UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 20 2013

OFFICE OF
CIVIL RIGHTS

Return Receipt Requested
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In Reply Refer to:
EPA File No.: 11D-13-R9

Jan Cohen
Public Utilities Commission of Nevada
9075 W. Diablo Drive
Suite 350
Las Vegas, NV 89148-7674

Re: Rejection of Administrative Complaint

Dear Ms. Cohen:

This is to notify you that the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), received an administrative complaint on June 10, 2013, alleging that the Public Utilities Commission of Nevada (PUC) violated the Rehabilitation Act of 1973 and EPA's nondiscrimination regulations found at 40 C.F.R Part 7.

Pursuant to EPA's nondiscrimination administrative regulations, OCR conducts a preliminary review of administrative complaints for acceptance, rejection, or referral. 40 C.F.R. §7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulations. First, it must be in writing. 40 C.F.R. §7.120(b)(1). Second, it must describe alleged discriminatory acts that violate EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, or disability). *Id.* Third, it must be filed within 180 calendar days of the alleged discriminatory act. 40 C.F.R. §7.120(b)(2). Finally, it must be filed against an applicant for, or a recipient of, EPA financial assistance that committed the alleged discriminatory act. 40 C.F.R. § 7.15.

After careful consideration, OCR has concluded that it cannot accept the complaint for investigation because it does not meet the jurisdictional requirements described in EPA's nondiscrimination regulations. One of OCR's jurisdictional requirements to be able to conduct an investigation is that the complaint must be filed against a recipient of EPA financial assistance. Specifically, the PUC of Nevada is not a current recipient of EPA assistance. Therefore, OCR must reject the complaint for investigation.

If you have any questions about this letter, please contact Ericka Farrell of my staff at (202) 564-0717, via e-mail at farrell.ericka@epa.gov, or via mail at U.S. EPA, Office of Civil Rights, (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C., 20460.

Sincerely,

Vicki Simons
Acting Director

cc: Stephen G. Pressman, Assistant General Counsel
Civil Rights and Finance Law Office (MC 2399A)

Alexis Strauss, Deputy Civil Rights Official
Region IX

Gina Edwards, EEO Officer
Region IX