

EXHIBIT 36

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Searchlight Solar 1



Press Coverage: [NV Energy and American Capital Energy agree on power purchase agreement](#)

Customer: NV Energy

Type of Customer: NV Energy is a utility holding company based in Reno, Nevada. The company's focus is in energy distribution and commercial and retail sales of electricity and natural gas.

Project Location: Searchlight, NV

System Size: 20,000 kW DC

Date Commissioned: Under Construction

Mounting Type: Single axis tracking system

Construction Timeline: Scheduled completion of 2012

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03/02/10 PC AGENDA SHEET

ELECTRIC GENERATING STATION
(SOLAR PHOTOVOLTAIC FACILITY)
(TITLE 30)

US 95/ST RT 164
(SEARCHLIGHT)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-0032-10 – ROBERT A. SWIFT TRUST, ET AL:

USE PERMITS for the following: **1)** electric generating station (solar photovoltaic facility); and **2)** public utility structures (electric switching/substation) with all ancillary utility structures and overhead transmission lines.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate required setback from a non-industrial development; **2)** eliminate landscaping and buffering requirements; **3)** eliminate on-site paving; and **4)** eliminate trash enclosure requirements.

DESIGN REVIEWS for the following: **1)** electric generating station (solar photovoltaic facility) with all ancillary structures and uses; and **2)** public utility structures (electric switching/substation) including all ancillary structures and facilities on 233.0 acres in an R-U (Rural Open Land) Zone.

Generally located 1.5 miles northwest of Searchlight, 4,000 feet north of State Route 164, and 2,000 feet west of US Highway 95 within Searchlight. SS/dg/dr

RELATED INFORMATION:

APN:

243-21-000-002; 243-27-101-002; 243-28-501-001

USE PERMITS:

1. Electric generating station (solar photovoltaic facility) and all ancillary structures and uses.
2. Public utility structures with 69kV overhead transmission lines and all ancillary structures and uses.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate the required 2,000 foot setback from a non-industrial development.
2. Eliminate all landscaping and buffering requirements when adjacent to a less intense use.
3. Eliminate on-site paving.
4. Eliminate trash enclosure requirements.

LAND USE PLAN:

SOUTH COUNTY (SEARCHLIGHT) - OPEN LAND (OPEN SPACE/GRAZING/VACANT LAND; RESIDENTIAL UP TO 1 DU/10 AC)

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BACKGROUND:

Project Description

This project is intended to assist Nevada Energy in achieving a state mandated renewable energy target. The Public Utilities Commission of Nevada (PUCN) has approved the agreement between Nevada Energy and the applicant, American Capital Energy. The applicant initiated a dialogue with the Searchlight Town Advisory Board commencing in February 2009. The dialogue culminated in March 2009, where the applicant requested a non-binding motion from the Town Advisory Board in support of the project. Minutes provided by the applicant indicate the Town Advisory Board was not opposed to condoning the use of the property for solar energy and would be an addition to the community.

The project site is approximately 233 acres and consists of 3 separate parcels. All parcels are contiguous, currently undeveloped, and bisected by an existing 900 to 1,000 foot wide utility corridor that is north/south oriented. The existing utility corridor consists of several gas and electric easements. No structures, other than overhead transmission lines used to connect to the electricity grid, will be located within the utility corridor. Access to the site is from Gas Pipeline Road, a non-dedicated right-of-way that is accessed from State Route 164, which is also known as Nipton Road.

The applicant states the primary objective for the project is to construct, operate, and maintain an efficient, economic, reliable, safe, and environmentally sound solar power generating facility. The site is privately owned and near major highways allowing for easy access for equipment and personnel. The site was specifically selected for its proximity to a transmission line, located within the utility corridor. The project will consist of more than 74,000 crystalline silicon photovoltaic (PV) modules and mounted on a north/south network of single axis tracking mounts. A module is a series of interconnected solar cells which create panels. The linked assembly of PV modules and single axis tracking mounts are referred to as arrays. An array consists of the solar modules, vertical support columns, a drive line tube, horizontal torque tube, and drive motor, which provides for the movement of the trackers. Since the trackers will be moving in relation to the angle of incidence of the sun, the plans depict solar panels that are approximately 7 feet above the grade of the site but may be as high, to the top of the panel, as 10 feet. The rows of arrays will be spaced approximately 19 feet apart, and approximately 20 feet will be allowed between array segments for maintenance access. The perimeter of the site will be enclosed with a 6 foot high chain link fence. The setbacks to the arrays vary substantially based on plans but at no time shall the closest proximity of an array to the property line be less than 25 feet. Information and plans provided by the applicant indicate no hillside disturbance for slope areas as defined in the Title 30 for Hillside and Foothills Transition areas.

The energy produced from this facility will be tied directly to a Nevada Energy transmission line via a 69kV network that services the Town of Searchlight. The connection between the existing 69kV network and the proposed array will be through a new 69kV electric switching/substation, proposed in the south portion of the site. The new switching/substation will be on an approximate 16,000 square foot area and consist of utility structures that are at a maximum height of 59 feet, and the facility will be unmanned.

The applicant indicates an anticipated construction commencement of April 2010, with the duration of construction being approximately 7 months.

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Prior Land Use Requests

ZC-0218-01, a request for M-2 zoning for a gas fired electric generating station, with associated use permit and waivers of development standards, was withdrawn prior to consideration by the Planning Commission in May 2001.

Surrounding Zoning and Land Use

This site is surrounded by primarily undeveloped properties zoned R-U and planned for Open Land uses. To the southeast of the site is a 20 acre parcel that contains a manufactured home with other improvements, zoned R-U, and planned for Open Land. The closest structure to the perimeter boundary of this project is 400 feet. The Town of Searchlight is approximately 1.5 miles to the southeast of this site.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit

Staff finds this use is suitable and appropriate for the area. Staff does not anticipate any substantial or undue adverse effects on adjacent properties, character of the area, or traffic conditions. In December 2007, the Board of County Commissioners passed the Eco-County Initiative Resolution to address the quality of life in Clark County through sustainability. Policies were developed and are being implemented through the Comprehensive Plan. Policies related to the encouragement of the use of solar panels will be added. This project complies with those policies. The location of the site in relation to the existing utility corridor, which bisects the site, is compliant with Goal 25 of the South County Land Use Plan, which provides for compatibility between public and quasi-public utility corridors and proposed land uses. The request is also compliant with Policy 25.1, which encourages the joint use of corridors by utilities and service providers so that needed infrastructure is consolidated; and Policy 25.3, which encourages the upgrade and use of existing corridors whenever possible to minimize the overall number of corridors within South Clark County communities. Additionally, the project will increase the available energy being connected to the Nevada Energy network, while contributing to the State of Nevada's portfolio of renewable energy.

Further, staff finds the request to be consistent and in harmony with the purpose, goals, and objectives of the Comprehensive Plan. Since the project is a solar energy facility it is consistent with Clark County Sustainability initiatives related to the exploration of greener technologies and alternative energy. Additionally, staff finds the request is consistent and compliant with the following Comprehensive Plan policies:

1. CV 7-1.0, which supports sustainable developments that promote energy efficiency and conservation;
2. CV 7-1.1, which supports the development of clean, safe, and reliable alternative fuels;
3. CV 7-1.4, which supports the development of local alternative energy resources, providing opportunities for regional economic expansion; and

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4. UT 1-1, which provides for developments in Clark County to be adequately served by utilities.

The location of the site in relation to existing utility corridors also complies with the following Comprehensive Plan policies:

5. UT 1-3, which states utility providers are to locate transmission lines within Clark County's existing utility corridors;
6. UT 1-4, which supports increasing capacity of existing utility corridors over establishing new ones; and
7. UT 1-6, which encourages the development of transmission capability and interconnectivity for distributed energy, cogeneration, and alternative energy sources, including regional interconnectivity and transmission capability.

Waivers of Development Standards

Staff finds that due to the inherent characteristics of this type of use, design of the facility, and the location outside of the urban area, the waivers are not anticipated to adversely impact the immediate area. The facility is unmanned and does not contain any buildings. The manufactured home that is located to the southeast, which is approximately 400 feet to the south and 600 feet to the east of the project boundary, is situated in such a way that the solar trackers may not be visible. Therefore, staff does not anticipate any adverse impacts from the elimination of landscaping and required buffering.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- All applicable standard conditions for this application type.
- Applicant is advised that this approval does not constitute or imply approval of any other County issued permit, license, or approval of Department of Air Quality and Environmental Management regulations; any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must commence within 2 years of approval date or it will expire.

Civil Engineering

- Provide and maintain dust free legal access.
- Drainage study and compliance.

TAB/CAC:

APPROVALS:

PROTESTS:

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APPLICANT: American Capital Energy – Searchlight Solar I, LLC

CONTACT: Greg Borgel, 300 S. 4th Street, #1500, Las Vegas, NV 89101

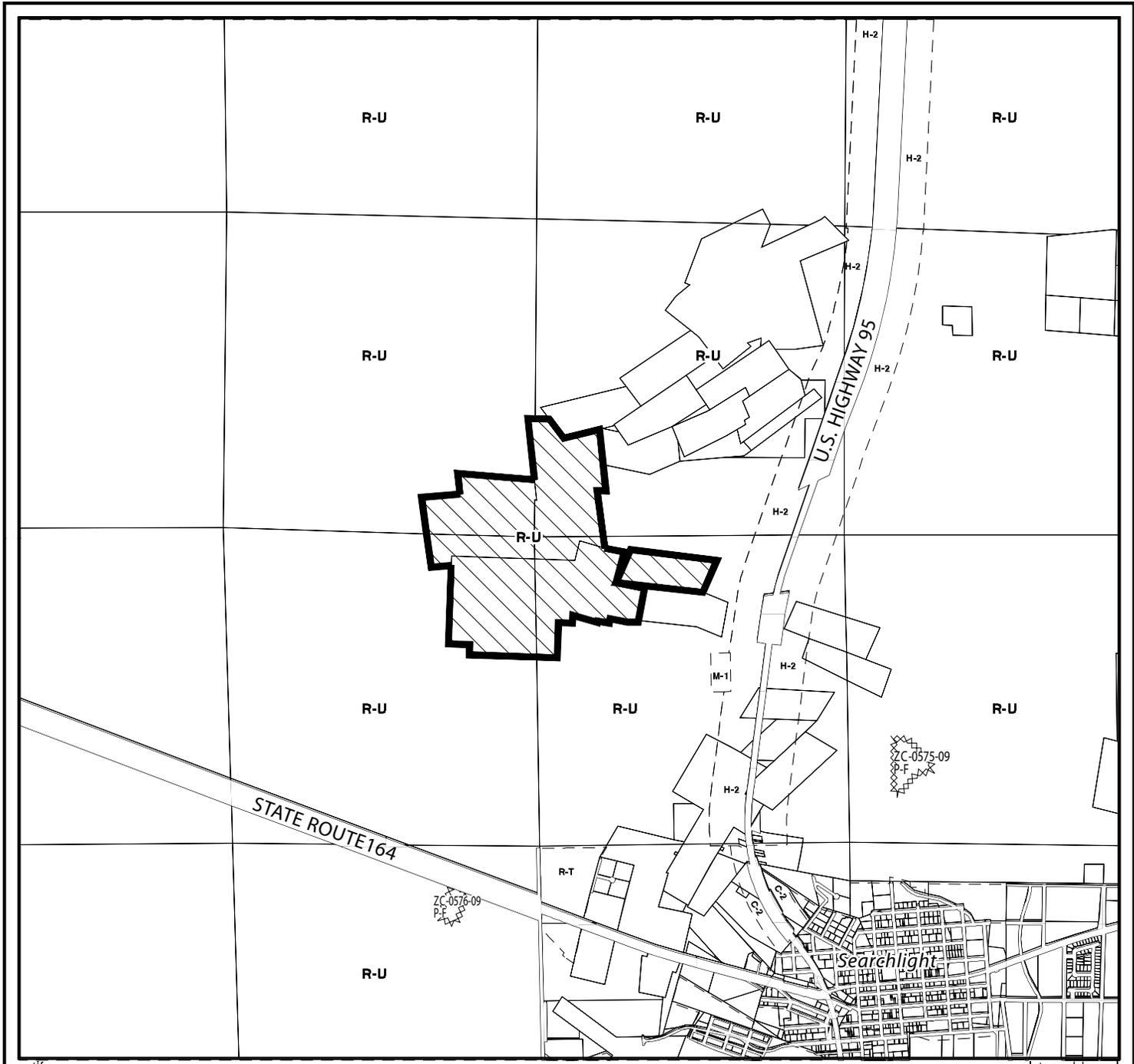
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COMMISSION AGENDA MAP

UC-0032-10

CLARK COUNTY DEPARTMENT OF COMPREHENSIVE PLANNING



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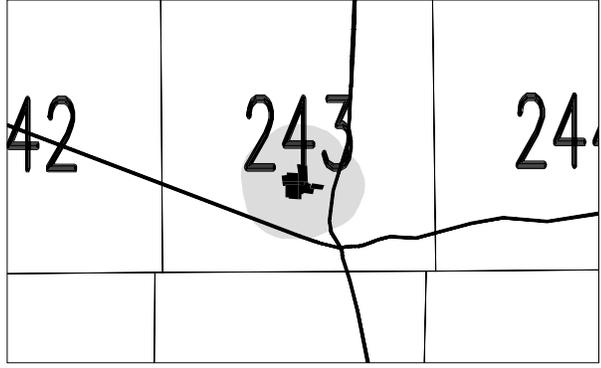
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APPLICATION NUMBER
UC-0032-10

SUBJECT SECTION(S)
SEC21 T28S R63E
SEC27 T28S R63E
SEC28 T28S R63E



SCALE: 1 INCH = 2500 FEET
MAP CREATED ON 10-02-03



This information is for display purposes only.
No liability is assumed as to the accuracy of the data delineated hereon.

	SUBJECT SITE(S)		P - C
	Travel/Access/Drainage Easements		Incorporated City
	Zoning Boundary		Power Lines (69kv and larger)
	Railroads		

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NV Energy and American Capital Energy Agree on Power Purchase Agreement

FOR IMMEDIATE RELEASE

June 11, 2009

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NV Energy and American Capital Energy Agree on Power Purchase Agreement for Solar PV from 20 MW DC Array in Southern Nevada

Las Vegas – NV Energy, Inc. (NYSE: NVE) and American Capital Energy (ACE) today announced that they have entered into a long-term power purchase agreement (PPA) for the sale of energy produced from a 20-megawatt (MW) DC solar photovoltaic (PV) power plant that will be constructed near Searchlight, Nevada, 55 miles south of Las Vegas.

The project, expected to be completed by mid-2010, will be larger than the 14 MW photovoltaic facility completed in 2007 at Nellis Air Force Base. The Nellis plant, toured by President Obama on a recent visit to Las Vegas, is the largest PV facility currently operating in the United States.

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“This is another major step in our commitment to bringing power from renewable resources to the citizens of Nevada,” said Michael Yackira, NV Energy president and CEO. “Our state is blessed with abundant solar, geothermal and wind resources and expanding the use of these resources through power purchases of this kind or direct investment in renewable projects is one of our top priorities.”

Terms of the power purchase agreement, which is subject to approval by the Public Utilities Commission of Nevada, were not disclosed.

The agreement will assist NV Energy in meeting Nevada’s portfolio standard, which was recently increased by the state’s legislature. The standard now requires that 25% of energy be generated by renewable resources and energy efficiency and conservation programs by 2025.

The companies said all of the PV output from the plants will go to customers of NV Energy’s southern service territory. Construction of the project is expected to create more than 120 jobs and will further help develop Nevada’s burgeoning renewable energy workforce.

“American Capital Energy is excited about the Searchlight Solar I solar PV project. We are honored to have been selected to work with NV Energy to deliver clean, renewable solar energy to southern Nevada,” said Tom Hunton, CEO of American Capital Energy.

Headquartered in Las Vegas, Nevada, NV Energy, Inc. is a holding company whose principal subsidiaries, Nevada Power Company and Sierra Pacific Power Company, are doing business as NV Energy. Serving a combined 54,500-square-mile service territory that stretches north to south from Elko to Laughlin, NV Energy provides a wide range of energy services and products to approximately 2.4 million citizens of Nevada as well as approximately 40 million tourists annually.

Headquartered in Massachusetts, with offices across the country, American Capital Energy provides full-service project development and construction services for large-scale solar energy projects. ACE is committed to furthering the utilization of solar power by America’s most forward thinking companies by offering customized solar photovoltaic systems designed for reliable long-term performance.

These statements contain forward-looking statements regarding the future performance of Nevada Power Company d/b/a NV Energy, within the meaning of the Private Securities Litigation Reform Act of 1995. These statements are subject to a variety of risks and uncertainties that could cause actual results to differ materially from current expectations. These risks and uncertainties include, but are not limited to, risks related to constructing and financing solar renewable energy projects, regulatory approval and permitting, and fluctuating PV output from the plants. Additional cautionary statements regarding other risk factors that could have an effect on the future performance of NV Energy, are contained in the Annual Reports of NV Energy, Inc. and Nevada Power Company d/b/a NV Energy on Form 10-K for the year ended December 31, 2008 and in its Quarterly Report on Form 10-Q for the quarter ended March 31, 2009, filed with the SEC. NV Energy undertakes no obligation to release publicly the result of any revisions to these forward-looking statements that may be made to reflect events or circumstances after the date hereof or to reflect the occurrence of unanticipated events.

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