ROCKY MOUNTAIN POWER
A DIVISION OF PACIFICORP

1407 W. North Temple
Salt Lake City, UT 84116

May 18, 2023

VIA ELECTRONIC FILING

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

Attention: Gary Widerburg
Commission Administrator

Re: **Docket No. 23-035-18**
Annual Report of Rocky Mountain Power's Electric Vehicle Infrastructure Program
RMP Reply Comments

On April 3, 2023, PacifiCorp, doing business as Rocky Mountain Power ("the Company"), submitted its annual report of the Electric Vehicle Infrastructure Program ("EVIP") to the Public Service Commission of Utah ("Commission"). This submission was in accordance with the Settlement Stipulation dated November 17, 2021, and the Commission Order approving the proposed report on June 15, 2022, in Docket No. 20-035-34. According to the Commission's Notice of Filing and Comment Period issued on April 5, 2023, comments were filed by the Division of Public Utilities ("Division"), Office of Consumer Services ("Office"), Western Resource Advocates ("WRA"), Utah Clean Energy ("UCE") and ChargePoint that included recommended changes to the EVIP Report. In response to these recommendations, the Company submits reply comments.

Response to Recommendations

A. Division of Public Utilities

The Division recommends that the Commission acknowledge the Company's EVIP Report, proposes some recommendations and requests clarifications. The Division's recommendations are summarized along with the Company's response.

1. *Revise Attachment A for corrections identified in discovery*

The Company agrees with the Division's recommendation to provide a revised Attachment A, which was revised for two corrections. First, rebates for the Make Ready program were moved from the Incentive Administration category to the Make Ready category. Also, the capital spend for RMP charger infrastructure erroneously included $10,799 in allowance for funds used during construction ("AFUDC"). Since the infrastructure is being funded by EVIP revenue collected through Schedule 198, no AFUDC should be accrued to capital spend associated with EVIP. This amount was removed in the revised Attachment A.

2. *Include a report on the average uptime of charging stations in future reports, as more data becomes available.*

The Company agrees to include the average uptime of its charging stations in future reports, as suggested by the Division.

3. *Consider implementing smaller configurations to ensure access in sites with lower EV penetration.*

The Company appreciates the Division's concern regarding the use of single or smaller configurations to allow for EV charging access in lower EV adoption communities and is open to exploring different configurations. The Company is actively collaborating with the Utah Department of Transportation ("UDOT"), Utah Division of Parks and Recreation, and the Utah Office of Tourism to find charging solutions that cater to the communities surrounding parks and recreational areas. Smaller configurations with fewer chargers typically result in a higher cost per charger, per kilowatt. An objective of the EVIP is to ensure convenient and accessible charging; however, the Company notes that this goal must be balanced with cost considerations and best use of EVIP funds.

4. *Clarify how other sources of electric vehicle infrastructure funding, such as government grants, are accounted for in the EVIP.*

WestSmart and eMosaic were federal grants received prior to the establishment of the EVIP. These funds are tracked separately from EVIP as required by federal rules and regulations. Although the Division raises the issue, it does not recommend any specific changes to the report, instead requesting clarification from the Company. Per the terms of the Settlement Stipulation[1], the Company plans to host an annual stakeholder meeting approximately six months after the filing of the EVIP Report (early October 2023). The Company commits to discussing the treatment of government grants and other sources of funding at the next stakeholder meeting to provide clarity on the treatment of the funds to the Division and other stakeholders.

B. Office of Consumer Services

The Office recommends that the Commission acknowledge the EVIP Report as meeting the requirements. The recommendations of the Office and Company's response are provided below.

1. *Modify education and marketing materials to clarify to customers seeking rebates what equipment qualifies.*

The Office notes that over 50 percent of residential applications for charger rebates were rejected because they were for nonqualified non-open standard charges such as Tesla chargers. They recommend the Company modify the materials to be clearer to customers. The Company agrees with the Office's recommendation and will revise its marketing materials and application.

2. *Improve outreach and marketing of the EVIP program to focus on explaining the potential impact of EV adoption of the overall electric system and providing clear and accurate information about the time of day charging and time-of-use rates.*

[1] *Application of Rocky Mountain Power for Approval of Electrical Vehicle Infrastructure Program,* Docket No. 20-035-34, Settlement Stipulation, (November 17, 2021).

The Office also requests that the Company improve their education and outreach efforts to better communicate the potential impact of EV adoption on the overall electric system. The Company appreciates the Office's constructive feedback of the importance of off-peak charging and time-of-use rates. The Company agrees to refocus its efforts to highlight the significance of off-peak charging in customer communications regarding transportation electrification. To effectively convey the importance of off-peak charging, the Company will take steps to ensure that messaging reaches customers through various channels. This includes revisiting and enhancing website content, updating EVIP incentive application materials, actively participating in public engagements, as well as sponsoring events that promote transportation electrification. The Company agrees that it is important to provide clear information about off-peak charging, emphasizing the benefits for both customers and the overall electric system. Encouraging customers to take advantage of off-peak charging can optimize energy usage, reduce strain on the grid during peak periods, and ultimately contribute to a more sustainable and efficient transportation electrification program.

3. *Implement a public survey component into its EVIP educational outreach and marketing efforts to assess if messaging needs further refinement to educate customers on the purpose of off-peak vehicle charging.*

The Company also supports the Office's recommendation to develop a process to gather valuable information to assess the need for further refinement in educating customers on the purpose of off-peak vehicle charging. In particular, the Company believes the use a survey or focus group would facilitate in-depth and targeted discussions with customers. This will enable the Company to refine its messaging, ensuring that it effectively educates and informs customers about the benefits and importance of off-peak charging.

C. Western Resource Advocates and Utah Clean Energy

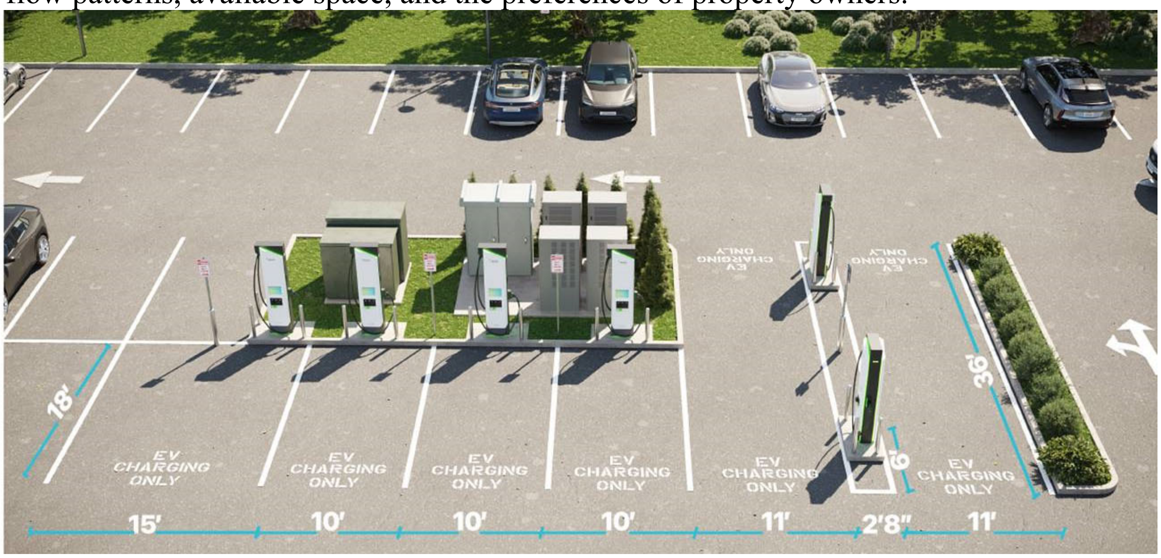
WRA/UCE filed joint comments that propose various modifications to the EVIP which are summarized and addressed below:

1. *Revise the residential rebate requirements to be inclusive of EVs from all automakers.*

As also noted by the Office, WRA/UCE highlights that 50 percent of residential rebates were rejected because they were associated with nonqualified non-open standard charges such as Tesla chargers. WRA/UCE recommends this requirement be removed to maximize the home charging available to customers and enrollment on time-of-use rates. The Company recommends the Commission reject WRA/UCE recommendation to remove the open source and interoperable requirement for incentives associated with residential chargers. Although the interoperability aspect may hold less significance for residential chargers compared to commercial ones, the open-source component remains highly relevant. It is important for the Company to retain the capability to communicate with the chargers, particularly if a demand response program is developed in the future. By opting for open-source chargers, the Company ensures flexibility and the availability of options for potential future programs. It is worth noting that the majority of electric vehicles have the capability to utilize J1772 plugs, which adhere to the SAE standard for Level 2 charging and are mandatory for receiving the incentive. Even Tesla vehicles can charge using a J1772 plug with the assistance of an adapter. Considering these factors, the Company deems it reasonable to require residential customers to utilize a standard J1772 plug that is open source, as opposed to a proprietary alternative, to be eligible for the incentive.

2. *Modify the site design to better accommodate medium to heavy duty vehicles.*

The Company notes that the layout of chargers presented in the annual report served as a generic representation for illustrative purposes only. It does not represent the exclusive site profile, as there are other possibilities. An alternative example of site design is shown in the picture below, which includes a pull-through design to accommodate larger vehicles. The final layout at each location will be determined based on site-specific parameters, including, but not limited to, proximity to power lines, gradient, ADA compliance requirements, traffic flow patterns, available space, and the preferences of property owners.



The initial sites under development are primarily designed to cater to light-duty vehicles and are not intended to support Class 8 heavy-duty vehicles. The Company anticipates that the most cumbersome barrier to site designs that accommodate larger vehicles will be preferences of the property owners as these designs require more space. However, the Company is actively collaborating with the Utah Department of Transportation to explore and develop future locations that may be capable of accommodating medium and heavy-duty vehicles. These activities are currently in the initial planning stages and require further development.

3. *Proactively market the rate differentiation benefit to the Company's customers.*

The Company agrees with WRA and UCE that the rate differentiation for Company owned chargers should be marketed to customers. The Company intends to reach out to Schedule 2E customers and customers who have applied for charger incentives to inform them about the Company-owned chargers and the process to receive the customer discount.

4. *Consider deployment of charging stations at site locations on the west side of the Interstate-15 corridor.*

The Company identified sites across the state, including rural areas, the Wasatch Front, and the west side. These potential sites were chosen based on various factors, such as proximity to interstates, availability of high-powered charging, presence of mass transit centers, concentration of multi-family dwellings, ratio of owner-occupied housing versus rentals, filling corridor gaps, proximity to destinations or special areas like national parks or universities and ensuring access throughout the entire state. The Company believes it took a measured and balanced approach in identifying potential sites.

5. *Coordinate the demand response program planning with the Demand Side Management ("DSM") Steering Committee.*

The Company agrees to include the topic in the next DSM Steering Committee meeting, which is scheduled for June 28, 2023.

6. *Enhance the EVIP Report to provide the types of locations where customers applied for and received incentives for charging infrastructure.*

The Company accepts the recommendation from WRA/UCE to include additionally categories of customers who have received awards in its annual reporting. These categories will encompass a range of use cases, including multi-family housing, business, workplace, fleet, public charging, and other relevant categories. By incorporating these categories, the Company aims to provide an accurate representation of the categories of customers who have been awarded incentives or benefits.

D. <u>ChargePoint</u>

ChargePoint's comments included recommendations which are addressed by the Company as follows.

1. *Provide monthly updates on funding availability on its website.*

The Company agrees to update its website for funding availability monthly.

2. *Modify its technical requirements to qualify for incentives to require Open Charge Point Protocol ("OCPP") Version 1.6 or later to enable operators to employ newer versions of OCPP.*

The Company confirms that chargers utilizing OCPP version 1.6 or later are eligible for incentives and will update the EVSE Information and Qualifications form.

3. *Prohibit the Company from seeking National Electric Vehicle Infrastructure ("NEVI") funding.*

ChargePoint requested that the Commission prevent the Company from seeking NEVI funding for two reasons. First, ChargePoint claims that it is inappropriate for the Company to leverage ratepayer funds to gain an advantage in competing for NEVI funds and that more charging infrastructure will be deployed if the Company is not allowed to seek NEVI funding. Second, ChargePoint states that its anticompetitive concerns are exacerbated by RMP's plans to use a single equipment and network service vendor for its Company-owned charging sites.

First, ChargePoint fails to explain how the use of rate-payer funding collected through Schedule 198 gives the Company an advantage in applying for NEVI program funds. In Utah, the NEVI Program is being administered by UDOT, which is the entity that will decide how and to whom the funding will be dispersed. The source of operating capital, whether it is from ratepayers, taxpayers (cities and state agencies are eligible), or private sources, will not play a role in their decision making. UDOT is looking for competitive proposals that consider cost, timing, reliability, and consumer impacts while meeting the Federal requirements. UDOT has contacted the Company and invited the Company to participate in the NEVI Program and apply for the funds. If the Company is selected for funding through UDOT's competitive process, then the Company will use the funds to add additional charging locations and for ongoing operation and maintenance ("O&M") costs, which benefits the Company's customers.

ChargePoint also states that the Company is authorized by the EVIP settlement to build Company owned chargers up to 25 sites. It is unclear to the Company if ChargePoint intended to claim this *limits* the Company to 25 sites, but to the extent that was the intent, the Company disagrees. There is no limit or cap on the number of Company-owned site locations.

Second, ChargePoint's expressed anticompetitive concerns because the Company is using a single equipment and network service vendor. ChargePoint does not explain how the Company selecting the winner of a competitive bid process is anticompetitive. The Company is not precluded from using a second vendor or conducting an additional Request for Proposals if it is determined that doing so is in customers' interest.

ChargePoint's recommendation that the Commission should direct the Company to not apply for NEVI funding is misguided and inappropriate and should be rejected. NEVI funding will enhance the EVIP and benefit customers. Restricting the Company from seeking this source of funds is contrary to the public interest.

RMP Recommendation

The Company recommends that the Commission acknowledge the annual report as modified in these reply comments.

Sincerely,

Joelle Steward
Senior Vice President, Regulation and Customer & Community Solutions

Enclosures

CC: Service List - Docket No. 23-035-18

Attachment A

EVIP Accounting
(calendar year 2022)

Beginning Balance	-
Ending Balance	(5,137,090)

		Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	CY 2022 Total
Revenue														
	Schedule 198	(209,627)	(399,685)	(390,238)	(363,298)	(366,076)	(449,708)	(626,527)	(686,862)	(623,545)	(462,307)	(416,963)	(473,032)	(5,467,870)
	Schedule 60	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Revenue		(209,627)	(399,685)	(390,238)	(363,298)	(366,076)	(449,708)	(626,527)	(686,862)	(623,545)	(462,307)	(416,963)	(473,032)	(5,467,870)
Expenses														
RMP Chargers														
	Program Management	-	-	-	3,032	3,725	10,319	9,694	7,822	9,894	6,699	6,095	8,600	65,879
	Marketing	-	-	-	-	-	-	-	-	-	-	-	-	-
	Partnerships	-	-	-	-	-	-	-	-	-	-	-	-	-
	Incentive Admin.	-	-	-	-	-	-	-	-	-	-	-	-	-
	O&M	-	-	-	-	-	-	-	-	-	-	-	-	-
	Network Services	-	-	-	-	-	-	-	-	-	-	-	-	-
	Property Tax	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Expense RMP Chargers		-	-	-	3,032	3,725	10,319	9,694	7,822	9,894	6,699	6,095	8,600	65,879
Make Ready														
	Charger Incentives (Rebates)	-	-	-	-	1,200	2,800	6,012	1,200	200	600	2,200	92,532	106,745
Total Expense RMP Chargers		-	-	-	-	1,200	2,800	6,012	1,200	200	600	2,200	92,532	106,745
Capital Spend														
RMP Chargers														
	Chargers	-	-	-	-	-	-	-	-	-	-	-	-	-
	Warranty	-	-	-	-	-	-	-	-	-	-	-	-	-
	Infrastructure	-	-	-	-	-	-	-	-	-	-	-	382,448	382,448
Total Expense RMP Chargers		-	-	-	-	-	-	-	-	-	-	-	382,448	382,448
Make Ready														
	Infrastructure	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Expenses		-	-	-	3,032	4,925	13,119	15,706	9,022	10,094	7,299	8,295	483,580	555,071
Balance Before Carrying Charge		(209,627)	(399,685)	(390,238)	(360,266)	(361,151)	(436,589)	(610,821)	(677,840)	(613,451)	(455,008)	(408,668)	10,547	(4,912,799)
Carrying charge		(785)	(3,073)	(6,055)	(8,912)	(11,681)	(14,757)	(18,791)	(23,759)	(28,774)	(32,992)	(36,474)	(38,238)	(224,291)
Total Balancing Account		**(210,413)**	**(402,758)**	**(396,293)**	**(369,178)**	**(372,832)**	**(451,346)**	**(629,612)**	**(701,599)**	**(642,225)**	**(488,000)**	**(445,142)**	**(27,691)**	**(5,137,090)**
Balancing Account Cummulative Balance		**(210,413)**	**(613,171)**	**(1,009,464)**	**(1,378,642)**	**(1,751,474)**	**(2,202,821)**	**(2,832,433)**	**(3,534,032)**	**(4,176,256)**	**(4,664,256)**	**(5,109,399)**	**(5,137,090)**	

CERTIFICATE OF SERVICE

Docket No. 23-035-18

I hereby certify that on May 18, 2023, a true and correct copy of the foregoing was served by electronic mail to the following:

Utah Office of Consumer Services

Michele Beck	mbeck@utah.gov
ocs@utah.gov	
Division of Public Utilities	
Madison Galt	mgalt@utah.gov
dpudatarequest@utah.gov	
UTAH CLEAN ENERGY	
Sarah Puzzo	spuzzo@utahcleanenergy.org
Kelbe Goupil	kelbe@utahcleanenergy.org
CHARGEPOINT	
Matthew Deal	matthew.deal@chargepoint.com
Rocky Mountain Power	
Data Request Response Center	datarequest@pacificorp.com
Joseph Dallas	joseph.dallas@pacificorp.com
Jana Saba	jana.saba@pacificorp.com utahdockets@pacificorp.com

Santiago Gutierrez
Coordinator, Regulatory Operations