

ORDER NO. **18 351**

ENTERED **SEP 26 2018**

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

AR 609

In the Matter of

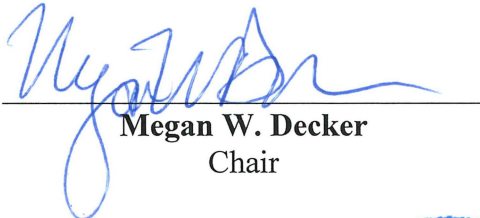
Rulemaking Regarding Transportation  
Electrification Plans.

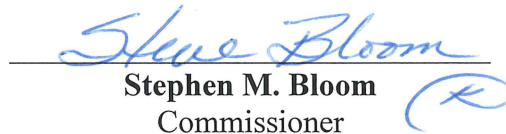
ORDER

**DISPOSITION: STAFF'S RECOMMENDATION ADOPTED**

This order memorializes our decision, made and effective at our September 25, 2018 Regular Public Meeting, to adopt Staff's recommendation in this matter. The Staff Report with the recommendation is attached as Appendix A.

Dated at Salem, Oregon, SEP 26 2018.

  
**Megan W. Decker**  
Chair

  
**Stephen M. Bloom**  
Commissioner



  
**Letha Fawney**  
Commissioner

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Circuit Court for Marion County in compliance with ORS 183.484.

ORDER NO. 18 351

ITEM NO. RM1

PUBLIC UTILITY COMMISSION OF OREGON  
STAFF REPORT  
PUBLIC MEETING DATE: September 25, 2018

REGULAR X CONSENT \_\_\_\_\_ EFFECTIVE DATE \_\_\_\_\_ N/A

DATE: September 17, 2018

TO: Public Utility Commission

FROM: Nadine Hanhan <sup>NRH</sup>  
<sub>E</sub>

THROUGH: Jason Eisdorfer and JP Batmale <sub>JPB</sub>

SUBJECT: OREGON PUBLIC UTILITY COMMISSION STAFF: (Docket No. AR 609)  
Transportation Electrification Plan Rulemaking: Motion to Begin Informal Proceedings.

**STAFF RECOMMENDATION:**

Staff recommends that the Commission open a docket to implement rules for transportation electrification plans.<sup>1</sup>

**DISCUSSION**

Issue

Whether to open a docket to implement rules for transportation electrification plans.

Applicable Rule

With the passage of SB 1547(20) (2016), the Oregon Legislature authorized Oregon's electric companies to participate in the electric vehicle (EV) market by designing and implementing Commission-approved programs that accelerate "transportation electrification," which is specifically defined in the law.<sup>2</sup> The law also mandated that the Commission direct Oregon investor-owned utilities (IOUs) to file proposals for

<sup>1</sup> Please see Docket No. AR 559, Order No. 16-447 at 3 where the Commission directed Staff to open a new docket to work with the electric companies and stakeholders to further develop the requirements for the electric companies' long-term transportation electrification plans.

<sup>2</sup> See ORS 757.357(1)(b). Transportation electrification means: "(A) The use of electricity from external sources to provide power to all or part of a vehicle," "(B) Programs related to developing the use of electricity for the purpose described in subparagraph (A) of this paragraph," and "(C) Infrastructure investments related to developing the use of electricity for the purpose described in subparagraph (A) of this paragraph."

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transportation electrification programs by December 31, 2016, and that the Commission also "direct the form and manner" of those applications.<sup>3</sup>

Consistent with the legislative direction, the Commission adopted rules for Transportation Electrification Programs in November 2016, and subsequently, transportation electrification programs were filed with the Commission by PacifiCorp, Portland General Electric (PGE), and Idaho Power in dockets UM 1810, UM 1811, and UM 1815, respectively. These programs have since been approved, subject to modifications through settlement stipulations and the Commission, and are currently in implementation phases.

Pursuant to ORS 756.060, the Commission has the authority to adopt reasonable and proper rules relative to all statutes administered by the Commission.

### Analysis

#### *Background*

In Docket No. AR 599, the transportation electrification rulemaking implementing section three of ORS 757.357, a set of rules was proposed, 860-087-0001 through 860-087-0040, for adoption by the Commission. The proposed rules would have governed the individual transportation electrification programs and transportation electrification plans to be filed by the utilities on a biennial basis. In Order No. 16-447, the Commission adopted the individual programs rules but declined to adopt the plan rules due to "lack of detail."<sup>4</sup>

The Commission saw the value in long-term transportation electrification as a means to establish context for and optimize future investments, and the Commission felt the proposed rules did not provide sufficient guidance. The Commission declined to adopt the rules as proposed and established a requirement that the electric companies eventually develop long-term transportation electrification plans. In lieu of requiring the electric companies to submit a full-scale transportation electrification plan with their initial program applications, the Commission directed Staff to open a new docket to work with utilities and stakeholders to develop the requirements for long-term transportation electrification plans.

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<sup>3</sup> ORS 757.357(3).

<sup>4</sup> See Order No. 16-447. The Commission declined to adopt proposed OAR 860-087-0020 in its entirety and related proposed OARs 860-087-0010(2), which defines "Transportation Electrification Plan," and 860-087-0030(3), which relates to programs not included in a Transportation Electrification Plan.



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The original rules pertaining to the plan were as follows:<sup>5</sup>

**860-087-0020**

**Transportation Electrification Plan**

An electric company must file a Transportation Electrification Plan.

(1) The Transportation Electrification Plan must include:

(a) Plan goals and summary of proposed Transportation Electrification Programs to meet these goals;

(b) Current condition of the transportation electrification market in the electric company's service territory;

(c) A discussion of how the Transportation Electrification Plan accelerates transportation electrification;

(d) A discussion of current market barriers;

(e) A discussion of how the Transportation Electrification Plan will stimulate innovation, competition, and customer choice;

(f) A discussion of how the Transportation Electrification Plan is expected to support electrical system efficiency and operational flexibility, including the ability of the electric company to integrate variable generating resources; and

(g) A discussion of electric company system impacts expected from implementation of the Transportation Electrification Plan and underlying programs.

(2) An electric company must file its first Transportation Electrification Plan concurrent with its first application for Transportation Electrification Programs on or before December 31, 2016.

(3) An electric company must update its Transportation Electrification Plan every two years. Transportation Electrification Plan updates are to be filed concurrently with the electric company's Smart Grid Report.

(4) The Commission will evaluate an electric company's Transportation Electrification Plan for Commission acknowledgement.

(5) The Commission may, upon assessment of resource size and system impact, direct an electric company to incorporate the Transportation Electrification Plan or certain Transportation Electrification Programs identified in an electric company's Plan into the electric company's Integrated Resource Plan.

As mentioned above, the Commission indicated that these proposed rules lacked sufficient detail and directed Staff to work with the electric companies and stakeholders to further develop the requirements for the electric companies' long-term transportation

<sup>5</sup> See AR 599 Proposed Rules. Accessible at <https://edocs.puc.state.or.us/edocs/HCB/ar599hcb152115.pdf>.

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electrification plans. Staff is therefore proposing to open a rulemaking to begin an informal process with stakeholders, to refine and improve the originally proposed plan rules. Staff anticipates holding a workshop in October to begin the informal process. This will be followed by additional workshops as deemed necessary. Staff recommends completing the rulemaking proceeding by the end of 2018 if possible.

Conclusion

In compliance with Order No. 16-447, in which the Commission determined that the originally proposed transportation electrification plan rules lacked sufficient detail, Staff recommends that the Commission open the informal stage of a rulemaking to refine and improve transportation electrification plan rules.

**PROPOSED COMMISSION MOTION:**

Open a docket to implement rules for transportation electrification plans.

AR 609 – Transportation Electrification Plan Rulemaking