

**In the Supreme Court of Nevada**

SOUTHWEST GAS CORPORATION,  
Appellant,

vs.

PUBLIC UTILITIES COMMISSION  
OF NEVADA; and STATE OF  
NEVADA BUREAU OF CONSUMER  
PROTECTION,

Respondents.

Electronically Filed  
Jul 13 2020 11:18 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**OPPOSITION TO MOTION TO DISMISS**

The Bureau of Consumer Protection’s sole basis for seeking dismissal of this appeal is that appellant Southwest Gas “failed to name the [Bureau] as a respondent.” (Mot. 1.) But by the time the Bureau filed its motion, Southwest Gas had already filed an amended notice of appeal naming the Bureau as a respondent.<sup>1</sup> This was the first valid notice of appeal; as this Court correctly noted in its order to show cause, Southwest Gas’s original notice was void because it preceded the filing of the underlying order denying judicial review.<sup>2</sup>

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<sup>1</sup> The Public Utilities Commission’s joinder came even later, after the amended notice naming the Bureau had already been docketed in this Court.

<sup>2</sup> “A judgment or order is entered” only after it is signed and “*filed with*

Because Southwest Gas promptly named the Bureau as a respondent as soon as there was a valid, appealable order, this Court should deny the Bureau’s motion (and the Commission’s joinder) as moot.<sup>3</sup>

Dated this 13th day of July, 2020.

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*the clerk.*” NRAP 4(a)(3). A notice of appeal “before entry of the written judgment or order” is premature. NRAP 4(a)(6).

<sup>3</sup> While the motion is improper in other ways—it is not clear that the Bureau is a necessary party to an appeal solely challenging the Commission’s determination; and regardless, the Bureau’s remedy would have been a motion to intervene in the appeal, not a motion to dismiss (which a nonparty lacks standing to file)—this Court need not reach these issues in light of the amended notice of appeal.

**CERTIFICATE OF SERVICE**

I certify that on July 13, 2020, I submitted the foregoing  
“Opposition to Motion to Dismiss” for filing *via* the Court’s eFlex  
electronic filing system. Electronic notification will be sent to the  
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