

IN THE SUPREME COURT OF THE STATE OF NEVADA

SOUTHWEST GAS CORPORATION,

Petitioner,

v.

PUBLIC UTILITIES COMMISSION OF
NEVADA,

Respondents.

Case No. 80911

District Court No. A19791362
Electronically Filed
Jul 24 2020 02:03 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**REPLY TO SOUTHWEST GAS COMPANY'S
OPPOSITION TO THE BUREAU OF CONSUMER PROTECTION'S
MOTION TO DISMISS APPEAL**

In its Opposition, Southwest Gas Company's ("SWG") inaccurately states that "by the time the Bureau filed its motion, Southwest Gas had already filed an amended notice of appeal naming the Bureau as a respondent." (Opp. 1.) This statement is incorrect. The Bureau of Consumer Protection ("BCP") first filed its Motion to Dismiss Appeal on July 1, 2020. At that time, the BCP served a copy of the Motion on SWG. On July 2, 2020, after receiving the BCP's Motion, SWG filed its Amended Notice in the Eighth Judicial District Court, in which it named the BCP as a respondent. Additionally, on July 2, 2020, this Court issued a Notice of Rejection of the BCP's Motion because the BCP had not yet filed a Notice of Appearance. The BCP then refiled the Motion after filing a Notice of Appearance. This refiled Motion is what SWG misleadingly refers to when it states that it filed the Amended Notice before the BCP filed its Motion. SWG did not name the BCP as a party before the Motion was filed.

In its Opposition, SWG also incorrectly states that “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. (Opp. 1.) This Court did not state in the Order to Show Cause that SWG’s original Notice of Appeal was void because it preceded the filing of the underlying order. Rather, the Court stated that “appellant *should file* a file-stamped copy of the order it seeks to appeal” in order to cure a *potential* jurisdictional defect in the appeal. *See* Order to Show Cause (emphasis added).

Procedurally, the BCP’s Motion is not moot because the original Notice of Appeal is the operative notice in this matter. Therefore, the BCP respectfully requests that this Court grant its Motion.

Respectfully submitted this 20th day of July 2020.

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the Nevada Supreme Court by using the appellate CM/ECF system on July 20, 2020.

Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

/s/ Jana Whitson

Jana Whitson, an employee
of the State of Nevada Office of the
Attorney General