

**RESOLUTION AND NOTICE REGARDING THE GRANTING OF A
NON-EXCLUSIVE ELECTRIC SERVICE FRANCHISE TO NEVADA POWER
COMPANY, INC., SETTING THE PURPOSE, CHARACTER, TERM, TIME AND
CONDITIONS OF THE PROPOSED FRANCHISE AND SETTING A PUBLIC
HEARING ON THE ADVISABILITY OF GRANTING THE PROPOSED FRANCHISE**

WHEREAS, CITY OF LAS VEGAS (CITY), is desirous of continuing to provide its residents the opportunity to receive electrical service; and

WHEREAS, NEVADA POWER COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Nevada, and duly qualified and authorized to transact a public utility business within the State of Nevada, is currently engaged in the business of furnishing electric service in the CITY; and

WHEREAS, the CITY entered into a franchise agreement with NEVADA POWER COMPANY dated November 14, 1979 (1979 Franchise Agreement), granting NEVADA POWER COMPANY a Franchise to install, maintain, and use an electrical distribution system in, upon, along, across, above, over and under the public roads within the incorporated boundaries of the CITY for which it holds a certificate of public convenience and necessity issued by the Public Service Commission of the State of Nevada (which has since been designated the Public Utilities Commission of Nevada), which 1979 Franchise Agreement and Franchise granted thereunder expired in November 2004; and

WHEREAS, on November 3, 2004, the CITY renewed the 1979 Franchise Agreement and Franchise granted thereunder (Renewal Agreement) for a period of three years subject to the same terms, conditions and provisions of said 1979 Franchise Agreement; and

WHEREAS, NEVADA POWER COMPANY has submitted a written request dated December 1, 2006, requesting that the CITY renew its Franchise with the CITY for the use of the CITY'S rights-of-way for NEVADA POWER COMPANY power facilities and equipment; and

WHEREAS, the CITY and NEVADA POWER COMPANY have negotiated a proposed Franchise Agreement to replace the 1979 Franchise Agreement and the November 3, 2004, Renewal Agreement, which grants NEVADA POWER COMPANY for a period of 18 years the necessary permission and authority to utilize the various public highways, streets, roads, alleys, avenues, tunnels, parkways, and easements, including easements reserved for road and public utility

1 purposes in any patent granted by the United States of America to the CITY for the purposes of
2 owning, constructing, operating, maintaining, upgrading and repairing an electrical distribution
3 system for the sole purpose of providing electrical service in the CITY.

4 NOW, THEREFORE, pursuant to the requirements of Section 7.050 of the Las Vegas
5 Charter, IT IS HEREBY ACKNOWLEDGED, DETERMINED AND RESOLVED, by the City
6 Council of the City of Las Vegas, Nevada, as follows:

7 1. That NEVADA POWER COMPANY has requested that its franchise be renewed for
8 the purpose of owning, constructing, operating, maintaining, upgrading and repairing an electrical
9 distribution system for the sole purpose of providing electrical service within the corporate
10 boundaries of the CITY.

11 2. That the purposes, character, terms, time and conditions that the CITY proposes to
12 require in response to NEVADA POWER COMPANY'S request to install and operate its electrical
13 distribution system within the CITY through January 31, 2025, are fully set forth in the proposed
14 Franchise Agreement on file in the office of City Clerk of the City of Las Vegas, Nevada, which said
15 proposed Franchise Agreement is available for inspection by members of the public. Said proposed
16 Franchise Agreement is, by this reference, incorporated herein and made a part of this Resolution
17 and Notice.

18 3. That a public hearing be, and hereby is, set for Wednesday, 17th day of January, 2007,
19 in the City Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, at the
20 hour of 1:00 P.M. for the purpose of hearing any objections or protests made by any person to the
21 granting to NEVADA POWER COMPANY the right to install and operate an electrical distribution
22 system for delivery of electrical service within the corporate boundaries of the CITY pursuant to the
23 proposed Franchise Agreement.

24 4. That all interested persons shall have, and are hereby given, the right to appear and
25 be heard on the question of the advisability of granting NEVADA POWER COMPANY the right
26 to install and operate an electrical distribution system within the CITY pursuant to the proposed
27 Franchise Agreement at the place, date and hour specified for the public hearing in paragraph 3 of
28 this Resolution and Notice, or at any subsequent time to which said public hearing may be

1 adjourned.

2 5. That the notice provided by this Resolution and Notice is reasonably calculated to
3 inform each interested person of his or her opportunity to appear and be heard on the question of
4 granting NEVADA POWER COMPANY the right to install and operate an electrical distribution
5 system within the CITY pursuant to the proposed Franchise Agreement and that the City Clerk
6 therefore, be, and she hereby is, authorized, empowered and directed to cause a copy of this
7 Resolution and Notice to be published in full in the Las Vegas Review Journal during the two weeks
8 following the adoption of this Resolution and Notice, the first publication to be not later than the 30th
9 day of December 2006, and the second publication to be not later than the 7th day of January, 2007.

10 PASSED, ADOPTED, AND APPROVED this 20th day of December, 2006.

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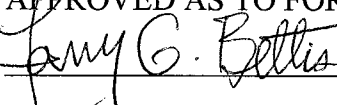
CITY OF LAS VEGAS

BY 
OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM

 12-11-06
Date