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STATE OF NEVADA  
 PUBLIC UTILITIES COMMISSION OF NEVADA  
 9075 W. Diablo Drive  
 Suite 250  
 Las Vegas, Nevada 89148-7674

LV02439

## RECEIPT

RECEIVED FROM:

Date 2/3/14

Bullen Law, LLC  
 9101 W Sahara Aveste 105-L6  
 Las Vegas, NV 89117-5772

AMOUNT: \$ 200.00

two hundred dollars AND zero /100 DOLLARS

How Paid:	Cash	Check	Money Order	Draft
		<u>1055</u>		

Type of Receipt	Filing Fee	TDD	Copy Service	RAIL	Mill Assessment	Other
	<u>X</u>					

	Paid in Full	On Account
Account	<u>X</u>	
Amount of Account	\$ <u>200.00</u>	
Account Paid	\$ <u>200.00</u>	
Balance Due	\$ <u>φ</u>	

MEMO

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**BULLEN LAW, LLC**  
**9101 W. Sahara Ave., Ste. 105-L6** 16 FEB -3 AM 9:35  
**Las Vegas, NV 89117**

**Linda M. Bullen**  
**702-279-4040**  
**[linda@bullenlaw.com](mailto:linda@bullenlaw.com)**

February 3, 2016

Ms. Trisha Osborne  
Assistant Commission Secretary  
Public Utilities Commission of Nevada  
9075 W. Diablo Drive, Suite 250  
Las Vegas, Nevada 89148

Re: Application of Boulder Solar Power, LLC For A Permit To Construct A  
Temporary Water Pipeline Under The Utility Environmental Protection Act And  
Request For Expedited Treatment

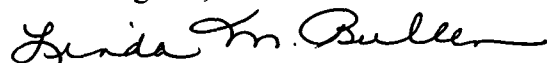
Dear Ms. Osborne:

Enclosed for filing please find the Application of Boulder Solar Power, LLC For A  
Permit To Construct A Utility Facility Pursuant To The Utility Environmental Protection Act  
And Request For Expedited Treatment. The documents comprising the application are:

1. Application For A Permit To Construct A Utility Facility Pursuant To The Utility  
Environmental Protection Act And Request for Expedited Treatment;
2. Exhibits A through I including the required Public Notice and Proof of  
Publication (Exhibit G) and Proof of Service (Exhibit H).
3. A PUCN draft notice; and
4. A check for \$200.00 for the filing fee.

If you have any questions about this filing, please do not hesitate to contact me directly  
at (702)-279-4040.

Best Regards,



Linda M. Bullen  
Bullen Law, LLC  
Attorney for Boulder Solar Power, LLC

**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 (see NAC 703.160(4)(a)):

**Application Of Boulder Solar Power, LLC For A Permit To Construct A Temporary Water Pipeline Pursuant To The Utility Environmental Protection Act And Request For Expedited Treatment**

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

**The applicant is Boulder Solar Power, LLC ("Boulder Solar").  
Linda M. Bullen of Bullen Law, LLC 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 NAC 703.160(4)(c)):

**Pursuant to the Application, Boulder Solar respectfully requests that the Public Utilities Commission of Nevada grant to Boulder Solar a permit to construct an approximately 11.3 mile water pipeline in Boulder City, approximately 25 miles southeast of Las Vegas in Clark County, Nevada (the "Proposed Facility").**

**An environmental review of the Proposed Facility was conducted and an Environmental Statement prepared following that review. The Proposed Facility will have no effect on consumers.**

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> 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:

(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.

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**BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

**IN THE MATTER OF:**

Application of Boulder Solar Power, LLC ) Docket No. 16-\_\_\_\_\_  
For a Permit to Construct a Temporary Water )  
Pipeline Pursuant to the Utility Environmental )  
Protection Act And Request For Expedited )  
Treatment )

**APPLICATION OF BOULDER SOLAR POWER, LLC FOR A PERMIT TO  
CONSTRUCT A TEMPORARY WATER PIPELINE PURSUANT TO  
THE UTILITY ENVIRONMENTAL PROTECTION ACT AND REQUEST  
FOR EXPEDITED TREATMENT**

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**LIST OF EXHIBITS**

- Exhibit A Regional Map
- Exhibit B Project Location Map
- Exhibit C Detailed Description of Project
- Exhibit D Scaled Diagram
- Exhibit E Layout Diagram
- Exhibit F Environmental Study
- Exhibit G Public Notice and Proof of Publication

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Exhibit H Proof of Service to Nevada State Clearinghouse, Clark County Clerk and Other Agencies  
Exhibit I Permits and Approvals

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

2  
3 **IN THE MATTER OF:**

4 Application of Boulder Solar Power, LLC ) Docket No. 16-\_\_\_\_\_  
5 For a Permit to Construct a Temporary Water )  
6 Pipeline Pursuant to the Utility Environmental )  
Protection Act And Request For Expedited )  
Treatment )

7  
8 **APPLICATION OF BOULDER SOLAR POWER, LLC FOR PERMIT TO**  
9 **CONSTRUCT A TEMPORARY WATER PIPELINE PURSUANT TO**  
10 **THE UTILITY ENVIRONMENTAL PROTECTION ACT AND REQUEST**  
11 **FOR EXPEDITED TREATMENT**

12 Boulder Solar Power, LLC (“BSP”) hereby files with the Public Utilities Commission of  
13 Nevada (“Commission”) an Application (“Application”) for a Permit to Construct a temporary  
14 water pipeline from Boulder City’s (“City”) Wastewater Treatment Plant (“WWTP”) to the  
15 Boulder Solar Project<sup>1</sup> site located in Boulder City, Nevada (the “Project”), pursuant to the  
16 Utility Environmental Protection Act (“UEPA”), set forth in Nevada Revised Statutes (“NRS”)  
17 704.820 to 704.900 and Nevada Administrative Code (“NAC”) 703.415 to 703.427. BSP  
18 provides the following information in support of its Application.

19 **I. INTRODUCTION**

20 To support construction activities at Boulder Solar Project site, BSP is proposing to  
21 construct an approximately 11.3 mile temporary water pipeline from the City’s WWTP to the  
22 solar generation site for transmission of potable water to be used for dust control during  
23 construction (the “Proposed Project”). It is anticipated that the pipeline will be used for  
24 approximately 24 months. Due to its temporary nature, the pipeline will generally remain  
25 exposed on the existing ground surface and be staked/weighted at regular intervals along the  
26 alignment.

27 \_\_\_\_\_  
28 <sup>1</sup> The UEPA permit for Boulder Solar Project’s photovoltaic solar electric generating  
facility is the subject of Commission Docket No. 12-05037.

1           The pipeline will originate with a connection at Boulder City's domestic water supply  
2 system on the northeastern side of the WWTP and will extend overland southward on Boulder  
3 City property. The pipeline will remain on Boulder City owned-property<sup>2</sup> with the exception of  
4 a crossing of the I-11 Bypass, where it will parallel U.S. 95 within the Nevada Department of  
5 Transportation ("NDOT") right-of-way ("ROW") at approximately NDOT STA 1892+00  
6 between the edge of the roadway and the fence line. It will cross under U.S. 95 within an  
7 existing reinforced concrete box culvert near NDOT STA 1707+64 and will again parallel U.S.  
8 95 until it reaches the project entrance where it will follow the project access road until it is  
9 discharged into the temporary, lined construction pond located adjacent to the construction  
10 staging area. The total length of the pipeline will be approximately 60,000 linear feet (11.3  
11 miles).  
12

13  
14           Construction of the pipeline will commence as soon as all necessary permits and  
15 approvals are obtained, in order for the pipeline to be completed in time to support construction  
16 of BSP's solar field, which is scheduled to commence late in the first quarter of 2016.  
17 Accordingly, BSP requests that this Application be given expedited treatment.

## 18       **II. INFORMATION REGARDING THE APPLICANT**

19           1.       BSP is a wholly owned subsidiary of SunPower Corporation, a company  
20 incorporated under the laws of the State of Delaware.

21           2.       BSP was formed for the purpose of developing, owning and operating utility-scale  
22 solar generating facilities in the Western United States, including southern Nevada.

23           3.       BSP's principal place of business, mailing address and telephone number are:

24                   Boulder Solar Power, LLC  
25                   1414 Harbour Way South, Ste. 1901  
26                   Richmond, CA 94804

27           <sup>2</sup> A small segment of the pipeline crosses a transmission corridor over which the BLM  
28 asserts an easement interest. Because this area was analyzed in the Environmental Assessment  
for the Boulder City Solar Project, the BLM is not requiring additional environmental review  
associated with the Proposed Project.

1 510-260-8200

2 4. All correspondence related to this Initial Application (copy of all pleadings,  
3 notices, orders and discovery requests) should be sent to:

4 Linda M. Bullen  
5 Bullen Law, LLC  
6 9101 W. Sahara Ave., Ste. 105-L6  
7 Las Vegas, Nevada 89117  
8 linda@bullenlaw.com

### 9 III. RESPONSES TO REQUIRED DISCLOSURES

10 The information required by NAC 703.421, and as applicable, NAC 703.423, is provided  
11 in the following sections, to the extent that such information is currently available.

#### 12 DESCRIPTION OF LOCATION

13 1. **A description of the location of the proposed utility facility as required by  
14 subsection 1 of NRS 703.870 including:**

15 (a) **A general description of the location of the proposed utility facility, including  
16 a regional map that identifies the location of the proposed utility facility.  
17 (NAC 703.423(1)(a))**

18 The Project is located in the City of Boulder City which is located in Clark County,  
19 approximately 25 miles southeast of Las Vegas. *See* Exhibit A. The Project originates at Boulder  
20 City's WWTP, and terminates at the Boulder Solar Project site within the Boulder City Energy  
21 Zone. *See* Exhibit B.

22 (b) **A legal description of the site of the proposed utility facility, with the  
23 exception of electric lines, gas transmission lines, and water and wastewater  
24 lines, for which only a detailed description of the site is required. (NAC  
25 703.423(1)(b))**

26 A detailed description of the Project is attached as Exhibit C.

27 (c) **Appropriately scaled site plan drawings of the proposed utility facility,  
28 vicinity maps, and routing maps. (NAC 703.423(1)(c))**

*See* Exhibit D.



1 **DESCRIPTION OF THE PROPOSED FACILITY**

2 **2. A description of the proposed utility facility, including:**

3 **(a) The size and nature of the proposed utility facility. (NAC 703.423(2)(a))**

4 The Project is a temporary water pipeline, 10-inches in diameter, approximately 11.3  
5 miles in length. It will transmit construction water from the Boulder City WWTP to the Boulder  
6 Solar Project site.  
7

8 **3. The natural resources that will be used during the construction and operation of the  
9 proposed utility facility. (NAC 703.423(2)(b))**

10 No significant impacts to natural resources are anticipated from construction or operation  
11 of the Project. The natural resources anticipated for construction and operation include:

- 12 • Water for dust suppression during construction and operation
- 13 • Concrete
- 14 • Sand

15 **4. Layout diagrams of the structures at the proposed utility facility and its associated  
16 equipment. (NAC 703.423(2)(c))**

17 *See Exhibit E.*

18 **5. Scaled diagrams of the structures at the proposed utility facility. (NAC  
19 703.423(2)(d))**

20 *See Exhibit D.*

21 **6. A statement concerning whether the proposed utility facility is an electric  
22 generating plant or the associated facilities of an electric generating plant that uses  
23 renewable energy as its primary source of energy to generate electricity.**

24 The Project is an associated facility of an electric generating plant that uses renewable  
25 energy as its primary source of energy to generate electricity.

26 **SUMMARY OF ENVIRONMENTAL IMPACT STUDIES**

27 **7. A copy and summary of any studies which have been made of the environmental  
28 impact of the proposed utility facility as required by Subsection 1 of NRS 704.870. (NAC  
703.423(3))**

*See Exhibit F.*

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**DESCRIPTION OF ALTERNATE LOCATIONS**

**8. Description of reasonable alternate locations for the proposed utility facility, a description of comparative merits or detriments of each location submitted, and a statement of the reasons why the location is best suited for the proposed facility, as required by Subsection 1 of NRS 704.870. (NAC 703.423(4))**

The purpose of the Project is to transmit water from the City’s WWTP to the Boulder Solar Project site. The proposed location is the most direct route to serve this purpose and provides the fewest conflicts from environmental and land use perspectives. Given the purpose of the proposed Project and its temporary nature, no reasonable alternatives to the proposed routing of the Project exist.

**PROOF OF PUBLIC NOTICE**

**9. A copy of the public notice of the application or amended application and proof of the publication of the public notice, as required by Subsection 4 of NRS 704.870. (NAC 703.423(5))**

*See Exhibit G.*

**PROOF OF SUBMITTAL TO THE NEVADA STATE CLEARINGHOUSE**

**10. Proof that a copy of the application or amended application has been submitted to the Nevada State Clearinghouse within the Department of Administration to enable agency review and comment. (NAC 703.423(6))**

*See Exhibit H.*

**PROBABLE EFFECT ON ENVIRONMENT**

**11. An explanation of the nature of the probable effect on the environment including:**

- (a) A reference to any studies described in Subsection 3, if applicable (NAC 703.423(7)(a); and**

Provided that recommended mitigation measures are implemented during the construction and operations of this Project, there will be no significant impact to the natural environment and no significant effects to the human environment as a result of this Project. The recommended mitigation and monitoring are described in the Environmental Statement, in Exhibit F.

1 (b) An environmental statement that includes:

2 (1) The name, qualifications, professions, and contact information of each  
3 person with primary responsibility for the preparation of the  
4 environmental statement; (NAC 703.423(7)(b)(i))

5 See Exhibit F, Section 4.

6 (2) The name, qualifications, professions, and contact information of each  
7 person who has provided comments or input in the preparation of the  
8 environmental statement; (NAC 703.723(7)(b)(2))

9 See Exhibit F, Section 4.

10 (3) A bibliography of materials used in the preparation of the  
11 environmental statement; (NAC 703.423(7)(b)(3)) and

12 See Exhibit F, Section 5.

13 (4) A description of: (NAC 703.723(7)(b)(4))

14 (I) The environmental characteristics of the project area existing  
15 at the time the application or amended application is filed with  
16 the Commission;

17 See Exhibit F, Section 3.

18 (II) The environmental impacts that the construction and  
19 operation of the proposed utility facility will have on the  
20 project area before mitigation; and

21 See Exhibit F, Section 3.

22 (III) The environmental impacts that the construction and  
23 operation of the proposed utility facility will have on the  
24 project area after mitigation.

25 See Exhibit F, Section 3.

#### 26 NEED TO ENSURE RELIABLE SERVICE

27 12. An explanation of the extent to which the proposed utility facility is needed to  
28 ensure reliable utility service to customers in this State, including: (NAC 703.423(8))

(a) If the proposed utility facility was approved in a resource plan or an  
amendment to a resource plan, a reference to the previous approval by the  
Commission; (NAC 703.423(8)(a)) or

Not applicable.

1 (b) **If the proposed utility facility was not approved in a resource plan or an**  
2 **amendment to a resource plan, a reference to the previous approval by the**  
3 **Commission; (NAC 703.423(8)(b))**

4 Not applicable.

5 (1) **Provide utility service to customers in this state; (NAC**  
6 **703.423(8)(b)(1))**

7 The Project will support the construction of a solar facility which is expected to generate  
8 electrical energy and reduce the emissions of carbon dioxide (CO<sub>2</sub>), a greenhouse gas, by  
9 displacing the use of electrical energy from natural gas and coal burning power plants.

10 (2) **Enhance the reliability of utility service in this state; (NAC**  
11 **703.423(8)(b)(2)) and**

12 The Project will assist the State of Nevada in developing renewable resources of energy  
13 and displacing conventional power generation by supporting the construction of a solar electric  
14 generating facility which is designed to meet the State's increasing demand for clean, renewable  
15 electrical power.

16 (3) **Achieve interstate benefits by the proposed construction or**  
17 **modification of transmission facility in this state, if applicable (NAC**  
18 **703.423(8)(b)(3)).**

19 Not applicable.

## 20 **NEED VERSUS ENVIRONMENTAL EFFECT**

21 **13. An explanation of how the need for the proposed utility facility as described in**  
22 **Subsection 8 balances any adverse effects on the environment as described in Subsection 7.**  
23 **(NAC 703.423(9))**

24 Provided that the recommended mitigation measures are implemented, the Project will  
25 result in no significant impact to the natural environment and no significant

## 26 **MINIMUM ADVERSE IMPACT ON THE ENVIRONMENT**

27 **14. An explanation of how the proposed utility facility represents the minimum adverse**  
28 **effect on the environment, including: (NAC 703.423(10))**

(a) **The state of available technology; (NAC 703.423(10)(a))**

1           The Project will use the latest and best available materials for the intended purpose of  
2 water transmission and through implementation of identified mitigation measures, the Project  
3 will represent the minimum adverse effect on the environment.

4           **(b) The nature of various alternatives; (NAC 703.423(10)(b))**

5           . Given the purpose of the proposed Project and its temporary nature, no reasonable  
6 alternatives to the proposed routing of the Project exist. However, through implementation of  
7 identified mitigation measures, the Project will represent the minimum adverse effect on the  
8 environment.

9           **(c) The economics of various alternatives. (NAC 703.423(10)(c))**

10           . Given the purpose of the proposed Project and its temporary nature, no reasonable  
11 alternatives to the proposed routing of the Project exist. However, the Project, as proposed,  
12 represents the most economical alternative with the least adverse effect on the environment.  
13

14           **AGENCY APPROVAL LIST AND DESCRIPTION OF REQUIRED PERMITS**

15           **15. An explanation of how the location of the proposed utility facility conforms to**  
16 **applicable state and local laws and regulations, including a list of all permits, licenses, and**  
17 **approvals required by federal, state, and local statutes, regulations and ordinances. The**  
18 **explanation must include a list that indicates: (NAC 703.423(11))**

19           **(a) All permits, licenses, and approvals the applicant has obtained, including**  
20 **copies thereof; (NAC 703.423(11)(a)) and**

21           *See Exhibit I.*

22           **(b) All permits, licenses and approvals the applicant is in the process of**  
23 **obtaining to commence construction of the proposed utility facility. The**  
24 **applicant must provide an estimated timelines for obtaining these permits,**  
25 **licenses, and approvals. (NAC 703.423(11)(b))**

26           *See Exhibit I.*

27           **SERVING THE PUBLIC INTEREST**

28           **16. An explanation of how the proposed utility facility will serve the public interest,**  
**including: (NAC 703.423(12))**

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**(a) The economic benefits that the proposed utility facility will bring to the applicant and this state; (NAC 703.423(12)(a))**

The economic benefits of the proposed Project will support the construction of a utility-scale renewable energy facility which will provide up to 120 construction jobs, 2 permanent jobs, tax revenue and enhancement of infrastructure.

**(b) The nature of the probable effect on the environment in this state if the proposed utility facility is constructed; (NAC 703.423(12)(b))**

The people of Nevada will benefit from improved air quality due to a reduction in greenhouse gas emissions by displacement of electrical energy produced by natural gas and coal-burning power plants, increased reliability and sustainability of electrical energy.

**(c) The nature of the probable effect on the public health, safety, and welfare of the residents of this state if the proposed utility facility is constructed (NAC 703.423(12)(c)); and**

The people of the State will benefit from improved air quality due to a reduction in greenhouse gas emissions by displacement of electrical energy produced by natural gas and coal-burning power plants, increased reliability, and sustainability of electrical energy.

**(d) The interstate benefits expected to be achieved by the proposed electric transmission facility in this state, if applicable. (NAC 703.423(12)(d))**

Not applicable.

**IV. CONCLUSION AND REQUEST FOR RELIEF**

Based on this Application BSP respectfully requests that the Commission proceed in the manner required by law and, in accordance with NAC 703.535(d), issue an order that:

1. Grants a Permit to Construct the Project, 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 BSP 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

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4. Grants BSP such other and further relief as the Commission may find reasonable and appropriate under the circumstances.

Respectfully submitted: February 3, 2016.

BOULDER SOLAR POWER, LLC

By: *Linda M. Bullen*  
Linda M. Bullen  
Bullen Law, LLC  
9101 W. Sahara Ave., Ste. 105-L6  
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# **EXHIBIT A**



