 22.

**7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.**

*There are not provisions that duplicate or are more stringent than federal, state or local standards.*

**8. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.**

*GOE determined the changes proposed are not detrimental to small business. Further, the changes proposed are necessary and dictated by SB 298 and SB 448 which were approved during the 2019 and 2021 Legislative Sessions. The amended language proposed by GOE does not stray from the new language found in SB 298 and SB 448.*

**I hereby certify to the best of my knowledge or belief a concerted effort was made to determine the impact of the proposed regulation on small businesses and that this statement was properly prepared and the information contained herein is accurate.**

A handwritten signature in black ink, appearing to read "D. B. Z.", positioned above a horizontal line.

---

(Signature of director, executive head or other person who is responsible for the agency certifying that, to the best of his or her knowledge or belief, the information contained in the statement was prepared properly and is accurate.)