

# Original Filing

Public Utilities Commission of Nevada

Electronic Filing

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Reference: 82bf2cb6-9096-4a50-985a-c9e8bdca0ec2

Filed For: ARES Nevada LLC

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

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

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This filing has been electronically filed and deemed to be signed by an authorized agent or  
representative of the signer(s) and  
ARES Nevada LLC



McDONALD·CARANO·WILSON<sup>®</sup>

Kathleen Drakulich  
[kdrakulich@mcdonaldcarano.com](mailto:kdrakulich@mcdonaldcarano.com)

Reply to: Reno

May 2, 2014

Breanne Potter  
Assistant Commission Secretary  
Public Utilities Commission of Nevada  
1150 East William Street  
Carson City, Nevada 89701

***Re: Docket No: 14-\_\_\_\_\_; Notice of ARES Nevada, LLC That An Application To A Federal Agency Has Been Made and Notice of Intention to Seek a Permit Under the Provisions of the Utility Environmental Protection Act***

Dear Ms. Potter:

Accompanying this letter, for filing with the Public Utilities Commission of Nevada in the above-referenced docket, and pursuant to the Utility Environmental Protection Act (UEPA), is the *Notice of ARES Nevada, LLC that an Application to a Federal Agency Has Been Made and Notice of Intention to Seek a Permit Under the Provisions of the Utility Environmental Protection Act*. Also enclosed is a Draft Notice for the Application.

Please contact me at (775) 326-4369 if you have any questions or require additional information.

Sincerely,

Kathleen M. Drakulich

KMD/ajb  
Enclosures (as stated)



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

2 Notice of ARES Nevada, LLC of intention to  
3 seek a Permit to Construct an Advanced Rail  
4 Storage Regulation Energy Management Project  
under the provisions of the Utility Environmental  
Protection Act

Docket No. 14-

5 \_\_\_\_\_ /  
6  
7 **NOTICE OF ARES NEVADA, LLC THAT AN APPLICATION**  
8 **TO A FEDERAL AGENCY HAS BEEN MADE AND**  
9 **NOTICE OF INTENTION TO SEEK A PERMIT UNDER THE PROVISIONS OF THE**  
10 **UTILITY ENVIRONMENTAL PROTECTION ACT**

11 ARES Nevada, LLC ("ARES") hereby submits this notice ("Notice") that an application  
12 has been submitted to a federal agency and of its intention to seek a permit under the provisions  
13 of the Utility Environmental Protection Act for construction of an Advanced Rail Energy Storage  
14 Regulation Energy Management ("REM") project (the "Project"). This Notice is being filed  
15 pursuant to NRS 704.870(2)(a) as amended by section 23 of Assembly Bill No. 239, chapter 504,  
Statutes of Nevada 2013, and NAC 703.421, as amended.

- 16 1. Date of Filing Federal Application and Information on Applicant (NAC 703.421(1)  
17 and (2)).

18 On October 31, 2013, ARES filed an Application for Transportation and Utility Systems  
19 and Facilities on Federal Lands with the Southern Nevada District Office of the Bureau of Land  
20 Management ("299 Application"). The 299 Application was filed by Francesca Cava, Chief  
21 Operations Officer, ARES, whose address is 854 Jimeno Road, Santa Barbara, CA 93103, and  
22 whose phone number is (805) 966-6312. The 299 Application will be reviewed pursuant to the  
23 provisions of the National Environmental Policy Act ("NEPA"). Once the BLM issues the final  
24 environmental NEPA document, ARES will file its application for a UEPA permit pursuant to  
25 NRS 704.870(2)(a) as amended, and conforming to the requirements of NAC 703.423, as  
26 amended.

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1           2. General Description of Project and Project Location (NAC 703.421(3) and (4)).

2           The REM system is a gravity-based energy storage system utilizing electric shuttle trains  
3 operating on a single, steep-grade railroad track to store electric energy in the form of potential  
4 energy. The goal of the project is to assist in electricity supply management on a regional  
5 electric grid. Electricity from the grid is used to power the locomotive uphill when power is  
6 abundant, and then, when energy is needed on the grid, the locomotives descend the grade, with  
7 their motors operating as generators. The project will provide approximately 12.5 MW hours of  
8 fast-response energy storage to assist in balancing electrical supply.

9           The rail line corridor will be a permanent right of way (“ROW”) approximately six miles  
10 long, located on approximately 156 acres of BLM managed land in the Carpenter Canyon area  
11 east of Nevada State Highway, and east of Pahrump, Nevada. The northeast (up-slope) end of  
12 the ROW will begin in Township 20 south, Range 55 East, Section 28. The ROW will run  
13 southwest (down-slope) and connect to the existing Valley Electric Association (“VEA”) 230 kV  
14 transmission line ROW in Township 21 South, Range 54 East, Section 12. The ROW will then  
15 intersect and become part of the existing VEA transmission line until reaching the Gamebird  
16 Switch. A transmission interconnection will be added to connect to the Gamebird Switch.  
17 New transmission facilities required to serve the project will be constructed by VEA. The NEPA  
18 review conducted by the BLM will include environmental analyses of these facilities as a  
19 connected action to the Project. A copy of the draft notice prepared pursuant to NAC 703.162 is  
20 attached hereto as **Exhibit A.**

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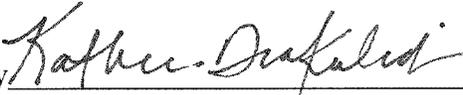
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3. Proof of Submission of Copy of this Notice to the Nevada State Clearinghouse (NAC 704.421(5))

A copy of the letter transmitting this Notice to the Nevada State Clearinghouse is attached hereto as **Exhibit B**.

DATED: May 2, 2014.

McDONALD CARANO WILSON LLP

By 

Kathleen Drakulich  
Sylvia Harrison  
100 West Liberty Street, 10th Floor  
P.O. Box 2670  
Reno, Nevada 89505

Attorneys for ARES Nevada, LLC

392518.1

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I hereby certify that I am an employee of McDONALD CARANO WILSON LLP and that on this date I caused to be served a true and correct copy of the foregoing document on each of the parties identified below:

Regulatory Staff  
Public Utilities Commission of Nevada  
1150 E William Street  
Carson City, NV 89701  
[Pucn.sc@puc.nv.gov](mailto:Pucn.sc@puc.nv.gov)

Tammy Cordova, Staff Counsel  
Public Utilities Commission of Nevada  
101 Convention Center Drive, Suite 250  
Las Vegas, NV 89109  
Attorney General's Office  
Bureau of Consumer Protection  
100 N. Carson Street  
Carson City, NV 89701  
[bcpserv@ag.nv.gov](mailto:bcpserv@ag.nv.gov)

Eric Witkoski  
Attorney General's Office  
Bureau of Consumer Protection  
555 E Washington Ave., Suite 3900  
Las Vegas, NV 89101  
[ewitkoski@ag.nv.gov](mailto:ewitkoski@ag.nv.gov)

Department of Conservation and Natural Resources  
Division of State Lands  
901 S. Stewart Street, Suite 5003  
Carson City, NV 89701  
[clearinghouse@budget.state.nv.us](mailto:clearinghouse@budget.state.nv.us)

Dated: May 2, 2014

By: *Andrea Black*  
Andrea Black

 McDONALD-CARANO-WILSON  
100 WEST LIBERTY STREET, 10<sup>TH</sup> FLOOR • RENO, NEVADA 89301  
P.O. BOX 2670 • RENO, NEVADA 89505-2670  
PHONE: 775-788-2000 • FAX 775-788-2020

# **Exhibit A**

# **Exhibit A**

**PUBLIC UTILITIES COMMISSION OF NEVADA**  
**DRAFT NOTICE**  
**(APPLICATIONS, TARIFF FILINGS, COMPLAINTS, AND PETITIONS)**

Pursuant to Nevada Administrative Code ("NAC") 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 (NAC 703.160(4)(a)):**

Notice of ARES Nevada, LLC that an Application to a Federal Agency Has Been Made and Notice of Intention to Seek a Permit Under the Provisions of the Utility Environmental Protection Act.

**The name of the applicant, complainant, petitioner or the name of the agent for the applicant, complainant or petitioner (NAC 703.160(4)(b)):**

The applicant is ARES Nevada, LLC.

**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 (NAC 703.160(4)(c)):**

ARES Nevada, LLC ("ARES") plans to construct an Advanced Rail Energy Storage Regulation Energy Management ("REM") Project to be located on federal lands northeast of Pahrump, in Clark and Nye Counties, Nevada. Because the proposed project is located on federal land, the Bureau of Land Management will be undertaking an environmental review pursuant to the National Environmental Policy Act ("NEPA"). Once the final environmental NEPA document is received, ARES will file an application with the Commission for a permit to construct pursuant to the Utility Environmental Protection Act ("UEPA").

The REM system is a gravity-based energy storage system utilizing electric shuttle trains operating on a single, steep-grade railroad track to store electric energy in the form of potential energy. Electricity from the grid is used to power the locomotive uphill when power is abundant, and then, when energy is needed on the grid, the locomotives descend the grade, with their motors operating as generators. The project will provide approximately 12.5 MW hours of fast-response energy storage to assist in balancing electrical supply. The goal of the project is to assist in electricity supply management on a regional electric grid.

**A statement indicating whether a consumer session is required to be held pursuant to Nevada Revised Statute ("NRS") 704.069(1)<sup>1</sup>:**

A consumer session is not required.

**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.

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<sup>1</sup> 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: (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.

**Exhibit “B”**

**Exhibit “B”**



McDONALD·CARANO·WILSON<sup>PC</sup>

Kathleen Drakulich  
[kdrakulich@mcdonalddcarano.com](mailto:kdrakulich@mcdonalddcarano.com)

Reply to: Reno

May 2, 2014

Nevada State Clearinghouse  
Department of Conservation and Natural Resources  
Division of State Lands  
901 S. Stewart Street, Suite 5003  
Carson City, NV 89701

***Re: Docket No: 14-\_\_\_\_\_; Notice of ARES Nevada, LLC That An Application To A Federal Agency Has Been Made and Notice of Intention to Seek a Permit Under the Provisions of the Utility Environmental Protection Act***

To Whom It May Concern:

Pursuant to NAC 703.421, enclosed please find the *Notice of ARES Nevada, LLC that an Application to a Federal Agency Has Been Made and Notice of Intention to Seek a Permit Under the Provisions of the Utility Environmental Protection Act*. Also enclosed is a Draft Notice for the Application.

Please contact me at (775) 326-4369 if you have any questions or require additional information.

Sincerely,

Kathleen M. Drakulich

KMD/ajb  
Enclosures (as stated)

