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To: Public Service Commission

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Date: September 19, 2013

Subject: Rocky Mountain Power's Proposed Changes to Regulation 4 "Supply and Use of Service" to Add Language Clarifying that Electric Vehicle (EV) Battery Charging Service is Not Considered Resale of Electricity. Docket 13-035-T12

## Background

On September 10, 2013, Rocky Mountain Power (Company) filed with the Public Service Commission (Commission) a proposed change to Electric Service Regulation 4 – Electric Service Agreements. The Company proposes to add language to clarify that electric vehicle (EV) battery charging service is not considered resale of electricity.

On September 10, 2013 the Commission issued a Notice of Filing and Comment Period wherein interested parties were given the opportunity to comment on the filing on or before September 19, 2013. The Office of Consumer Services (Office) offers the following comments and recommendation.

## Discussion

The Company explains that over several months it has received inquiries and has met with EV owners, EV dealers, car rental agencies, fleet operators, and potential EV charging service providers to discuss EV charging service. These parties expressed the concern that fee based charging of electric vehicles by an entity other than Rocky

Mountain Power may be considered resale of electricity, which is prohibited by Utah Code.

To remedy this issue the Company proposes to add the following language to Electric Service Regulation No. 4.

#### ELECTRIC VEHICLE CHARGING

A customer taking Electric Service under a general service schedule may sell electric vehicle battery charging services. Electric vehicle battery charging is not considered resale of electricity.

Customers that choose to sell EV battery charging would take service from the Company at general service rates and be subject to the same terms and conditions as any other general service customer. Any infrastructure requirements related to this service would be addressed through the existing line extension policy, construction standards, and electric service regulations.

In our September 10, 2013 comments on the Company's Smart Grid Monitoring Report the Office encouraged the Company to "take a more proactive approach regarding preparation for wider spread use of electric vehicles"<sup>1</sup>. In the same document we stated:

"The Offices notes that on September 6, 2013, the Company filed with the Commission a request to add language to Electric Service Regulation No. 4 related to Electric Vehicle Charging, which is a good first step in proactively addressing electric vehicle issues."<sup>2</sup>

The Office asserts that the Company's proposed language regarding electric vehicle charging is appropriate and timely and should be accepted by the Commission.

#### **Recommendation**

The Office recommends that the Commission approve the Company's requested language change to Electric Service Schedule No. 4.

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<sup>1</sup> Office of Consumer Services September 10, 2013 comments on Rocky Mountain Power's Smart Grid Monitoring Report, pages 6 - 7, Docket No. 13-035-119.

<sup>2</sup> Ibid, footnote 7 at page 7.