

May 3, 2023

Public Service Commission of Utah  
Heber M. Wells Building, 4th Floor  
160 East 300 South  
Salt Lake City, UT 84114

**Re: Comments of ChargePoint in Docket No. 23-035-18**

On April 3, 2023, Rocky Mountain Power (RMP) filed its first Annual Report for the Electric Vehicle Infrastructure Program (EVIP). ChargePoint appreciates the opportunity to review the first Annual Report and respectfully offers these comments for consideration by RMP and the Public Service Commission of Utah (Commission).

**RMP should provide monthly updates on funding availability on its website.**

RMP's Annual Report includes a summary of make ready incentives and equipment rebates delivered in the first year of the EVIP, including the number of applications received by segment, amount requested, and amount awarded.<sup>1</sup> Information regarding the amount of remaining EVIP funding is critical for site hosts to invest in EV charging infrastructure. Because RMP's incentives are delivered post-purchase and awarded on a first-come, first-served basis, site hosts may be hesitant to invest in chargers without first receiving confirmation that incentive funds are still available.

In Electric Service Schedule No. 120, RMP commits to providing funding availability information on a monthly basis, but ChargePoint has found that such information is neither available on RMP's website nor available upon direct request to RMP staff.<sup>2</sup> ChargePoint requests

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<sup>1</sup> Annual Report at pp. 8-9.

<sup>2</sup> Schedule No. 120 – Plug-in Electric Vehicle Incentive Pilot Program: "Availability of funds will be listed on the Company website and updated on a monthly basis."

that the Commission direct RMP to regularly update incentive funding availability on its website consistent with the language in Schedule No. 120.

**RMP should clarify its technical requirements for EVSE to allow later versions of OCPP.**

RMP's Report lists specifications that EVSE must meet to qualify for incentives. Specification 5 (Server Protocol) requires Open Charge Point Protocol (OCPP) Version 1.6J.<sup>3</sup> Because communications protocols such as OCPP evolve over time, there are multiple versions of the same protocol that the EV charging industry may utilize. It is important that any technical requirements imposed by RMP provide industry players with the opportunity to utilize more advanced versions of OCPP as they become available to avoid imposing obsolete or less-functional specifications on chargers.

For example, OCPP Version 2.0 has been available since 2018 and OCPP Version 2.0.1 is already available and includes additional functionalities that could improve the driver experience, enable better power management, and support the grid through device management and smart charging. Importantly, future versions of OCPP are backwards-compatible with older versions, which limits the potential for interoperability issues as operators upgrade their systems to align with the latest protocols. ChargePoint recommends that RMP modify Specification 5 to require "OCPP Version 1.6 or later" to enable operators to employ newer versions of OCPP.

**RMP should not seek NEVI funding to support the 20 Company-owned DCFC locations.**

RMP's Report indicates that RMP is interested in seeking funding through the National Electric Vehicle Infrastructure (NEVI) program, administered by the Utah Department of

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<sup>3</sup> No relation to ChargePoint.

Transportation, to support the 20-25 Company-owned DCFC locations the Commission authorized in the EVIP. ChargePoint is concerned by RMP's proposal to seek NEVI funding for two reasons.

First, NEVI is a competitive grant program that will deliver roughly \$36 million in federal formula funding to Utah to expand the number of fast-charging sites to enable long-distance travel in an EV. It is inappropriate for RMP to leverage ratepayer funds to gain an advantage in competing for NEVI funds over other market actors who are competing for the same pot of funds. Furthermore, NEVI is intended to accelerate EV charger investment and support additional deployment of DCFCs. While RMP has plans for 20 DCFC sites, RMP is authorized by the EVIP settlement to own DCFCs at up to 25 sites. It is unclear from RMP's Annual Report that any NEVI funds awarded to RMP would achieve their intended purpose of increasing the availability of DCFC in Utah beyond the 25 sites that have already been approved by the Commission. On the other hand, if RMP does not apply for NEVI funding, non-utility site hosts and charging providers will use NEVI funds to build additional DCFC projects that might otherwise not be deployed. Simply put, RMP's proposal to seek NEVI funds would likely lead to fewer DCFCs deployed in Utah over the next few years than if RMP did not seek NEVI funds.

Second, ChargePoint's anticompetitive concerns regarding Company-owned chargers are exacerbated by RMP's plans to use a single equipment and network service vendor for its Company-owned DCFC sites and seek NEVI funds. The combined effect of these proposals would be to hand a significant, ratepayer-funded advantage in the competition for federal NEVI funds to a single vendor, which distorts the competitive EV charging market in Utah to the detriment of ratepayers and EV adoption.

ChargePoint recommends that the Commission direct RMP not to seek any NEVI funding available in Utah under IIJA with respect to the 20-25 DCFC locations that RMP will own to ensure that NEVI funds support the deployment of additional DCFC locations in Utah that might otherwise not be built. Should RMP proceed with its intention to seek NEVI funding, RMP should allow sites hosting Company-owned sites and receiving NEVI funds to have a choice between at least two vendors, in order to limit the outsized competitive advantage of effectively funneling NEVI funds to RMP's single selected vendor.

### **Conclusion**

ChargePoint thanks the Commission for the opportunity to submit these comments. We look forward to continuing to work with RMP and other stakeholders to expand charging stations across Utah.

Sincerely,

*/s/ Matthew Deal*

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Certificate of Service

I hereby certify that a copy of the foregoing was served by email this 3<sup>rd</sup> day of May 2023, on the following:

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