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September 14, 2009

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VIA FEDERAL EXPRESS

Ms. Crystal Jackson
Executive Secretary
Public Utilities Commission of Nevada
1150 E. William Street
Carson City, NV 89701

Re: Initial Application of Duke Energy Corporation d/b/a Searchlight Wind Energy, LLC for a Permit to Construct the Searchlight Wind Facility under the Utility Environmental Protection Act

Dear Ms. Jackson,

Enclosed for filing please find the Initial Application of Duke Energy Corporation d/b/a Searchlight Wind Energy, LLC ("Searchlight Wind") for a Permit to Construct the Searchlight Wind Power Facility under the Utility Environmental Protection Act, pursuant to NRS 704.870(2).

The documents included in this packet are:

1. Initial UEPA Application for a Permit to Construct the Searchlight Wind Power Facility under the Utility Environmental Protection Act;
2. Exhibits A through F (see Table of Contents, listing each Exhibit), including the required Public Notice and Affidavit of Publication (Exhibit E) and Proof of Service (Exhibit F).

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

Ms. Crystal Jackson
September 14, 2009
Page 2

In order to comply with the application requirements prescribed by the Public Utilities Commission, all exhibits to the application are on standard letter sized paper. In order to satisfy this requirement, the site layout map (Exhibit C) was reduced in size considerably. We are enclosing 9 additional courtesy copies of the full scale map, so that it can be more accurately reviewed.

Please distribute the enclosed courtesy copies as follows:

One copy to each of Alaina Burtenshaw, Esq., Eric Witkowski, Esq. and William Stanely, Esq.

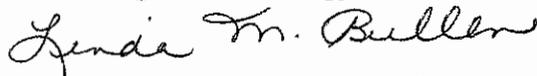
One copy to each of Commissioner Kelly, Commissioner Wagner, and Commissioner Thompson.

Please keep the remaining 3 copies with Commission staff.

Searchlight Wind requests that the Commission accept this Initial Application under UEPA as complying with the statutory and regulatory requirements listed in the Application. Searchlight Wind will submit an amended application once it receives the environmental analysis prepared under the direction of the U.S. Bureau of Land Management.

If you have any questions about this filing, please do not hesitate to contact me directly at (702) 383-8970.

Searchlight Wind Energy, LLC



Linda M. Bullen
Lionel Sawyer & Collins
lbullen@lionelsawyer.com
Tel: (702) 383-8970
Fax: (702) 383-8845

Attorneys for Searchlight Wind Energy, LLC

Enclosures: List of Enclosures
Initial UEPA Application
\$200 Application Fee

cc: Robert Charlebois

UEPA Initial Application
Searchlight Wind Energy, LLC
Searchlight Wind Facility Project

LIST OF ENCLOSURES

**UEPA Initial Application for a Permit to Construct
Searchlight Wind Energy, LLC
Searchlight Wind Facility Project
Clark County, Nevada
September 14, 2009**

This application includes the following:

- A) \$200 Filing Fee - attached;
- B) Public Utilities Commission of Nevada Draft Notice;
- C) UEPA Initial Application, comprised of the following:
 - 1) Table of Contents
 - 2) List of Exhibits
 - 3) Introduction
 - 4) Legal Background
 - 5) Factual Background
 - 6) Information Regarding the Applicant
 - 7) Responses to Required Disclosures
 - 8) General Description of Location of Proposed Facility
 - 9) Regional Map
 - 10) Alternative Locations for Proposed Facility
 - 11) Reasons for Site Suitability
 - 12) General Description of Proposed Facility
 - 13) Size and Nature of Proposed Facility
 - 14) Natural Resources to be Used in Construction and Operation
 - 15) Summary of Anticipated Environmental Impact Studies
 - 16) Public Notice
 - 17) Proof of Service
 - 18) Conclusion
 - 19) Exhibits A - F

PUBLIC UTILITIES COMMISSION OF NEVADA
DRAFT NOTICE
(Applications, Tariff Filings, Complaints, and Petitions)

Pursuant to Nevada Administrative Code (“N.A.C.”) 703.162, the Commission requires that a draft notice be included with all applications, tariff filings, complaints and petitions. Please complete and include **ONE COPY** of this form with your filing. (Completion of this form may require the use of more than one page.)

A title that generally describes the relief requested (*see* N.A.C. 703.160(5)(a)):

Pursuant to the Utility Environmental Protection Act (“UEPA”) and the provisions set forth in Chapter 704 of the Nevada Revised Statutes, and Chapter 703 of the Nevada Administrative Code, Searchlight Wind Energy, LLC (“Searchlight Wind”) is filing an Initial Application with the Public Utilities Commission of Nevada for a permit to construct and operate a wind powered electric facility to be known as the Searchlight Wind Project (the “Project”).

The name of the applicant, complainant, petitioner or the name of the agent for the applicant, complainant or petitioner (*see* N.A.C. 703.160(5)(b)):

**The applicant is Searchlight Wind Energy, LLC.
Linda M. Bullen at Lionel Sawyer & Collins is legal counsel for the applicant.**

A brief description of the purpose of the filing or proceeding, including, without limitation, a clear and concise introductory statement that summarizes the relief requested or the type of proceeding scheduled **AND** the effect of the relief or proceeding upon consumers (*see* N.A.C. 703.160(5)(c)):

Based on the Initial Application and any amendment or supplement thereto, Searchlight Wind respectfully requests that the Public Utilities Commission of Nevada grant to Searchlight Wind a permit to construct the Project. Searchlight Wind is developing the Project to produce up to 230 megawatts (“MW”) of clean, renewable, electrical power to meet the growing demand for such power in Nevada and the Western United States, and to satisfy state and federal renewable portfolio standards.

Searchlight Wind will submit an Amended Application to the Commission, including the final environmental impact statement, once it receives the environmental analysis prepared under the direction of the U.S. Bureau of Land Management.

A statement indicating whether a consumer session is required to be held pursuant to Nevada Revised Statute (“NRS”) 704.069(1)¹: **A consumer session is not required.**

¹ NRS 704.069 states in pertinent part:

1. The Commission shall conduct a consumer session to solicit comments from the public in any matter pending before the Commission pursuant to NRS 704.061 to 704.110 inclusive, in which:

If the draft notice pertains to a tariff filing, please include the tariff number AND the section number(s) or schedule number(s) being revised.

The draft notice does not pertain to a tariff filing.

-
- (a) A public utility has filed a general rate application, an application to recover the increased cost of purchased fuel, purchased power, or natural gas purchased for resale or an application to clear its deferred accounts; and
 - (b) The changes proposed in the application will result in an increase in annual gross operating revenue, as certified by the applicant, in an amount that will exceed \$50,000 or 10 percent of the applicant's annual gross operating revenue, whichever is less.

1 **BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

2
3 **IN THE MATTER OF:**

4 Application of Duke Energy Corporation) Docket No. 09-_____
5 d/b/a Searchlight Wind Energy LLC For a)
6 Permit To Construct the Searchlight Wind)
7 Facility Under the Utility Environmental)
Protection Act)
_____)

8 **INITIAL APPLICATION OF DUKE ENERGY CORPORATION d/b/a SEARCHLIGHT**
9 **WIND ENERGY LLC FOR A PERMIT TO CONSTRUCT SEARCHLIGHT**
10 **WIND FACILITY UNDER THE UTILITY ENVIRONMENTAL PROTECTION ACT**

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28 **LIST OF EXHIBITS**

- 23 A. Site Location Map
- 24 B. Regional Map
- 25 C. Site Layout Map
- 26 D. Federal Action and Environmental Studies
- 27 E. Public Notice and Proof of Publication
- 28 F. Proof of Service to Clark County Clerk, Nevada State Clearinghouse, and other agencies.

1 **BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

2
3 **IN THE MATTER OF:**

4 Application of Duke Energy Corporation) Docket No. 09-_____
5 d/b/a Searchlight Wind Energy LLC For a)
6 Permit To Construct the Searchlight Wind)
7 Facility Under the Utility Environmental)
Protection Act)
_____)

8 **INITIAL APPLICATION OF DUKE ENERGY CORPORATION d/b/a SEARCHLIGHT**
9 **WIND ENERGY LLC FOR A PERMIT TO CONSTRUCT SEARCHLIGHT**
10 **WIND FACILITY UNDER THE UTILITY ENVIRONMENTAL PROTECTION ACT**

11 **A. INTRODUCTION**

12 Applicant Duke Energy Corporation d/b/a Searchlight Wind Energy LLC (“Searchlight
13 Wind” or “the Company”) in accordance with NRS 704.870.2, hereby files with the Public
14 Utilities Commission of Nevada (“Commission”) an Initial Application (“Initial Application”)
15 for a Permit to Construct the facility described below (the “Proposed Facility”), pursuant to the
16 Utility Environmental Protection Act (“UEPA”), set forth in NRS 704.820 to 704.900, and
17 N.A.C. 703.415 to 703.427, specifically, N.A.C. 703.421.

18 Searchlight Wind provides the following information in support of the Initial
19 Application.

20 **B. LEGAL BACKGROUND**

21 The Proposed Facility is a wind-powered electric generating facility proposed to be
22 located on federal land managed by the U.S. Bureau of Land Management (“BLM”) under lease
23 to the Company, in the vicinity of Searchlight, Nevada, the closest proposed turbine being
24 approximately two miles from Searchlight. A thorough review and analysis of the environmental
25 conditions associated with the Proposed Facility is required by the National Environmental
26 Policy Act, 42 U.S.C. § 4321 et seq. (“NEPA”). An environmental impact statement (“EIS”) is
27 currently being prepared for the Proposed Facility, and it is expected to be completed by the
28 Summer of 2010.

1 On January 29, 2008, Searchlight Wind, filed an SF 299 with the BLM seeking a
2 right-of-way application for 24,382 acres of federal land for the purpose of building, operating
3 and maintaining a wind-powered electric generating facility. It is estimated construction will
4 disturb less than approximately two percent of the requested right-of-way acreage.

5 The Proposed Facility will create an economically viable source of up to 230
6 megawatts ("MW") of clean, renewable, electricity that meets the growing demand for power in
7 Nevada and the Western United States and fulfills several state and national renewable energy
8 policies.

9 **D. INFORMATION REGARDING THE APPLICANT**

10 1. Searchlight Wind is a Nevada limited liability company and a wholly-owned
11 subsidiary of Duke Energy Corporation, which is incorporated under the laws of the State of
12 North Carolina.

13 2. Searchlight Wind was formed for the purpose of development and operation of a
14 utility scale wind powered electric generating facility in the vicinity of Searchlight, Nevada.

15 3. Searchlight Wind's principal place of business, mailing address and telephone
16 number are: 71 Allen Street, Suite 101, Rutland, Vermont 05701.

17 4. All correspondence related to this Application (copy of all pleadings, notices,
18 orders and discovery requests) should be sent to the undersigned counsel and to the Manager
19 Director, whose names and addresses are set forth below:

20 Robert J. Charlebois
21 Managing Director
22 Business Development
23 Duke Energy Corporation
24 71 Allen Street, Suite 101
25 Rutland, VT 05701-4570
26 Phone: (802) 772-6767
27 Fax: (802) 772-6799
28 Bob.Charlebois@duke-energy.com

Linda M. Bullen
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1 **E. RESPONSES TO REQUIRED DISCLOSURES**

2 The information required by N.A.C. 703.421 is provided in the following sections.

3 **1. General Description of the Location of the Proposed Facility (N.A.C. 703.421 (1)).**

- 4 (a) A general description of the location of the proposed utility facility, including a
5 regional map that identifies the location of the proposed utility facility.

6 The Proposed Facility is located on federal land managed by the BLM in Clark County
7 Nevada. (See Exhibit A, Project Vicinity/Location Map.) A regional map that identifies the
8 location of the Proposed Facility is attached as Exhibit B.

- 9 (b) Any alternative locations for the Proposed Facility.

10 Factors that are considered when identifying and evaluating potential sites for wind
11 energy development include robust wind resource, proximity to bulk transmission service, road
12 access to the site, proximity to market for the sale of the energy produced by the facility,
13 environmental constraints or lack thereof, and construction constraints or lack thereof, were
14 considered.

15 Before selecting the Searchlight site, Searchlight Wind evaluated eight regions in the
16 State of Nevada and within those regions reviewed a total of approximately thirty sites as
17 potential locations for the siting of a wind energy facility. The sites were screened for the
18 attributes identified in the paragraph above, which are necessary to develop, build and operate a
19 commercially viable wind energy facility.

- 20 (c) The reasons why the location identified in paragraph (a) is best suited for the
21 proposed utility facility.

22 Searchlight and one site in northern Nevada best met those criteria described in
23 subsection 1(b) above. Because Searchlight was deemed, between these two sites, based upon
24 robust wind resource, proximity to bulk transmission service, road access to the site, proximity to
25 market for the sale of the energy produced by the facility, lack of environmental constraints and
26 lack of construction constraints, to be the superior site with respect to these criteria, the
27 Company decided to allocate the resources necessary to develop the site and seek all the
28 regulatory approvals and licenses that are required to build and operate the project on this site.

1 **2. General Description of the Description of the Proposed Facility (N.A.C. 703.421 (2)).**

2 (a) The size and nature of the proposed utility facility.

3 The Proposed Facility has been re-designed and downsized significantly since it was
4 initially proposed.

5 The components comprising the Proposed Facility are:

- 6 • Access roads;
- 7 • Underground electrical collection system;
- 8 • Underground communication lines;
- 9 • Up to 97 wind turbines, including concrete foundation, tubular steel towers, nacelles, and blades;
- 10 • Up to 97 pad-mount transformers, one located at the base of the tower of
11 each wind turbine;
- 12 • Overhead transmission line;
- 13 • Operations and Maintenance (O&M) building;
- 14 • Electrical interconnection/switchyards;
- 15 • Two electrical substations;
- 16 • Two temporary laydown yards, for construction purposes only; and
- Four permanent meteorological masts.

17 The lands in the right-of-way application for the Proposed Facility cover over 24,000
18 acres. However, the total area to be disturbed by the Proposed Facility (including temporary
19 disturbance) will be less than two percent of the requested right-of-way. Large areas of open,
20 undeveloped land will exist between individual turbines. This space is necessary for the free
21 flow of wind, which results in efficient, safe, long-term operation of the wind turbine generators.

22 (b) The natural resources that will be used during the construction and operation of
23 the proposed utility facility.

24 The Company anticipates minimal use of natural resources during construction. The
25 Company will utilize some water for dust control during construction. The only other natural
26 resources the Company anticipates using are those natural resources incorporated into
27 construction materials (e.g., steel and concrete).

28

1 **3. A summary of any studies which the applicant anticipates will be made of the**
2 **environmental impact of the proposed utility facility, including a copy of all**
3 **corresponding studies filed with appropriate federal agencies (N.A.C. 703.421 (3)).**

4 This Initial Application describes the requisite federal agency approvals for construction
5 of the Proposed Facility and sets forth a general description and summary of the studies that are
6 anticipated as part of a final environmental assessment or environmental impact statement
7 relating to the construction of the utility facility pursuant to NRS 704.870.2(a)(1).
8 (See Exhibit D.)

9 Site-specific studies which have been conducted, are ongoing, or will be conducted, are
10 summarized as follows: biological resources, threatened and endangered species, hydrology,
11 cultural and visual resources, geology and minerals, soil resources, air quality, land use and
12 recreation, traffic and transportation, socioeconomic impacts and hazardous materials and solid
13 wastes. All studies and supporting documents will be included in the final environmental impact
14 statement, which will be submitted to the Commission in the amended application pursuant to
15 N.A.C. 703.423.

16 **4. A copy of the public notice of the application and proof of the publication of the**
17 **public notice (N.A.C. 703.421 (4)).**

18 A summary of the Initial UEPA Application has appeared in newspapers published and
19 distributed in the area where the Proposed Facility is planned pursuant to NRS 704.870.4(b) and
20 N.A.C. 703.421.4. (See Exhibit E). A copy of the Initial Application has been filed on the clerk
21 of each local government affected by the location(s) pursuant to NRS 704.870(a). (See
22 Exhibit F).

23 **5. Proof that a copy of the application has been submitted to the Nevada State**
24 **Clearinghouse (N.A.C. 703.421 (5)).**

25 A copy of the Initial Application has been submitted to the Nevada State Clearinghouse
26 within the Department of Administration. (See Exhibit F.)
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CONCLUSION AND REQUEST FOR RELIEF

Searchlight Wind will amend and supplement this application as permitted and contemplated pursuant to NRS 704.820 to 704.900 and N.A.C. 703.415 to 703.427. Based on this Initial Application and any amendment or supplement thereto, Searchlight Wind respectfully requests that the Commission proceed in the manner required by law and, in accordance with N.A.C. 703.535(d), issue an order that:

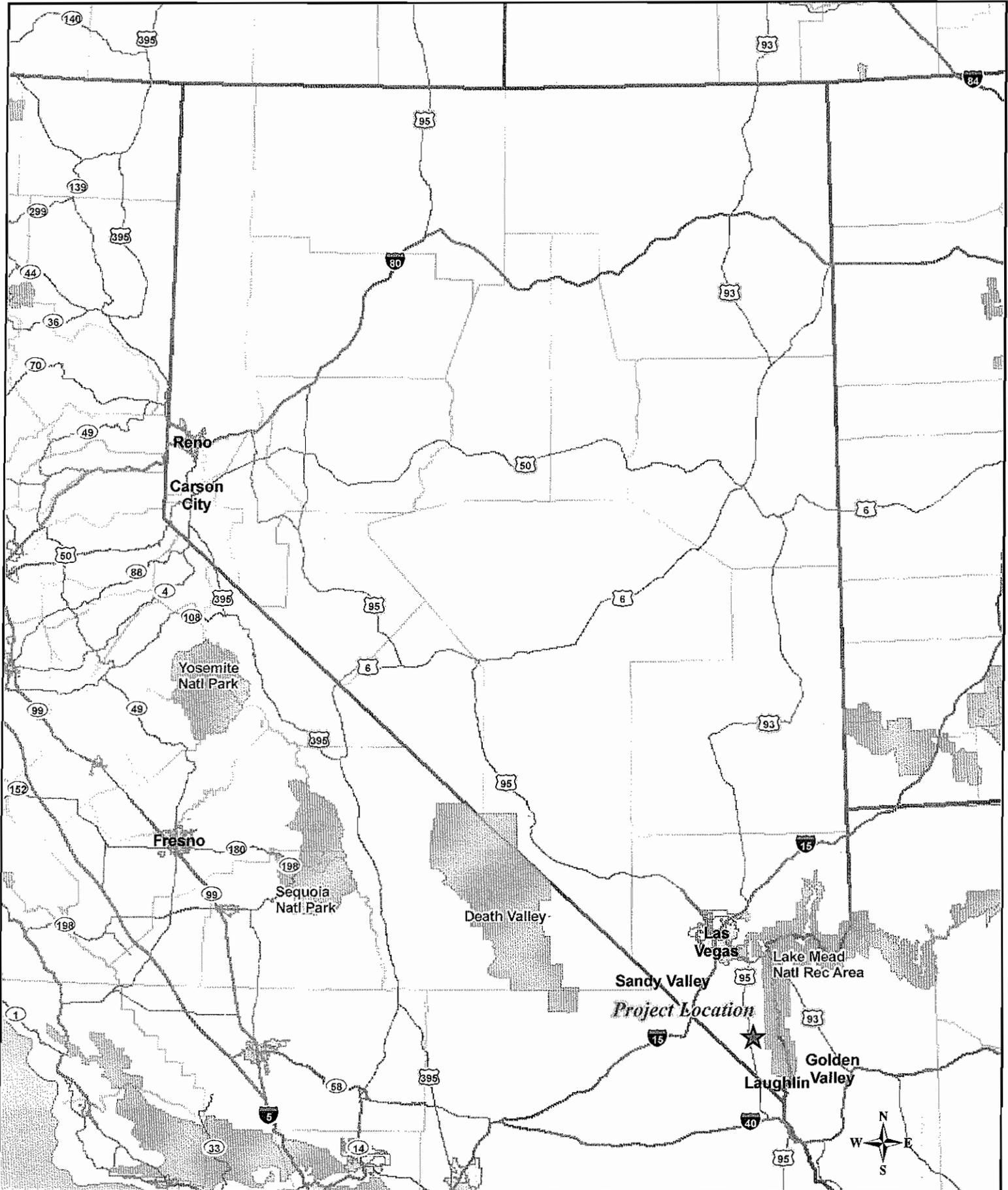
1. Grants a Permit to Construct the Proposed Facility, as described herein;
2. Grants such conditions and modifications that may allow for the issuance of the UEPA permit to construct or a compliance order with the condition that Searchlight Wind may file any outstanding required permits, licenses or approvals with the Commission prior to commencing construction of the Proposed Facility pursuant to NRS 704.890;
3. Grants such deviations from the Commission's regulations as may be in the public interest; and
4. Grants Searchlight Wind such other and further relief as the Commission may find reasonable and appropriate under the circumstances.

RESPECTFULLY SUBMITTED this 14th day of September, 2009.

LIONEL SAWYER & COLLINS
By: Linda M. Bullen
Linda M. Bullen
Lionel Sawyer & Collins
Nevada State Bar No. 7629
lbullen@lionelsawyer.com
1700 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

Attorneys for Searchlight Wind Energy, LLC

EXHIBIT A



Prepared by:

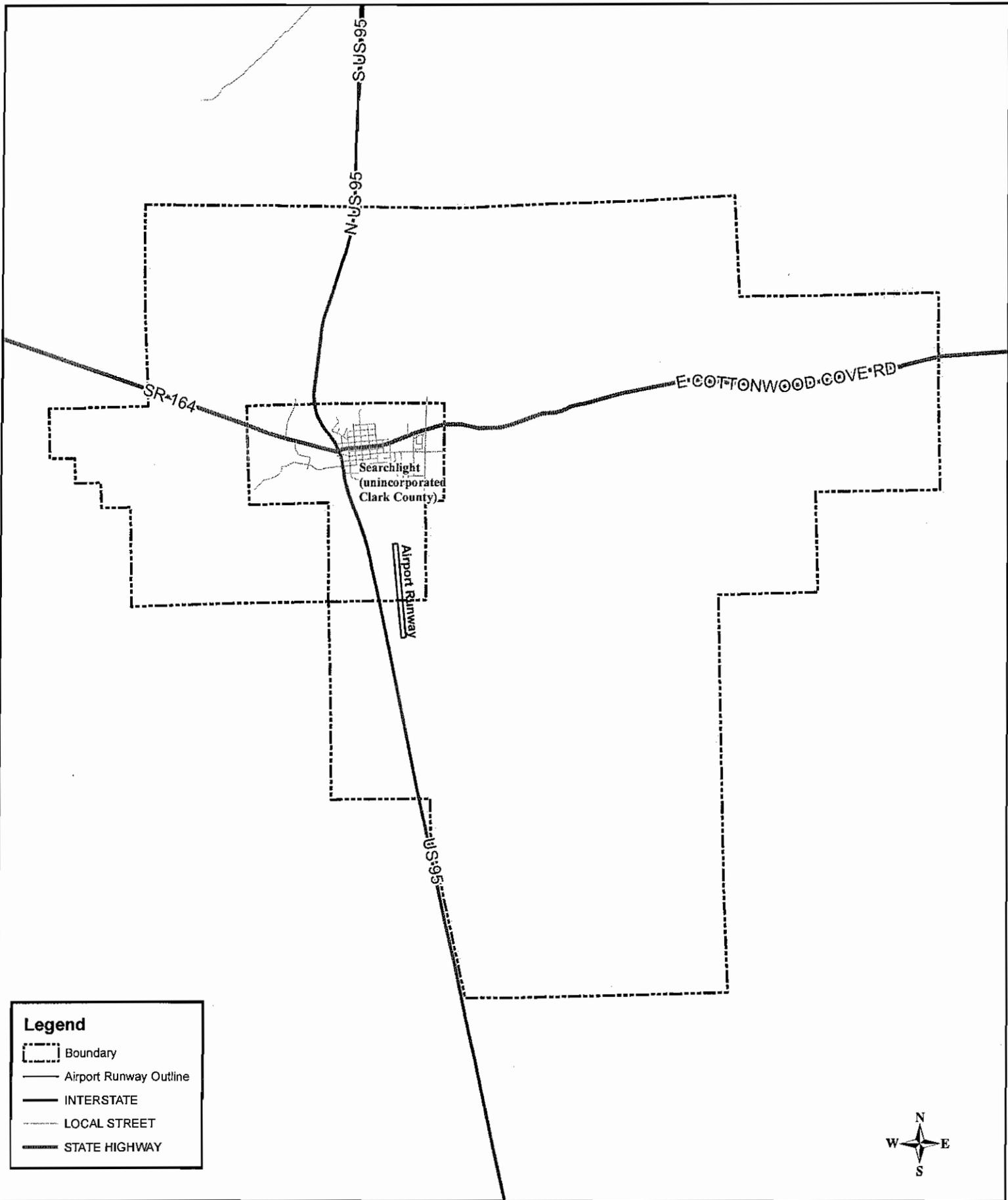
www.vtnn.com

**SEARCHLIGHT
 WIND ENERGY PROJECT**

Prepared by:
DUKE ENERGY
 71 Allen Street
 Rutland, VT 05762
 802-772-6767

W.O.#: 7170
 DATE: 09-04-09
 BY: TvH
 SCALE: not to scale
 SHEET: 1

EXHIBIT B



Legend

- Boundary
- Airport Runway Outline
- INTERSTATE
- LOCAL STREET
- STATE HIGHWAY



Prepared by:



www.vinnv.com

**SEARCHLIGHT
WIND ENERGY PROJECT**

Prepared by:

DUKE ENERGY
7111 Allen Street
Rutland, VT 05762
802-772-6767

W.O.#: 7170
DATE: 08-25-09
BY: TvH
SCALE: not to scale
SHEET: 1

EXHIBIT C

EXHIBIT D

FEDERAL ACTION AND ENVIRONMENTAL STUDIES

The Proposed Facility will be located on federal lands managed by the U. S. Bureau of Land Management (“BLM”). Development of the Proposed Facility will require acquisition of a right-of-way from the BLM pursuant to the Federal Land Policy Management Act (FLPMA). As the Lead Agency under the National Environmental Policy Act (NEPA 42 U.S.C. § 4231 et seq.), the BLM has initiated development of an environmental impact statement (“EIS”) as the environmental review document to assess potential environmental implications of issuing a right-of-way for the Proposed Facility. Prior to issuing a right-of-way, the BLM must first complete the NEPA process, which concludes with publication of a Final EIS (FEIS) and a record of decision (“ROD”). Once the ROD is issued, the grant of right-of-way can be issued, subject to conditions as may be identified in the ROD.

A number of site-specific studies will be conducted to establish a baseline for evaluating potential impacts to the existing resources at the Proposed Facility site. These studies, and data acquired from government agency and resource databases, will be incorporated into the EIS analysis. The resource area studies that will be based on site-specific field survey data that will be included in the EIS are listed below.

- Biological Resources – Existing literature and resource databases will be reviewed to identify the potential presence of plant and animal species at the Proposed Facility site. These studies will be supplemented by data collected by site-specific field surveys conducted to verify the presence or absence of specific species, identification of potential habitat, and evaluation of existing habitat quality. Field surveys will be conducted for botanical resources, including sensitive plants, and noxious weeds, wildlife, and migratory birds. Included among these surveys are the following:
 - Weekly surveys from sixteen stationary points within the proposed project area;
 - Survey of bats using electronic bat detection devices placed at six locations within the proposed project area;
 - Survey of two abandoned mine shafts using electronic bat detection devices;
 - Ground survey of raptor nests within the project area in 2008. Ground and aerial nest surveys in 2009; and
 - Inventory of small portion at the southern end of the project area for noxious weeds along access routes for Metrological Environmental Assessment Tower (“EA”).
- Threatened and Endangered Species – Statistically-based density surveys of any threatened or endangered species will be conducted to estimate the potential density across the Proposed Facility site. The BLM will initiate formal consultation with the U.S. Fish and Wildlife Service (“FWS”) pursuant to Section 7 of the Endangered Species Act. BLM will prepare a Biological Assessment for submittal to the FWS, and the FWS will issue a Biological Opinion and Incidental Take Permit for the proposed facility. Surveys for threatened and endangered species include, in part:
 - Protocol surveys for desert tortoise a federally listed species; and
 - Survey of project footprint for BLM sensitive plant species.

- Hydrology – Surface hydrology studies will be conducted to characterize storm water flows across the site. A portion of the site contains ephemeral drainages that cross the Nevada-California border, triggering U.S. Army Corps of Engineers (“ACOE”) jurisdiction under Section 404 of the Clean Water Act (Interstate waters). As such, field studies will be conducted to identify and delineate any Waters of the U.S. An individual Section 404 permit from the ACOE will be required for a portion of the Proposed Facility site.
- Cultural Resources – The BLM is required to demonstrate compliance with Section 106 of the National Historic Preservation Act. As part of the Section 106 compliance process, Class III cultural resource surveys will be conducted for the entire Proposed Facility site and associated facility areas. Compliance will require concurrence by the Nevada State Historic Preservation Officer (“SHPO”) on all resource report opinions and recommendations, and any required treatment or management plans. In addition, the BLM will consult with potentially affected Native American Tribes.
- Visual Resources – The EIS will include an evaluation of the visual impacts of the proposed facility. A visual analysis including, establishment of Key Observation Points (“KOPs”) to use in the assessment of the existing visual environmental and the potential effect of the project on it.

Additional studies will be incorporated into the EIS including evaluation of the following:

- Geology and Minerals
- Soil Resources
- Air Quality
- Land Use and Recreation
- Traffic and Transportation
- Socioeconomic
- Hazardous Materials and Solid Wastes
- Historic Structures Documentation

EXHIBIT E

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

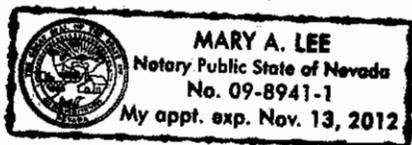
STATE OF NEVADA)
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LIONEL SAWYER & COLLINS 3838888LIO 5612939

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/08/2009 to 09/08/2009, on the following days:

09/08/2009



Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
9th day of September, 2009.

Mary Lee
Notary Public

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

NOTICE OF APPLICATION FOR A PERMIT TO CONSTRUCT UTILITY FACILITY UNDER THE UTILITY ENVIRONMENTAL PROTECTION ACT

Duke Energy Corporation, d/b/a Searchlight Wind, LLC (the "Company") is submitting, pursuant to the Nevada Utility Environmental Protection Act ("UEPA"), an application to the Public Utilities Commission of Nevada (the "Commission") for authority and a permit to construct the Searchlight Wind Project, a wind-powered, electric generating facility, under Nevada Revised Statutes, Chapter 704, Sections 802 to 900, and Nevada Administrative Code, Chapter 703, Sections 415 to 427. The Searchlight Wind Project will be located within Clark County approximately 60 miles southeast of Las Vegas, on land managed by the U.S. Bureau of Land Management ("BLM"), Southern Nevada District Office, under lease to the Company, in the vicinity of Searchlight, Nevada. The Company is seeking a right-of-way on 24,382 acres, of which approximately less than two percent will be disturbed for the project.

This Searchlight Wind Project is being undertaken to generate up to 230 nominal megawatts (MW) of new electric power to provide reliable electric power consistent with federal and state renewable energy portfolio objectives and will include: (1) up to 97 turbines; (2) two electrical substations; (3) overhead transmission line; and (4) four permanent meteorological masts.

The BLM will conduct a thorough environmental analysis of the Searchlight Wind Project, pursuant to the National Environmental Policy Act, and analyze the environmental impacts of the scope of the project and make a determination on whether or not to authorize the project and the right-of-way grants.

The contents of the UEPA Application will include, but are not limited to:

- 1. A general description of the location of the proposed utility facility, including (a) a regional map that identifies the location of the proposed utility facility, (b) any alternative locations for the proposed utility facility, and (c) the reasons why the location is best suited for the proposed utility facility;
- 2. A general description of the proposed utility facility, including, (a) the size and nature of the proposed utility facility, and (b) the natural resources that will be used during the construction and operation of the proposed utility facility;
- 3. A summary of any studies which the applicant anticipates will be made of the environmental impact of the proposed utility facility, including a copy of all corresponding studies filed with appropriate federal agencies; and
- 4. A description of how the utility facility and related transmission facilities will aid in providing customers with reliable service and will serve the public interest.

A copy of the application will be available on the Commission's website following the Company's filing of the application. Additional information about the UEPA process and a person's right to participate in that process can be found in Nevada Revised Statutes and Nevada Administrative Code Chapters 703 and 704.
PUB: September 8, 2009
LV Review-Journal

**BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA
NOTICE OF APPLICATION FOR A PERMIT TO CONSTRUCT UTILITY
FACILITY UNDER THE UTILITY ENVIRONMENTAL PROTECTION ACT**

Duke Energy Corporation, d/b/a Searchlight Wind, LLC (the "Company") is submitting, pursuant to the Nevada Utility Environmental Protection Act ("UEPA"), an application to the Public Utilities Commission of Nevada (the "Commission") for authority and a permit to construct the Searchlight Wind Project, a wind-powered electric generating facility, under Nevada Revised Statutes, Chapter 704, Sections .802 to .900, and Nevada Administrative Code, Chapter 703, Sections 415 to 427. The Searchlight Wind Project will be located within Clark County approximately 60 miles southeast of Las Vegas, on land managed by the U.S. Bureau of Land Management ("BLM"), Southern Nevada District Office, under lease to the Company, in the vicinity of Searchlight, Nevada. The Company is seeking a right-of-way on 24,382 acres, of which approximately less than two percent will be disturbed for the project.

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1. A general description of the location of the proposed utility facility, including (a) a regional map that identifies the location of the proposed utility facility, (b) any alternative locations for the proposed utility facility, and (c) the reasons why the location is best suited for the proposed utility facility;
2. A general description of the proposed utility facility, including, (a) the size and nature of the proposed utility facility, and (b) the natural resources that will be used during the construction and operation of the proposed utility facility;
3. A summary of any studies which the applicant anticipates will be made of the environmental impact of the proposed utility facility, including a copy of all corresponding studies filed with appropriate federal agencies; and
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A copy of the application will be available on the Commission's website following the Company's filing of the application. Additional information about the UEPA process and a person's right to participate in that process can be found in Nevada Revised Statutes and Nevada Administrative Code Chapters 703 and 704.

EXHIBIT F

1 **CERTIFICATE OF SERVICE**

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3 I hereby certify that I am an employee of Lionel Sawyer & Collins and on September 14,
4 2009, I caused to be served, a true and correct copy of the **Initial Application of Duke Energy**
5 **Corporation d/b/a Searchlight Wind Energy, LLC For A Permit to Construct Searchlight**
6 **Wind Facility Under The Utility Environmental Protection Act** via U.S. Mail or as indicated
7 below to the following parties:

8 **U.S. MAIL TRANSMITTAL:**

9 CLARK COUNTY CLERK
10 Diana Alba
11 200 Lewis Ave., 5th Floor
12 P.O. Box 551601
13 Las Vegas, NV 89155

14 Eric Witkowski, Esq.
15 Chief Deputy Attorney General
16 OFFICE OF THE ATTORNEY GENERAL
17 BUREAU OF CONSUMER PROTECTION
18 100 North Carson Street
19 Carson City, Nevada 89701

20 NEVADA DIVISION OF ENVIRONMENTAL PROTECTION
21 901 S. Stewart Street, Suite 4001
22 Carson City, Nevada 89701

23 NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
24 901 S. Stewart Street, Suite 5001
25 Carson City, Nevada 89701

26 **ELECTRONIC & U.S. MAIL TRANSMITTAL:**

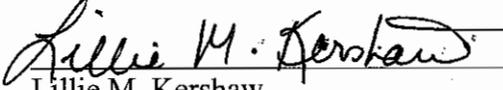
27 Alaina Burtenshaw, Esq.
28 PUBLIC UTILITIES COMMISSION OF NEVADA
101 Convention Center Drive, Suite 250
Las Vegas, Nevada 89109
aburtens@puc.state.nv.us

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William Stanley, Esq.
Senior Deputy Attorney General
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BUREAU OF CONSUMER PROTECTION
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WStanley@ag.nv.gov

NEVADA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
209 E. Musser, Room 200
Carson City, NV 89701
clearinghouse@state.nv.us

DATED this 14th day of September, 2009.


Lillie M. Kershaw