

**TESTIMONY IN OPPOSITION TO SB 328
NEVADA ASSEMBLY COMMITTEE ON GROWTH AND INFRASTRUCTURE**

May 11, 2021

Good afternoon Chair Monroe-Moreno, Ranking Chair Watts, and members of the committee. My name is Julian Boggs, I am the state policy director for the U.S. Energy Storage Association (ESA).

ESA is the national trade association dedicated to energy storage, working toward a more resilient, efficient, sustainable and affordable electricity grid – as is uniquely enabled by energy storage. With more than 200 members, ESA represents a diverse group of companies, including independent power producers, electric utilities, energy service companies, financiers, insurers, law firms, installers, manufacturers, component suppliers, and integrators involved in deploying energy storage systems around the globe. Further, our members work with all types of energy storage technologies, including various batteries—not just lithium-ion, but also flow batteries and zinc-based batteries—as well as non-battery storage technologies—like compressed air, liquid air, advanced thermal storage, and pumped hydro, among others. ESA members have built or are developing hundreds of megawatts of energy storage in Nevada.

ESA appreciates the legislature’s effort to advance energy storage and applauds your leadership to date. Nevada is one of seven states nationally that has set a target for energy storage deployment, and it has been rewarded with the development of significant energy storage resources that are helping to make the state’s electricity grid cleaner, more affordable, and more resilient.

ESA welcomes the initiative by the Committee to enhance the quality and safety of energy storage installations. We also appreciate several of the changes in the legislation in response to industry concern. However, we are concerned that the legislation has been rushed through the general assembly without and may needlessly constrain energy storage deployment. We are eager to work with the committee and sponsor on common-sense fixes to SB 328 that would remove our opposition to it in its current form. Specifically, we have two recommendations:

First, the legislation applies to all energy storage systems – that is, any device that absorbs energy, stores it for a period of time, and discharges it for later use. ESA represents companies who work with a wide range of energy storage systems, including systems other than batteries; some of these technologies provide applications that current batteries may not, such as providing significantly longer-duration storage. SB 328 would require installers of, for example, a pumped hydro, compressed air, liquid air, flywheel, or thermal storage project to receive training and certification for a program that teaches about battery storage. At minimum, this raises inappropriate regulatory burdens to non-battery storage technologies and, at worst, could keep companies from choosing to deploy technologies that are necessary for meeting Nevada’s 100% clean energy goal. The Committee can resolve this error by clarifying that only installers of battery (or electrochemical) storage systems require a certification from a battery training program.

Second, if SB 328 were to pass as currently written, Nevada would be the only state which requires certification from a single, non-public entity for energy storage installation. From what we can tell,

ESAMTAC appears to be a comprehensive battery storage training program that teaches the latest national codes and standards for battery storage installation and safety, such as NFPA 855 and UL 9540a. However, ESAMTAC is an independent non-profit with no discernible public oversight. The legislation provides no assurance that ESAMTAC will use its status as the only gatekeeper for training the storage workforce to guarantee fair access to the training across the state and provide enough trained energy storage installers to meet demand. The Committee would better provide transparency and serve the needs of Nevada's skilled workers and storage industry by instead authorizing a state agency, such as the Contracting Board, to approve any training programs that meet quality and access standards, such as latest national codes and standards.

I thank the Committee for the opportunity to offer testimony and am happy to answer any questions you may have.

Julian Boggs
State Policy Director
U.S. Energy Storage Association