

**STATE OF VERMONT
PUBLIC UTILITIES COMMISSION**

Docket No. 18-2660-INV

**Investigation into promoting the)
ownership and use of electric vehicles)
in the State of Vermont)**

**CONSERVATION LAW FOUNDATION'S
RESPONSES TO QUESTIONS**

Conservation Law Foundation (CLF), pursuant to the Vermont Public Utilities Commission's Order Commencing Next Step of Investigation dated October 24, 2018, offers the following responses to the questions included in the Public Utilities Commission (PUC or Commission) order.

1. Jurisdiction and Legislation

Conservation Law Foundation's responses are in line with the recommendations included in CLF's October 15, 2018 comments that legislation should be proposed to eliminate the prohibition on non-utilities selling electricity as a means to promote the availability of consumer-friendly charging stations. CLF further recommended that charging stations should be treated like an appliance in terms of their access to the power grid. In exchange for access to the power grid, there should be provisions for charging stations to:

- a. post real-time rates for charging so any consumer knows in advance what the cost will be;

- b. be available for use by members of the public if the charging station is in a public location;
- c. provide load management capability; and
- d. share physical location and charging data on a publicly available platform.

2. Responses to Specific 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.

Customers should be charged a clearly posted rate that allows them to know ahead of time the charge per kWh for charging their vehicles.

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.

Usage fees &/or parking fees should be determined by the provider of the charging station.

3. Describe any limitations imposed on the fee structures for EV charging station use in states other than Vermont.

N/A

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?

The stations should have the same access to electricity rates as any other user on the system. If Time of Use rates or EV charging rates are available, they should be available for all

charging stations in the utility service territory. If the utility has location differentiated rates, they should also be available to charging stations.

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?

They should be available to be passed through to the ultimate consumers, but independent charging station owners should have flexibility to offer different rates.

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.

It shouldn't. Charges should be by kWh and should not be affected by the charging capabilities of the EV.

7. How would drivers charging their vehicles at a public EV charging station pay for their usage (e.g., by credit card)?

No specific method of payment should be mandated. Customers should be able to pay by credit card, subscription, phone app, and cash much like a parking meter or parking garage payment can be made by different means. The focus should be on making payment as easy as possible for the customer and making sure all customers have access to the payment system.

EV Charging Station Technology

8. What factors affect the charging speeds for different EVs?

N/A

9. How will a utility determine the electricity usage of a charging station connected to its distribution grid?

Through a meter that measures usage.

10. Would utilities prefer to install their own meters or rely on meters included in the EV charging stations?

Meter standards should be provided, simply to ensure accuracy and compatibility with the electrical system, but there should not be a requirement that the utility install the meter any more than there is a requirement that the utility install an outlet.

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?

A smart meter will necessarily be required to utilize time-of-use rates.

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?

N/A

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?

Vermont law currently does not allow the per kWh resale of electricity. Going forward the meters should be subject to the same oversight as other devices – such as gas pumps -- that weigh and measure products for sale to customers. This generally falls under the “weights and measures” oversight done by the Vermont Agency of Agriculture.

More information is available here --

https://agriculture.vermont.gov/food_safety_consumer_protection/weights_measures

This would treat providing electricity for a car on a level playing field with the provision of fuel for gas powered vehicles.

14. What recourse would consumers have for complaints arising from public EV charging station usage absent Department of Public Service and Commission jurisdiction?

The same recourse as any customer purchasing other fuels. The charging station owner would be the customer of the utility and would have the same protection as any other utility customer.

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)?

The cost to charge the vehicle and a phone number posted on the charging station or other reasonable means available to all customers to access customer service &/or report a problem. This could be available on a phone app as well as posted on the station.

Utility Participation

16. Do third-party charge providers compete directly with utilities in any other states?

N/A

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)?

They should be allowed to offer services on the same terms as private owners of charging stations & consistent with meeting their utility obligations. For example some utilities now offer battery storage as part of their utility infrastructure &/or Tier 3 obligations. Provided the utility can demonstrate it is meeting a utility need with the charging station that it can demonstrate benefits all of its customers, then it should be allowed to provide charging facilities.

The MidContinent Transportation Electrification Collaborative (M_TEC) published a white paper in April 2018 titled: *Electric Utility Roles in the Electric Vehicle (EV) Market:*

Consensus Principles for Utility EV Program Design. The paper is available here:

https://www.betterenergy.org/wp-content/uploads/2018/04/MTEC_White_Paper_April_2018-1-1.pdf

The paper includes 8 principles to guide utility investments including:

1. benefitting customers;
2. facilitating decarbonization;
3. benefiting reliability;
4. helping to overcome barriers to EV adoption;
5. supporting strategic deployment of EVs;
6. providing cost-effective environmental & health benefits;
7. contributing to competitive marketplace & providing good consumer experience;
8. contributing to progress of advanced mobility

Electric Utility EV Roles at 7. These are helpful principles that can guide utility investment in electric vehicle infrastructure.

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.

N/A

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?

Yes.

The charging station should have the same access to utility tariffs as all other customers.

If there is an EV tariff, or an EV rate that provides a rebate, or Time of Use rates, those should be

available to the charging station just as they are available to any customer within the service territory.

General

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

N/A

Thank you for the opportunity to provide these responses.

Dated at Montpelier, Vermont, this 5th day of November, 2018.

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