–BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH–

IN THE MATTER OF ROCKY MOUNTAIN POWER'S APPLICATION FOR APPROVAL OF AMENDMENTS TO THE ELECTRIC VEHICLE INFRASTRUCTURE PROGRAM AND TARIFF REVISIONS	)))))))	**DOCKET NO. 20-035-34** **Exhibit No. DPU 4.0 DIR** **3-Year Program Review**

FOR THE DIVISION OF PUBLIC UTILITIES
DEPARTMENT OF COMMERCE
STATE OF UTAH

Direct Testimony of

Matt Pernichele

October 3, 2025

INTRODUCTION

Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND EMPLOYMENT FOR THE RECORD.

A. My name is Matt Pernichele. I am a Utility Technical Consultant for the Utah Division of Public Utilities, located at 160 East 300 South in Salt Lake City, Utah.

Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?

A. The Division.

Q. WOULD YOU SUMMARIZE YOUR EDUCATION BACKGROUND FOR THE RECORD?

A. I have worked for the Utah Division of Public Utilities for two years. During this time, I have analyzed a variety of issues arising from the operation of regulated natural gas and electrical utilities. I completed the New Mexico State University's Center for Public Utilities Practical Regulatory Training Class in 2023, NARUC's Fundamentals of Utility Law in 2024, and other trainings. I have a JD and an MBA from the University of Utah.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. My testimony supplements the direct testimony of Robert Davis for the Division. I will discuss RMP's proposed idling charge, rate changes, and charging station siting.

Q. BRIEFLY SUMMARIZE YOUR TESTIMONY

A. RMP's current Schedule 60 rates are reasonable and raising them to pay the full cost of service would make the Electric Vehicle Infrastructure Program (EVIP) program unworkable. In the future, Schedule 60 rates should remain competitive with those of other DCFC providers. The Division supports RMP's proposed idle fee. RMP's current DCFC charging stations are well suited to meet the program's goals.

PROPOSED RATE CHANGES

Q. WHAT RATE AND TARIFF CHANGES HAS RMP PROPOSED IN THIS DOCKET?

A. RMP has proposed changing Schedule 198, the EVIP Cost Adjustment, closing Schedule 120, the Plug-in Electric Vehicle Incentive Pilot Program to new applicants, and adding an idle fee to Schedule 60, Company Operated Electric Vehicle Charging Station Service.[1] Changes to Schedules 198 and 120 are discussed in the Direct Testimony of Robert A. Davis for the Division. The proposed idle fee is discussed below.

Q. ARE RMP'S CURRENT DCFC CHARGING RATES REASONABLE?

A. Yes. I was unable to get as much competitor DCFC pricing data as I would have liked, but it does seem that RMP's DCFC charging rates fall within the market range. All the DCFC rates I was able to examine fall between RMP's $.27/kWh for RMP customers and its $.45/kWh for non-customers. Many of these competitors imposed different fixed charges, monthly charges, or membership fees, making exact comparisons impossible.

The American Automobile Association tracks EV charging rates by state. For September 2025, it calculated a national average EV charging price of $.366/kWh and a Utah price of $.289/kWh.[2] This is an average price of all level 1, 2, and DCFC charging. Level 1 and 2 charging tend to be cheaper than DCFC charging, so this measure is probably lower than the DCFC price.

Q. DO YOU SUPPORT RMP'S PLAN TO INCREASE SCHEDULE 60 CHARGES TO PAY ITS FULL COST OF SERVICE?

A. I do not. While it would be good in the long run for the rates to cover the costs, the statutory impetus for the program suggests subsidization is permissible, outweighing other regulatory concerns.

RMP calculates that Schedule 60 revenue would have to increase by 2,670 percent to pay its full cost of service.[3] This would imply rates substantially higher than those charged by other DCFC providers. I assume that not all of these competitors are

[1] Exhibit RMP_(KLE-5) Proposed Tariff Changes
[2] EV Charging Prices, American Automobile Association (last visited September 29, 2025) https://gasprices.aaa.com/ev-charging-prices/.
[3] Direct Test. of Kenneth Lee Elder, p.4.

operating at a significant loss so there must be some inconsistency in how the cost of service was calculated for Schedule 60 and how it is calculated for Schedule 6, which is the schedule most of the other DCFC providers are on. Regardless of what factors cause this difference, RMP's rates must be competitive in order for stations to be useful.

RMP's Schedule 60 rates should remain within the range of its competing DCFC providers. If it charges significantly over market rates RMP will lose DCFC customers and revenue. The program will still fail to meet its cost of service, and it will fail to meet the other purposes set for it by the Legislature, these are discussed below. If RMP were to charge significantly less than the DCFC market rate, this would work against the public purposes of the program by discouraging competition. The EVIP program should be able to compete fairly with other DCFC providers.

PROPOSED IDLE FEE

Q. WHAT PURPOSE DO IDLE FEES AT EV CHARGING STATIONS SERVE?

A. Idle fees incentivize drivers to move their cars from an EV charging space soon after their cars have completed charging. This allows others to use the charger and the charger's owner to increase revenue.

Q. HOW COMMON ARE IDLE FEES AT COMMERCIAL CHARGERS?

A. There are two broad categories of commercial EV chargers. Level 1 and 2 chargers, usually using the J-1772 adaptor, charge between 120 V AC and 240 V AC at 1 kW to 19 kW. Level 3 or Direct Current Fast Chargers (DCFC) charge up to 1,000 V DC at up to 350 kW.[4] DCFC chargers in the U.S. use either the CADdeMO, CCS, or Tesla NACS connector. J-1772 chargers take 4 to 50 hours to fully charge an empty EV. DCFC chargers can fully charge an empty EV in between 20 minutes and 1 hour. RMP's DCFCs charge at up to 350 kW, but most current EVs can only accept 50 kW to 250 kW.

[4] Charger Types and Speeds, U.S. Department of Transportation (last visited on October 2, 2025) https://www.transportation.gov/rural/ev/toolkit/ev-basics/charging-speeds.

Commercial J-1772 chargers are usually located at places where people spend a lot of time such as office buildings, apartment buildings, hospitals, retail stores, and movie theatres, because they take so long to charge an EV. They are also commonly available as a public service at libraries, parks, recreation centers and other public facilities. It is still not uncommon for J-1772 chargers to be free but most publicly available ones charge by the hour. This obviates the need for idle charges because a driver charging an EV will be charged for however long it is left on the charger, even after it has been fully charged.

DCFCs are much more expensive than J-1772 and are more commonly found in higher traffic, more visible locations because they can charge many more vehicles and distribute much more electricity per hour. They also need to do so to be profitable. This means that a DCFC's time is more valuable than a J-1772's, so almost all DCFCs whose pricing I was able to review charged idle fees.

Q. KENNETH ELDER'S TESTIMONY DESCRIBED TESLA'S IDLE FEE STRUCTURE TO COMPARE TO RMP'S PROPOSED IDLE FEE.[5] ARE OTHER DCFC IDLE FEES SIMILAR?

A. Yes. Commercial EV chargers are often owned by one entity (Site Owner), such as a gas station or hotel, and operated by a branded company such as EV Range, Charge America, or Blink. The Site Owner usually determines pricing, including idle fees. Pricing and charges tend to vary even within the same brand and can be difficult to determine.

Electrify America, which operates RMP's charging stations,[6] charges $.40 per minute after 10 minutes. RMP proposed this same structure. Portland General Electric's Neighborhood EV Charging Program charges $.10 per minute after 10 minutes, but these are level 2 chargers.[7] Rivian's network charges $.50 per minute

[5] Direct Test. of Kenneth Lee Elder at p.6.
[6] Direct Test. of James A. Campbell at 5.
[7] Neighborhood EV Charging, Portland General Electric (last visited on October 1, 2025) https://portlandgeneral.com/energy-choices/electric-vehicles-charging/charging-your-ev/neighborhood-charging.

after 10 minutes.[8] RMP's proposed idle charge is well within the range of industry practice.

Q. IS RMP'S PROPOSED IDLE CHARGE LIKELY TO RESULT IN SURPRISE BILLING THAT COULD ALIENATE CHARGING CUSTOMERS?

A. No. The Electrify America phone app is required to use RMP's charging stations. The app notifies customers with a text message when their vehicle is charged and reminds them to move it within 10 minutes to avoid the idle fee.[9]

Q. DO YOU SUPPORT RMP'S PROPOSED IDLE FEE?

A. Yes. RMP's proposed idle fee of $.40 per minute after 10 minutes appears to be reasonable and is similar to other DCFC idle fees in Utah. It is unlikely that the proposed idle fee will alienate customers or otherwise adversely affect revenue because idle fees are common for DCFC charging. RMP's proposed amount is similar to or less than competitors' idling fees. The proposed idle fee was recommended by Electrify America and is the same charged by Electrify America across its network. Electrify America manages over 1,000 DCFS charging locations nationwide[10] and has an interest in seeing that RMP's charging stations are successful.

STATION SITING

Q. HOW DOES UTAH CODE SECTION 54-4-41(2) GUIDE THE SITING OF EV CHARGING STATIONS?

A. RMP's charging stations should be sited to further the public interest goals set forth in Utah Code Section 54-4-41(2)(c). The statute requires the EV charging stations to be part of "a transportation plan that promotes (i) the deployment of utility-owned vehicle charging infrastructure in the public interest; and (ii) the availability of utility vehicle

[8] Rivian Owner's Forum, Rivian Motors (last visited October 1, 2025) https://www.rivianownersforum.com/threads/idle-fees-on-rivian-chargers-heads-up.7399/.
[9] DPU Exhibit 4.01, RMP Response to DPU DR 6.4 (August 13, 2025).
[10] DPU Exhibit 4.02, RMP Response to DPU DR 6.3 (August 13, 2025).

charging service." Utah Code Section 54-4-41 (5) provides that amendments to the program must be "(a)…prudent; (b) will provide net benefits to customers…"[11]

The Division interprets these to mean that a utility-owned EV charging network should:

1. Have a relatively high utilization rate, that is, it should be used and useful.
2. Eventually be profitable or revenue neutral. That is having revenues that equal or exceed its cost of service and capital costs.
3. Be located in areas with a high, unmet need for commercial EV charging as part of a transportation plan. Theoretically, these could either be areas with insufficient charging stations for day-to-day use or enabling long-distance travel.

These criteria affect each other, are not mutually exclusive, and are not exhaustive.

Q. WHAT KIND OF EV CHARGING STATION LOCATIONS DO YOU BELIEVE BEST FIT THESE CRITERIA IN UTAH?

A. Locations near interstate freeways with few competing DCFC chargers should best meet the criteria outlined above because the high speeds and longer trips typical of freeway driving require more power than other types of common use. Drivers on longer trips are also more likely to be willing to pay a premium for fast charging because they usually don't have the large blocks of time that slower chargers require.

Q. EXPLAIN WHY YOU BELIEVE THAT DCFC CHARGERS ARE BEST SUITED FOR THIS NEED.

A. Different types of EV charging have different economics and operating parameters and are best suited for different use cases.

DCFC chargers are a more expensive way to charge an EV. The rates for RMP's DCFC chargers are listed in rate schedule 60. Currently, RMP charges a $1.00 connection fee plus either $.45 per kWh, for non RMP customers, or $.27 per kWh,

[11] *See,* Direct Test. of Robert A. Davis, p. 8 – 9, (October 3, 2025).

for RMP customers. For level 2 J-1772 charging RMP schedule 60 lists a cost of $.08 per kWh for both customers and non-customers.

The time required to charge an EV can be estimated by using the simplified formula of **Charging Time (hours) = Charge Needed (kWh)/Charger Power (kW)**.[12] The price of such a charge, not counting taxes, would be **Price = session fee + (Charge (kWh) x Price ($/kWh))**. This calculation is for RMP's DCFC charging stations, other providers often have different systems of fixed charges**.** Neither of these calculations account for level of charge, the condition of the equipment, temperature, etc.

Charging an EV with 50 kWh of electricity at one of RMP's 350 kW DCFC stations would cost $14.50 for an RMP customer and $23.50 for a non-customer and take approximately 9 minutes. The same 50 kWh on a 10 kW J-1772 charger at schedule 60's level 2 price would cost $5.00 and take approximately 5 hours.[13] All of these estimates exclude taxes. DCFC chargers save significant time in exchange for a significant price premium.

Level 1 EV chargers, like those using the J-1772 connector, can be plugged into a standard wall outlet and are relatively inexpensive, with many models available under $150. Many level 2 chargers can plug in to standard 208 V or 240 V outlets and cost under $500. Most drivers who can afford a new EV are likely to be able to afford a home charger. Some multi-family housing also has charging stations for owners and tenants. Most EV charging happens at home because it is usually more convenient and cheaper.[14] This implies that people who are far from their homes are more likely to charge their EVs at a DCFC station.

[12] How to Calculate Your Electric Vehicles Charging Time, Chargie, (last visited on October 2, 2025) https://www.chargie.com/resources/how-to-estimate-your-evs-charging-time.
[13] Charger Types and Speeds, U.S. Department of Transportation (last visited on October 2, 2025) https://www.transportation.gov/rural/ev/toolkit/ev-basics/charging-speeds.
[14] How Much EV Charging is Done at Home, AMPPAL (last visited October 1, 2025) https://anfuenergy.com/how-much-ev-charging-is-done-at-home/.
80% of EV Charging Happens at Home, Not on the Road!, Electrify News (last visited October 1, 2025) https://electrifynews.com/featured/mythbusting/80-percent-of-ev-charging-happens-at-home-not-on-the-road/#:~:text=If%20you%20think%20electric%20vehicle,EV%20charging%20happens%20at%20home.

DCFC chargers are also commercially advantaged by being near freeways because of the relatively greater distance and speed travelled on freeways relative to the number of chargers available. Freeway driving creates more demand for electricity because it typically involves greater distances and speeds, and many freeways pass through less populous areas that may have relatively fewer EV chargers.

This leads to another factor favoring freeway adjacent EV charging station; range anxiety, the fear that an EV's battery will be depleted before the EV has reached its destination or somewhere far from charging.[15] This fear is often well founded because of freeway driving's increased chances of being stranded with a drained EV battery (described above) and the increased chance that this will happen in a remote and potentially unsafe or unpleasant location.

Q. IS IT ALSO IN THE PUBLIC INTEREST TO LOCATE EV CHARGING STATIONS ALONG MAJOR FREEWAYS?

A. Yes. The Utah Plan for Electric Vehicle Infrastructure Development (UDOT Plan) emphasizes locating charging stations along major freeways[16] because making these long-distance routes more accessible to EV's is in the public interest. The UDOT Plan identifies Alternative Fuel Corridors (AFCs) along I-15, I-70, and I-80. The UDOT Plan concluded that more EV charging on AFCs is in the public interest because it would enhance the state's connectivity, traffic volumes, tourism, local and interstate commerce, transportation resilience, public safety, and EV adoption.[17]

Q. DO RMP'S CHARGING STATIONS MEET THE CRITERIA OF BEING COMMERCIALLY VIABLE?

[15] Is this the End of Range Anxiety?, Electric & Hybrid Vehicle Technology International (last visited on October 2, 2025) https://www.electrichybridvehicletechnology.com/features/range-anxiety-going-the-distance.html.
[16] Utah Plan for Electric Vehicle Infrastructure Deployment, UDOT, the Utah Office of Energy Development, summarized on p.27 and 35 (July 2022) (last visited October 2, 2025) https://drive.google.com/file/d/14_75QZLWVUaM-zmfB5N5MjqkA_SfUwwT/view.
[17] *Id.* p. 16.

A. None of RMP's charging stations has been open long enough to determine if they will be able to operate in the future without subsidy from rate payers.

Q. HOW DO THE LOCATIONS OF RMP'S EV CHARGING STATIONS MEET THESE CRITERIA?

A. The locations of RMP's eight operating and upcoming Coalville DCFC charging stations seem to satisfy these criteria quite well. I examined the area around each of these EV charging stations using Google Maps, PlugShare, and other online resources to evaluate each location for its accessibility to one of Utah's identified AFCs, distance to other EV chargers, the number and nature of the other chargers, and other factors relevant to the criteria.[18]

All of RMP's existing charging stations, and the upcoming Coalville station are adjacent to UDOT defined AFCs except for the Vernal station. The Vernal station is in an isolated area along a fairly busy Highway 40. There are 2 other DCFC stations in Vernal with a total of 10 chargers. There are no other chargers on Highway 40 in between Roosevelt, 30 miles to the west, and the Colorado Welcome Center in Dinosaur, CO, 33 miles to the east. The stations at Ivie Creek and Coalville also break long distances between chargers, along busier highways. Without the Ivie Creek station there would be no DCFC stations on I-70 for the 96 miles between Salina and Green River. The Moab station is the first one on the way into town from the North and located in a scenic park near the Colorado river. The other active charging stations are located along busy sections of I-15 or I-80 in densely populated areas on the Wasatch Front. All RMP's charging stations face direct competition from other DCFS chargers within one mile, except Ivie Creek.

Q. WILL YOU PROVID A BRIEF SUMMARY OF YOUR TESTIMONY

A. Yes. RMP's current Schedule 60 rates are reasonable and raising them to pay the full cost of service would make the Electric Vehicle Infrastructure Program (EVIP) program unworkable. In the future, Schedule 60 rates should remain competitive with

[18] DPU Exhibit 4.03, RMP EV Charging Station Summary (October 3, 2025).

those of other DCFC providers unless the law is changed in ways that make subsidization inappropriate. The Division supports RMP's proposed idle fee. RMP's current DCFC charging stations are well-sited to meet the program's goals.

Q. DOES THAT CONCLUDE YOUR TESTIMONY?

A. Yes.