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*Attorney for EVgo*

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

APPLICATION OF ROCKY MOUNTAIN POWER FOR APPROVAL OF ITS ELECTRIC VEHICLE INFRASTRUCTURE PROGRAM	Docket No. 20-035-34  PETITION FOR LEAVE TO INTERVENE OF EVGO, SERVICES, LLC.
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Pursuant to Public Service Commission Administrative Procedures Act Rule R746-1-108 and Utah Code Section 63G-4-207, EVgo Services, LLC. (“EVgo”), by and through the undersigned attorney, hereby requests to intervene in the above-captioned proceeding. In support of its petition, EVgo states:

1. EVgo is a corporation organized pursuant to the laws of the State of Delaware with its corporate headquarters located at 11835 W. Olympic Blvd. Suite 900E Los Angeles, CA 90064. EVgo operates America’s largest public electric vehicle (“EV”) fast charging network. With more than 800 fast charging locations, EVgo’s owned and operated charging network serves over 68 metropolitan areas across 35 states and more than 300,000 customer accounts. EVgo has 12 locations currently in operation in Utah, with plans for expansion. In addition to its public network, EVgo also partners with fleets and rideshare operators to deploy advanced charging technology. In August, 2020, EVgo announced a partnership with General Motors,

whereby EVgo will triple its direct current fast charging (“DCFC”) network across 40 metropolitan areas over the coming years and build more than 2700 fast chargers across the country.<sup>1</sup> EVgo also works with other automakers, such as Nissan, to enable greater access to charging infrastructure.<sup>2</sup>

3. On August 23, 2021, PacifiCorp, dba Rocky Mountain Power (“Rocky Mountain Power” or the “Company”) submitted an Application to the Public Service Commission of Utah (“Commission”), pursuant to section 54-4-41 of the Utah Code, requesting approval of the Company’s Electric Vehicle Infrastructure Program (“EVIP”). Rocky Mountain Power’s EVIP Application includes a proposal to install 20-25 Company-owned DCFC station locations during the first five years of the program,<sup>3</sup> at which the Company proposes to charge EV drivers that are Rocky Mountain Power customers a rate of \$0.15 per kWh and non-customers a rate of \$0.40 per kWh (Schedule 60).<sup>4</sup> The Application also proposes a make ready infrastructure program and extending existing EV infrastructure incentives.

4. EVgo has a direct, specific business interest in this proceeding, and its legal rights and interests will be substantially affected by this proceeding. As one of the leading providers of EV charging infrastructure, EVgo has a direct business interest in the aforementioned components of the Company’s EVIP, as it will have a direct impact on the nature, growth, and economics of the competitive market for DCFC stations as well as fleet (light-duty, medium- and heavy-duty) deployment in the Company’s service territory in Utah, a market in which EVgo is

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<sup>1</sup> See <https://www.evgo.com/about/news/were-working-with-general-motors-to-triple-the-size-of-our-fast-chargingnetwork/>.

<sup>2</sup> See <https://www.evgo.com/press-release/nissan-and-evgo-expand-charging-network-with-200-new-ev-fastchargers/>.

<sup>3</sup> Application at paragraph 6(i).

<sup>4</sup> *Id.* at para 10.

currently an active participant with plans for expansion. In particular, the proposed utility-owned DCFC proposal may directly impact the size and scope of EVgo's network expansion in Utah.

In order to effectively increase the availability of EV charging infrastructure in the state, and enable competition, innovation and customer choice in EV charging services, pursuant to section 54-4-41 of the Utah Code, it is vital for the Commission to ensure that Rocky Mountain Power proceeds with programs that leverage the utility's strengths in infrastructure buildout while taking advantage of private capital, and the expertise, efficiencies, and ability to scale that private developers have built over years of experience in electric vehicle supply equipment ("EVSE") deployment. In sum, the programs and rates that are implemented pursuant to this proceeding will impact the development of EV charging infrastructure in Utah by the private sector, and thus will have a direct impact on EV charging providers like EVgo.

5. Further, EVgo will positively contribute to the record in this proceeding in a manner that will aid the Commission in rendering a final decision on the programmatic issues within the plan, which will impact the State's ability to effectively accelerate transportation electrification. The interests of justice and the orderly and prompt conduct of the proceeding will not be materially impaired, and will be advanced, by allowing the full participation of EVgo. EVgo has explored and participated in utility make-ready programs across the country and EVgo's national market presence, experience and expertise will prove to be valuable in assisting the Company and the Public Service Commission in the design and ultimate success of the Company's EVIP. Indeed, EVgo has demonstrated its ability to contribute uniquely and constructively to utility proceedings across the nation involving EV charging infrastructure to achieve mutually beneficial outcomes for utilities, ratepayers, and EV drivers, and will do so in this proceeding.

6. EVgo's participation and interest in this proceeding is based upon the issues included in the Companies' application and EVgo does not seek to raise issues outside of the application.

7. EVgo has not yet determined specific positions it will take or the relief it will seek. EVgo seeks to intervene to protect its substantial business interests over the course of the proceeding.

8. EVgo respectfully requests its undersigned attorney be granted the opportunity to sign the non-disclosure agreement ("NDA") pursuant to the Commission's September 27<sup>th</sup>, 2021 Order Granting Motion for Protective Order with the same treatment as outside counsel for ChargePoint. After reviewing the material claimed to be confidential, EVgo may decide to file a motion, specifying information that it contends RMP has improperly designated and the basis upon which it requires access to the information to advance EVgo's legal interests in this docket.

7. EVgo requests that all notices, pleadings, documents, discovery, and correspondence pertaining to this proceeding should be directed to the following individuals:

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WHEREFORE, EVgo respectfully petitions the Commission for an Order granting intervention in this proceeding and allowing EVgo to proceed as a party of record with full participation, and that it be entitled to be served with copies of all pleadings, testimony, work papers, exhibits on file or to be filed by any party of interest, and that its undersigned attorney be granted the opportunity to sign the NDA pursuant to the Commission's September 27<sup>th</sup>, 2021 Order Granting Motion for Protective Order.

DATED this 30<sup>th</sup> day of September, 2021,

Respectfully submitted,

Attorney for EVgo, Inc.

A handwritten signature in black ink that reads "Victoria R. Mandell". The signature is written in a cursive style and is positioned above a horizontal line.

By: \_\_\_\_\_  
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