



chargepoint.com

ChargePoint, Inc.

254 East Hacienda Avenue | Campbell, CA 95008 USA
+1.408.841.4500 or US toll-free +1.877.370.3802

August 23, 2021

Public Utility Commission of Oregon
Attn: Filing Center
201 High St. SE, Suite 100
Salem, OR 97308-1088

Re: Docket No. ADV 1288 – Comments in Response to Staff’s Report Regarding Pacific Power Transportation Electrification Pilot Program Proposals

Attached for electronic filing in the above-referenced matter, please find comments on behalf of ChargePoint, Inc. in response to the Public Utilities Commission of Oregon’s Staff Report regarding Pacific Power’s proposed Transportation Electrification Pilot Programs filed on August 18, 2021.

Please let me know if you have any questions.

Respectfully,

/s/ Matthew Deal

Matthew Deal
Manager, Utility Policy
ChargePoint, Inc.

cc: Eric Shierman, Senior Utility Analyst, Program Development & Resources, Energy Resources & Planning

Docket No. ADV 1288

Comments by ChargePoint, Inc.

I. Introduction and Background

ChargePoint, Inc. (ChargePoint) submits these comments to the Public Utilities Commission of Oregon (Commission) regarding the Commission Staff's (Staff) August 18, 2021 Report regarding Pacific Power's (Pacific Power or the Company) proposed portfolio of three new transportation electrification (TE) pilot programs.

On June 30, 2021 Pacific Power filed an application with the Commission for three new TE pilot programs, consisting of a Residential Charging Pilot Program, a Nonresidential Pilot Program, and an Outreach and Education Pilot Program, in Docket No. ADV 1288. The application included proposed tariff sheets which would implement these programs, with an effective date of August 11, 2021. On July 20, 2021, Pacific Power filed a request to extend the effective dates of the proposed tariff sheets to August 25, 2021, to provide additional time for public review.¹

On July 30, 2021, ChargePoint filed a petition to intervene in the docket, having a direct and substantial interest in the proceeding. On August 6, 2021 ChargePoint filed comments generally supporting Pacific Power's application and proposed some modifications to the program, including the following:

- Remove any program requirement for home chargers to run on the Open Charge Point Protocol (OCPP) platform, as an OCPP requirement is inappropriate, unnecessary and will diminish customer choice.
- Any future technical standards developed for these pilot programs be reviewed and approved by the Commission with an opportunity for stakeholder input.
- The requirements in the Residential and Nonresidential Charging Pilot programs for participants to be enrolled in a TOU rate for one year be modified to instead give participants a choice to be enrolled in either a TOU rate or a demand response (DR) program for at least one year.

On August 18, 2021, Commission Staff filed a Staff Report which recommended the Commission approve Pacific Power's application and fully evaluate the specific program elements as a part of the Company's next comprehensive TE Plan filing.

II. Comments

ChargePoint appreciates Staff's time and effort in reviewing Pacific Power's application and consideration of stakeholder positions, including support for the development of DR programs, but has concerns with some of Staff's recommendations. In summary, our comments are as follows:

¹ ChargePoint notes an apparent error on the Tenth Revision of Sheet No. INDEX-4, where the effective date is listed as August 25, 2020, instead of August 25, 2021. ChargePoint notes this for the benefit of Pacific Power and the Commission but is not the subject of our comments.

Docket No. ADV 1288

Comments by ChargePoint, Inc.

- ChargePoint disagrees with Staff’s conclusion that this is not the appropriate venue to raise specific issues regarding eligibility criteria included in the proposed TE programs, and that TE Plan dockets are the appropriate place for these issues to be raised.
- ChargePoint believes there is a disparity between Staff’s recommendation that Pacific Power provide updates to stakeholders regarding efforts for DR programs prior to the TE Plan filing and the recommendation to delay a full evaluation of program requirements until the next TE Plan.
- ChargePoint believes that Staff should reconsider allowing an OCPP requirement to be included in the program.

Different roles of TE Program applications and TE Plan filings

In its report, Staff stated that “the TE Plan dockets are the better place to raise specific problems about a particular eligibility status or general changes in eligibility criteria” and “If Pacific Power’s pilots are allowed to move forward, the eligibility of EVSE can be amended during the course of the pilot’s three-year length, beginning with TE Plan in June 2022.”²

OAR 860-087-0030 details the TE Program application requirements which must be submitted for Commission approval. These requirements include “Program elements, objectives, timeline, and expected outcomes.”³ OAR 860-087-0020 describes the requirements for Utility TE Plans filed in Oregon; specifically, it states that TE Plans must include “A summary of the electric company’s transportation electrification program(s) and future transportation electrification concepts and actions in its Oregon service territory. The TE Plan must incorporate project learnings and any other relevant information gathered from other transportation electrification infrastructure investments, programs, and actions to ensure that lessons learned are carried forward.”⁴

It is ChargePoint’s understanding that TE program elements, including program structure and eligibility requirements, are initially evaluated and approved through the TE program application process, and then reassessed during review of the TE Plans to determine if any changes need to be made to the program through project learnings. As the initial evaluation and approval, including potential modifications, of the program structure and elements takes place during the TE application process, not during the comprehensive evaluation of the TE Plan, ChargePoint believes that a utility’s initial application for TE programs is the appropriate venue to flag potential issues with programmatic design, and make any necessary revisions to the proposal prior to its approval. By delaying an evaluation of the programmatic design until after the TE programs go into effect (which could be up to three years, depending on the timing of the program filing within the three-year planning cycle), the Commission risks approving a program that has flaws in its design that could render it less effective. Such a process also creates the

² See p. 8 of the Public Utility Commission Staff Report filed on August 18, 2021, in Docket No. ADV 1288.

³ See OAR 860-087-0030(1)(a)(A).

⁴ See OAR-087-0020(3)(b)

Docket No. ADV 1288

Comments by ChargePoint, Inc.

potential to expose ratepayers, the utility, and private market participants to unnecessary harm by not fully evaluating the details of a program prior to its approval and implementation.

Disparity between Staff's recommendations for DR programs and eligibility requirements

In its report Staff supported ChargePoint's recommendation that Pacific Power offer DR options to participants in the TE pilot programs, and recommended that Pacific Power "provide a concrete update to stakeholders for integrating EV charging with DR before filing a new TE Plan in June 2022."⁵

ChargePoint appreciates Staff's consideration of our comments and support for our recommendation. However, Staff's recommendation would in principle constitute an alteration of Pacific Power's proposed TE programs prior to the filing of Pacific Power's next TE Plan. Accordingly, this recommendation is seemingly in opposition to Staff's conclusion that this is not the appropriate venue to modify the requirements for the proposed TE programs. ChargePoint supports Staff's recommendation regarding DR programs, and believes it substantiates our position that this is the appropriate venue and time to consider and adopt modifications to proposed TE programs, namely; prior to program implementation.

Staff should reconsider the implication of allowing an OCPP requirement from the outset of the program

ChargePoint remains concerned by the potential requirement for charging stations to run on the Open Charge Point Protocol (OCPP) and reiterates our recommendation to remove any requirement for participating charging stations to run on the OCPP platform. As stated in our initial comments, OCPP is a voluntary communication protocol that supports a limited set of network management functionality, and has not been adopted or approved by any international or national standards organization. Accordingly, the inclusion of an OCPP requirement is inappropriate. Further, ChargePoint noted examples of utility rebate programs for other "smart technologies" that do not mandate interoperability or communication protocol requirements (e.g., smart thermostats and smart water heaters). ChargePoint's primary concerns with an OCPP requirement are that it would limit the flexibility for charging companies to provide certain features (e.g., consumer-facing and security features) and disqualify many home chargers currently on the market from inclusion in the program, unnecessarily limiting ratepayer choice and negatively impacting competition in the EV market. Such a result directly contradicts the requirements of ORS 757.357(4), which in part requires the Commission to consider whether a proposed transportation electrification is "reasonably expected to stimulate innovation, competition, and customer choice in electric vehicle charging and related infrastructure and services."⁶

⁵ See p. 10 of the Public Utility Commission Staff Report filed on August 18, 2021, in Docket No. ADV 1288.

⁶ See p. 2 of the Public Utility Commission Staff Report filed on August 18, 2021, in Docket No. ADV 1288.

Docket No. ADV 1288*Comments by ChargePoint, Inc.*

Staff agreed that our concerns are valid, stating “stifling competition among manufacturers is a valid point for ChargePoint to raise as the market continues to mature and grow.”⁷ However, Staff’s recommendation would allow the proposed TE programs move forward without any consideration of modifications until the filing of Pacific Power’s next TE Plan. ChargePoint strongly disagrees with Staff’s recommendation and believes that Staff should reconsider the implications of allowing an OCPP requirement to be implemented from the outset of the program. Additionally, Staff provides no justification for supporting requirements that could potentially “stifle competition” to the detriment of ratepayers and EV market participants, such as ChargePoint. Finally, ChargePoint reaffirms its belief that this is the appropriate venue to consider modifications to proposed TE programs proposed by Commission Staff or stakeholders, including eligibility requirements for participating technology; and recommends that the Commission direct Pacific Power to remove any requirement for OCPP compliance prior to Commission approval.

Alternatively, if the Commission believes that the TE Plan docket is the appropriate venue to consider a potential OCPP requirement, then it should direct Pacific Power not to implement such a requirement in its programs until the proposal can be fully vetted in the TE Plan docket.

III. Conclusion

ChargePoint believes this is the appropriate venue to consider modifications to proposed TE programs prior to program implementation, and urges the Commission and Pacific Power to collaborate with stakeholders to fully consider stakeholder comments during the initial application and approval process of TE programs in an effort to develop and implement TE programs that are as robust and effective as possible from the outset of the program. Accordingly, ChargePoint continues to recommend that any requirement for charging stations to be OCPP compliant be removed from the TE program proposal prior to Commission approval. Neither Pacific Power nor Staff have provided any justification for supporting an OCPP requirement.

ChargePoint appreciates the opportunity to provide these comments. We look forward to continuing to work with the Commission and Pacific Power to develop effective TE programs to help achieve Oregon’s energy, environmental, transportation, and economic development goals by reducing barriers to sustainable and scalable growth in the competitive EV charging market.

⁷ See p. 8 of the Public Utility Commission Staff Report filed on August 18, 2021, in Docket No. ADV 1288.