



State of Vermont

Office of Planning

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Agency of Natural Resources

December 14, 2018

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Ms. Judith C. Whitney, Clerk

Vermont Public Utility Commission

112 State Street

Montpelier, Vermont 05620-2701

RE: Case No. 18-2660-INV: Agency of Natural Resources Post-Workshop comment and recommendations

Dear Ms. Whitney,

In the workshop held on November 30, 2018, the Public Utility Commission (“PUC”) requested that participants provide statutory language and responses to specific requests for information. In response to the specific request for statutory language on the topic of open access to Electric Vehicle Supply Equipment (EVSE) and interoperability standards, ANR has provided the following recommendations below.

Background

To date, several states have adopted legislation¹ that sets forth a common understanding of what is meant for EVSE to be publicly accessible, and in turn requirements for operators of EVSE that are accessible by the public. Some states have also expanded the jurisdiction of energy and public service agencies to adopt standards for EVSE billing interoperability. The California Air Resources Board (CARB) is currently considering the adoption of standards to amend existing open access requirements for EVSE and to create new requirements for interoperability billing standards.² California law gives CARB the authority to adopt interoperability billing standards in the absence of a national standards organization adopting these standards. Forthcoming interoperability standards from CARB will likely be a suitable model for other states to follow in adopting their own standards.

The recommended language below is derived from statutory language in other northeast states and draft model language that has been developed by a regional working group of which ANR is a participant. ANR is also participating in a multi-state interoperability working group led by Northeast States for Coordinated Air Use Management (NESCAUM). Discussions and products of this working group may help inform further recommendations regarding interoperability that extends beyond billing standards.

¹ Mass. Gen. Laws ch. 25A, §16 (2016); Cal. Health & Safety Code § 44268 (2013); 2016 Conn. Acts No. 16-135.

² <https://ww2.arb.ca.gov/our-work/programs/electric-vehicle-charging-stations-open-access-senate-bill-454>

Open Access – Recommended language

ANR recommends the following statutory language to ensure that EVSE can be accessed by all Vermonters:

“Public electric vehicle charging station’ means an electric vehicle charging station located at a publicly available parking space.

‘Publicly available parking space’ means a parking space that has been designated by a property owner or lessee to be available to and accessible by the public and may include on-street parking spaces and parking spaces in surface lots or parking garages; provided, however, that “publicly available parking space” shall not include a parking space that is part of or associated with a private residence or a parking space that is reserved for the exclusive use of an individual driver or vehicle or for a group of drivers or vehicles including employees, tenants, visitors, residents of a common interest development or residents of an adjacent building.

(1) A person shall not be required to pay a subscription fee to use a public electric vehicle charging station or be required to obtain a membership in a club, association or organization as a condition of using the station.

(2) The owner or operator of a public electric vehicle charging station that requires payment of a fee shall provide multiple payment options that allow access and use of the station by the general public without incurring excessive fees, inconvenience or delays. Fees shall be fully disclosed prior to charging the user. The total actual charges for the use of an electric vehicle charging station shall be disclosed to the public at the point of sale.

(3) The owner or operator of a public electric vehicle charging station or a designee shall disclose on an ongoing basis to the United States Department of Energy National Renewable Energy Laboratory, or other publicly available database designated by [agency/department], the station’s geographic location, hours of operation, charging level, hardware compatibility, schedule of fees, accepted methods of payment and the amount of network roaming charges for nonmembers, if any.”

Interoperability – Recommended language

ANR recommends the following statutory language to ensure that the appropriate agencies have the authority to adopt interoperability standards:

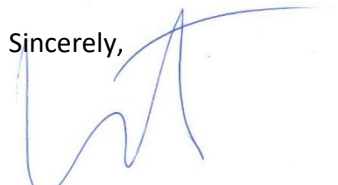
“Interoperability billing standards’ means the ability for a member of one electric charging station billing network to use another billing network.

‘Network roaming’ means the act of a member of one electric vehicle charging station billing network using a charging station that is outside of the member’s billing network with his or her billing network account information.

The [agency/department] may adopt interoperability billing standards for network roaming payment methods for electric vehicle charging stations. If the [agency/department] adopts interoperability billing standards, electric vehicle charging stations that require payment shall meet those standards within 1 year. The standards adopted shall consider interoperability standards adopted by a national standards organization, if any, and other

governmental or industry-developed interoperability standards. The [agency/department] may adopt interoperability billing standards promulgated by an outside authoritative body.”

Sincerely,

A handwritten signature in blue ink, appearing to read 'BC', with a long horizontal flourish extending to the right.

Billy Coster
Planning Director
Agency of Natural Resources