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STATE OF NEVADA
PUBLIC UTILITIES COMMISSION

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Commissioner

STEPHANIE MULLEN
Executive Director

November 15, 2016

VIA EMAIL

Attn: Ms. Angel De Fazio
ntefusa@aol.com

Re: Request for Records

Dear Ms. De Fazio:

On November 7, 2016, the Public Utilities Commission of Nevada ("Commission") received your requests to inspect: 1) copies of any reports prepared after August 2015 regarding Commission employees' participation as representatives of the Commission in associations, organization, committees, or subcommittees; and 2) a "copy of the 2017 biennial report or copy of draft that covers July 1, 2016 to June 30, 2016. Along with back up that was used to generate this report." Please find the attached documents, which constitute all of the Commission's public records responsive to your requests.

With regard to your request for a draft of the Commission's forthcoming biennial report, the Commission is under no obligation to provide such a document. Chapter 239 of the Nevada Revised Statutes (Nevada's Public Records Act) requires governmental entities to allow inspection of "public records;" however, drafts are not "public records." Nevada Administrative Code ("NAC") 239.705(2) explains that "[n]onrecord materials include, without limitation, published materials printed by a governmental printer, informal notes, unused blank forms except ballots, brochures, newsletters, magazines, catalogs, price lists, *drafts*, convenience copies, ad hoc reports, reference materials not relating to a specific project and any other documentation that does not serve as the record of an official action of a state agency [emphasis added]." In addressing electronic records, NAC 239.945(3)(c) further clarifies that drafts are "nonrecord materials."

A copy of the final version of the 2017 biennial report will be available on the Commission's website in early 2017.

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If you have any questions or wish to clarify your request to inspect public records, please feel free to contact me.

Sincerely,



Garrett Weir
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Public Utilities Commission of Nevada
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