

Contact Filer Regarding Image Clarity

REFUND REQUESTED

-
-
-

Original Filing

Public Utilities Commission of Nevada

Electronic Filing

Submitted: 10/22/2020 11:30:42 AM

Fee Submitted: \$200.00

Echeck Transaction ID :6033913454576287003048

Reference: 83822a4b-32b3-4719-9326-2bc06d830fea

Reference:

Filed For: Holland and Hart LLP

In accordance with NRS Chapter 719,
this filing has been electronically signed and filed
by: /s Cecilia Martin

By electronically filing the document(s),
the filer attests to the authenticity of the electronic signature(s) contained therein.

This filing has been electronically filed and deemed to be signed by an authorized
agent or
representative of the signer(s) and
Holland and Hart LLP



FILED WITH THE PUBLIC UTILITIES COMMISSION OF NEVADA - 10/22/2020

October 22, 2020

Trisha Osborne
Assistant Commission Secretary
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, Nevada 89701

Re: Docket No. 20: _____ - Notice of Copper Rays Solar, LLC, of an application for approval to construct a 700-MW solar energy generating facility, a 230-kV generation-tie line, an on-site substation, and associated facilities located in Nye County, Nevada, under the Utility Environmental Protection Act

Dear Trisha:

Accompanying this letter for filing with the Public Utilities Commission of Nevada is Copper Rays Solar, LLC's notice under NAC 703.421 that it will be filing an SF-299 Application for Transportation and Utility Facilities on Federal Lands with the United States Bureau of Land Management and the United States Forest Service for a right-of-way for the construction, operation, and decommissioning of a 700-MW solar energy generating facility, a 700-MW capacity battery energy storage system, an approximately 4 mile long 230-kV generation-tie line, an on-site substation, and associated facilities to be located in Nye County, Nevada.

If you have any questions, please feel free to contact me.

Sincerely,

/s/ Bryce C. Alstead

Bryce C. Alstead
Erica K. Nannini
Attorneys for Copper Rays Solar, LLC
of Holland & Hart^{LLP}

BCA:cpm
cc: Parties of Record
Enclosures

15537502_v1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Notice of Copper Rays Solar, LLC, of an application for)
approval to construct a 700-MW solar energy generating)
facility, a 230-kV generation-tie line, an on-site)
substation, and associated facilities located in Nye)
County, Nevada, under the Utility Environmental)
Protection Act)
_____)

Docket No. 20-_____

**NOTICE OF COPPER RAYS SOLAR, LLC, OF AN APPLICATION FOR
APPROVAL TO CONSTRUCT A 700-MW SOLAR ENERGY GENERATING
FACILITY, A 700-MW CAPACITY BATTERY ENERGY STORAGE SYSTEM, A
230-KV GENERATION-TIE LINE, AN ON-SITE SUBSTATION, AND
ASSOCIATED FACILITIES LOCATED IN NYE COUNTY, NEVADA, UNDER THE
UTILITY ENVIRONMENTAL PROTECTION ACT**

I. Introduction

Pursuant to the Nevada Utility Environmental Protection Act (“UEPA”), Sections 704.820 to 704.900 of the Nevada Revised Statutes (“NRS”), and Sections 703.415 to 703.427 of the Nevada Administrative Code (“NAC”), Copper Rays Solar, LLC (the “Applicant”), hereby provides the Public Utilities Commission of Nevada (“Commission”) with this notice under NAC 703.421 (“Notice”) that it will be filing a SF-299 Application for Transportation and Utility Facilities on Federal Lands (“SF-299”) with the United States Bureau of Land Management (“BLM”) for a right-of-way for the construction, operation, and decommissioning of a 700-megawatt (“MW”) solar energy generating facility (“Generating Facility”), a 700-MW capacity battery energy storage system (“BESS”), an approximately 4-mile-long 230-kilovolt (“kV”) generation-tie line (“Gen-Tie”), an on-site substation, and associated facilities such as access roads, distribution lines, temporary construction yards and laydown areas, temporary waterlines, and other improvements commonly associated with utility-scale solar energy generating facilities, all to be located on approximately 5,042 acres of BLM-administered land located in Nye County, Nevada (collectively, the “Project”). A predecessor to the Applicant

1 previously filed a Notice in Docket 12-10018 on October 17, 2012, but Docket 12-10018 was
2 ultimately closed in 2019.¹ Thus, this new Notice is being filed.²

3 All correspondence related to this Notice should be sent to the undersigned:

4 Kathryn Arbeit
5 Vice President
6 135 Main Street, 6th Floor
7 San Francisco, CA 94105
8 Telephone: 415-935-2500
9 Karbeit@firstsolar.com

10 Bryce C. Alstead
11 Erica K. Nannini
12 Holland & Hart LLP
13 5441 Kietzke Lane, Second Floor
14 Reno, NV 89511
15 balstead@hollandhart.com
16 eknannini@hollandhart.com

17 The Project includes the development, construction, operation, and maintenance of the
18 Generating Facility, the BESS, the Gen-Tie, an on-site substation, and other associated facilities
19 to be located on federal land administered by the BLM. The nameplate of the Generating
20 Facility is 700 MW, and the voltage of the Gen-Tie Line is 230-kV, which are each above the
21 respective thresholds for UEPA regulation, thus each of these components of the Project qualify
22 as an “utility facility” as defined by NRS 704.860(1) and (2), respectively. Accordingly,
23 Applicant is providing this Notice of the Project pursuant to NRS 704.870(2)(a).

24 The Applicant requests that the Commission accept this Notice under UEPA as
25 complying with NRS 704.870(2)(a) and NAC 703.421. Within thirty (30) days of the issuance of
26 a final Environmental Assessment or Environmental Impact Statement for the Project,³ the

27 ¹ The Copper Rays Solar project was initially owned by Element Power, which sold the Project to First Solar several
28 years after the initial notice was filed. Commission Staff filed a motion to dismiss the earlier UEPA application in
2019 on the basis that the Project had not materially progressed. Commission Staff was unable to find a point of
contact with respect to the earlier notice, and thus filed an unopposed motion to dismiss, which the Commission
granted without prejudice.

² This Notice is also being filed because the Project currently being proposed is different from that initially proposed
in 2012 (which related to a proposed 180MW project).

³ Note that it is currently unknown whether the BLM will require an Environmental Assessment or an
Environmental Impact Statement for the Project.

1 Applicant will submit a detailed UEPA application for approval of a Permit to Construct
2 pursuant to NRS 704.870(2)(b).

3 **II. Information Required Pursuant to NAC 703.421**

4 **1. The name, address and telephone number of the person who filed the application**
5 **with the appropriate federal agency.**

6 The name, address, and telephone number of the person who will be filing the SF-299 for
7 the Project is:

8 Kathryn Arbeit
9 Vice President
10 135 Main Street, 6th Floor
11 San Francisco, CA 94105
12 Telephone: 415-935-2500

13 **2. The date on which the application was filed with the appropriate federal agency.**

14 The SF-299 for the Project will be submitted to the BLM on or about October 23, 2020.

15 **3. A general description of the location of the proposed utility facility.**

16 The Project area is comprised of approximately 5,042 acres of public lands administered
17 by the BLM in an unincorporated area of Nye County, Nevada. The Project will be located
18 immediately west of State Route 160 and approximately 8 miles southeast of Pahrump, Nevada,
19 in T21S, R54E. *See* Project Maps, attached hereto as **Exhibit 1**. A more detailed description of
20 the location of the Project will be provided in the application to be submitted by Applicant
21 following the issuance of the Project's Environmental Assessment or Environmental Impact
22 Statement, as applicable.

23 **4. A general description of the proposed utility facility.**

24 The Project will consist of a 700-MW Generating Facility, a 700-MW capacity BESS, an
25 approximately 4-mile-long 230-kV Gen-Tie, an on-site substation, and associated facilities
26 typical of utility-scale solar energy generating facilities and high-voltage energy transmission
27 lines. The associated facilities will likely include an O&M building, a supervisory control and
28 data acquisition system, lighting system, access roads, and fencing. The power produced by the
Project would be conveyed to GridLiance West's ("GLW") bulk transmission system via the
Gen-Tie, which would interconnect to GLW's Gamebird Substation located north of the Project

1 site and southeast of Pahrump, Nevada. The Applicant expects that the Project will be
2 constructed in three phases.

3 **5. Proof that a copy of the notice has been submitted to the Nevada State**
4 **Clearinghouse within the State Department of Conservation and Natural Resources.**

5 A copy of this notice has been submitted to, among others, the Regulatory Operations
6 Staff of the Commission, the Bureau of Consumer Protection, the Nevada State Clearinghouse
7 within the Department of Conservation and Natural Resources, and the Nye County Clerk. *See*
8 Certificate of Service to this Notice.

9 **III. Other Required Filings.**

10 **1. Draft Public Notice**

11 A copy of the draft notice required pursuant to NAC 703.162 is attached hereto as
12 **Exhibit 2.**

13 **2. Proof of compliance with the Nevada Department of Wildlife’s Energy Cost**
14 **Recovery Fund Program (NRS 701.600 - .640).**

15 The required notice to the Nevada Department of Wildlife pursuant to NRS 701.610 was
16 filed on October 20, 2020. *See* Application for Energy Projects “Fund for the Recovery of
17 Costs,” attached hereto as **Exhibit 3.**

18 **IV. Conclusion**

19 Applicant requests that the Commission accept this Notice as complying with NRS
20 704.870(2)(a) and NAC 703.421. Applicant will submit its UEPA Application within thirty (30)
21 days of the conclusion of the federal environmental review process pursuant to NRS
22 704.870(2)(b). At that time, Applicant will apply for, and request that the Commission issue, a
23 UEPA Permit to Construct the Project.

24 ///

25 ///

26 ///

27 ///

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED and respectfully submitted this 22nd day of October, 2020.

HOLLAND & HART LLP

/s/ Bryce C. Alstead

Bryce C. Alstead, Esq.
Erica K. Nannini, Esq.
Holland & Hart LLP
5441 Kietzke Lane, Second Floor
Reno, Nevada 89511

Attorneys for Copper Rays Solar, LLC

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of Holland & Hart LLP and on October 22, 2020,
3 I caused to be served a true and correct copy of the foregoing document to the following:
4

5 **ELECTRONIC MAIL**

6 Skip Canfield, Program Manager
7 Nevada State Clearinghouse
8 Department of Conservation & Natural
9 Resources,
10 Division of State Lands
11 901 S. Stewart Street, Ste. 5003
12 Carson City, NV 89701
13 nevadaclearinghouse@lands.nv.gov

ELECTRONIC MAIL

Kristen Burke
Administrative Assistant
Nevada Division of Environmental
Protection
901 S. Stewart Street, Suite 4001
Carson City, NV 89701
K.burke@ndep.nv.gov

11 **ELECTRONIC MAIL**

12 Staff Counsel Support
13 Public Utilities Commission of Nevada
14 1150 E. William Street
15 Carson City, NV 89701-3109
16 Pucn.sc@puc.nv.gov

ELECTRONIC MAIL

Ernest Figueroa, Esq.
Nevada State Consumer Advocate
Bureau of Consumer Protection
100 N. Carson Street
Carson City, NV 89701
bcpserv@ag.nv.gov

17 **U.S. MAIL TRANSMITTAL:**

18 Nye County Clerk
19 1520 E Basin Ave
20 Pahrump, NV 89060

21
22
23 /s/Cecilia Martin
24 Cecilia Martin, Legal Secretary
25 an employee of Holland & Hart LLP
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit “1”
Project Map
[see attached]

