

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case No. 18-2660-INV

Investigation into promoting the ownership and use of electric vehicles in the State of Vermont	
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Order entered: 10/24/2018

**ORDER COMMENCING NEXT STEP OF INVESTIGATION**

On October 1, 2018, the Vermont Public Utility Commission (“Commission”) convened a workshop in this proceeding. Topics covered at the workshop included the current and evolving state of technology for electric vehicles (“EVs”) and electric vehicle support equipment (“EVSE”), barriers to the deployment of EVs and EVSE and strategies for the removal of those barriers, and the appropriate scope of jurisdiction, if any, over EV charging stations. The workshop was conducted through a series of panel discussions addressing each of these topics and concluded with a general question and answer session.

At the conclusion of the workshop, the Commission requested that participants file comments by October 15, 2018, addressing: (1) how to proceed with this investigation given what was learned at the October 1 workshop; (2) specific next steps for this investigation, including proposals for future workshops; and (3) the appropriate scope of jurisdiction, if any, over EV charging stations and whether legislative changes are necessary to effectuate participants’ recommendations.

Apparent from the comments submitted is the need for the Commission to address jurisdictional issues regarding charging stations in the next step of the investigation. Most commenters favored no jurisdiction or jurisdiction with a limited exercise of regulatory authority. The comments varied on whether 30 V.S.A § 203 as currently written applies to EVSE such as charging stations and the steps that the Commission should take to clarify the scope and exercise of any jurisdiction created under Section 203. However, almost all commenters agreed that reaching clarity on the extent of jurisdiction over EVSE is a necessary precursor for the growth of EVSE investment in Vermont in general, and charging stations in particular.

Without expressing any opinion on substance, the Commission agrees that jurisdictional issues should be addressed in the next step of the investigation to provide certainty and stability to potential EVSE investors, whether they be regulated Vermont utilities or non-utility investors. To facilitate the Commission's understanding of the implications of the various jurisdictional approaches advocated in the comments and what legislative changes, if any, might be necessary, we request that participants file written responses to the questions below. We recognize that every question will not be relevant to each of the diverse participants in the proceeding, so please respond to the questions as applicable. The Commission will convene a second workshop to discuss the responses received. At this time, that workshop is tentatively scheduled for November 16, 2018. The Clerk's Office will send out a separate notice confirming the date, time, and location for the workshop as soon as possible.

Questions:

*Usage Fees*

1. Describe how usage fees would be calculated for Vermont customers using public EV charging stations. Please identify each component used in determining the final fee, and if a component is not always used in determining the final fee, explain the circumstances under which it is used and the reasons why.
2. Are usage fees variable based on factors such as time spent at the charging station, time of day when charging occurs, type of vehicle charging at the station, etc.? For example, if a kWh charge applies to the first hour of charging and a vehicle remains at the station charging beyond that hour, could or would an additional fee above and beyond the kWh fee apply to all subsequent hours? Please explain your company's approach to setting and applying fees at charging stations.
3. Describe any limitations imposed on the fee structures for EV charging station use in states other than Vermont.
4. Do or should the fees charged to consumers at public EV charging stations vary based on the electricity rates charged by the utility that serves the charging station?

5. Will or should variations in electricity rates due to time-of-use rate structures offered by the electric utility serving a public charging station be passed through to the users of public EV charging stations?
6. Can the charging capabilities (e.g., speed) of the EV affect the rates that a consumer will be charged at the EV charging station? Please explain and offer examples from your experience.
7. How would drivers charging their vehicles at a public EV charging station pay for their usage (e.g., by credit card)?

#### *EV Charging Station Technology*

8. What factors affect the charging speeds for different EVs?
9. How will a utility determine the electricity usage of a charging station connected to its distribution grid?
10. Would utilities prefer to install their own meters or rely on meters included in the EV charging stations?
11. If a utility relies on the meter in a charging station to measure electricity service to that charging station, will the utility be able to determine the time of sale for each kWh delivered to the charging station for the purpose of applying time-of-use-rates to the electricity delivered?
12. Can EV charging stations be configured so that more than one vehicle can charge at a single station at the same time (e.g., multiple cables or automatic disconnect when one car is fully charged) to avoid the need for one car to move to a new parking space in order for the second car to charge?

#### *Consumer Protection*

13. Does any State of Vermont entity currently have the authority to verify the accuracy of the electricity meters in EV charging stations? If yes, which agency? Please describe an appropriate regulatory oversight structure for that role. If no, what agency is best positioned to take on that oversight role and why?
14. What recourse would consumers have for complaints arising from public EV charging station usage absent Department of Public Service and Commission jurisdiction?

15. What information should be available to the users of public EV charging stations at the time they are charging their vehicles (e.g., phone number for technical assistance from station operator, phone number for consumer protection assistance, etc. posted in plain view on the charging station)?

*Utility Participation*

16. Do third-party charge providers compete directly with utilities in any other states?
17. Do any Vermont utilities have an interest in offering their own charging facilities? If so, how would that arrangement be structured (e.g., facilities and services subject to traditional utility regulation or services provided by an affiliate subject to the same level of regulation applied to non-utility providers of charging services)?
18. Are there states that treat charging stations owned by utilities differently than they treat charging stations owned by non-utilities? If so, please identify those states and describe the differences in treatment and the reasons therefor.
19. If a utility offers time-of-use rates to a residential customer for charging an EV at home, or to a business customer for charging employee EVs at work, would or should that utility also offer the same time-of-use rates to non-utility operator of a public EV charging station? What considerations would go into determining whether to tariff such an offering?

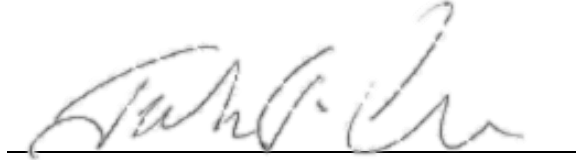
*General*

20. Are there other considerations that these questions do not reflect, and if so, what are they?

Responses to these questions must be filed with the Commission no later than close of business on Monday, November 5, 2019. For instructions on how to file your responses in ePUC, please see the memorandum from the Clerk's Office issued October 24, 2018. Please do not file your responses as "public comments."

**SO ORDERED.**


Dated at Montpelier, Vermont, this 24th day of October, 2018.



John J. Cotter, Esq.  
Deputy General Counsel

OFFICE OF THE CLERK

Filed: **October 24, 2018**

Attest:   
Deputy Clerk of the Commission

*Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: [puc.clerk@vermont.gov](mailto:puc.clerk@vermont.gov))*

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