

February 12, 2019

VIA ELECTRONIC FILING

Public Utility Commission of Oregon
201 High Street SE, Suite 100
Salem, OR 97301-3398

Attn: Filing Center

Re: AR 609 Transportation Electrification Plan – PacifiCorp’s Comments

On December 21, 2018, the Public Utility Commission of Oregon (Commission) issued a Notice of Proposed Rulemaking (Notice), requesting comments on draft rules related to Transportation Electrification Plans. PacifiCorp d/b/a Pacific Power has previously submitted comments on November 2, 2018 in the informal phase of this docket. PacifiCorp appreciates that Staff and the Administrative Hearings Division (AHD) have incorporated many of the edits suggested by the company, and now provides comments on the proposed rules that have been provided by the AHD. In addition, to the comments below, PacifiCorp has also attached a set of redlines to the proposed rules.

PacifiCorp looks forward to continuing to engage with the Commission and other stakeholders to finalize draft rules that ensure transparency and adequate review without compromising the interests of customers.

COMMENTS ON PROPOSED RULEMAKING

Attached to this are redlines to the proposed rules that have been recently provided by Staff. The comments below provide some explanation and additional information for PacifiCorp’s edits:

Subsection 2(a) and (b)

The proposed rules use approval to describe a process that does not include any determination on prudence or a determination on the individual actions in the plan. PacifiCorp suggest changing this from approval to acceptance to reflect that the Commission is simply certifying that the Transportation Electrification (TE) Plan meets the criteria in these rules.

Proposed Edits to subsection (2):

(2) An electric company must file for Commission ~~approval~~ acceptance of a TE Plan.

(a) As used in this rule, "~~approval~~ acceptance" means the Commission finds that the TE Plan meets the criteria and requirements of this rule and does not constitute a determination on the prudence of the individual actions discussed in the TE plan. Conversely, lack of approval acceptance means that the TE Plan does not meet the criteria or requirements of the rule.

(b) An electric company must file for Commission ~~approval~~ acceptance of its TE Plan within two years of its previous TE Plan approval acceptance order or as otherwise directed by the Commission.

PacifiCorp additionally requests that the Commission direct the utilities to file the first plan six-months after the adoption of this rule. This will allow sufficient time for the utilities to develop the first iteration of the TE plan consistent with the requirements of these rules.

Subsection 3(a)(G)

While PacifiCorp supports the inclusion of a discussion of distribution system impacts in the TE plan, a section on the “Current Condition of the transportation electrification market” is not the appropriate place to include this discussion.

Proposed Edits to subsection 3(a)(G):

- (3) *The TE Plan must include:*
- (a) *Current condition of the transportation electrification market in the electric company's Oregon service territory, including, but not limited to:*
 - (A) *A discussion of existing state policies and programs;*
 - (B) *Market barriers, which may include charging station development and electric vehicle adoption;*
 - (C) *Existing data on the availability of charging stations;*
 - (D) *Number of electric vehicles of various sizes in the utility service territory and projected number of vehicles in the next five years;*
 - (E) *Other transportation electrification infrastructure, if applicable;*
 - (F) *Charging and vehicle technology updates;* ~~and~~
 - ~~(G) *Distribution system impacts;*~~

Subsection 3(d)

PacifiCorp recommends edits to remove the examples of the supporting data and analysis that is required to be provided with the TE Plan. Including examples is unnecessary and proscriptive, simply requiring the supporting data and analysis is sufficient for an electric company to provide the necessary information.

Proposed Edits to subsection 3(d):

- (d) *The supporting data and analysis used to develop the TE Plan, ~~which may be derived from elements such as review of costs and benefits; rate design; energy use and consumption; overlap with other utility programs, and customer and electric vehicle user engagement~~*

Subsection 3(e)

PacifiCorp recommends edits to remove subsection 3(e) in its entirety. The appropriate time to address the impact on the competitive market is in the proposal of specific programs. This would be consistent with OAR 860-087-0030, which requires an assessment of the current condition of the transportation electrification market the impact of a specific program on that market.

Proposed Edits to subsection 3(e)

- ~~(e) *A discussion of the electric company's potential impact on the competitive electric vehicle supply equipment market, including consideration of alternative infrastructure*~~

~~*ownership and business models, and identification of a sustainable role for the electric company in the transportation electrification market;*~~

CONCLUSION

PacifiCorp appreciates the incorporation of many of its suggested edits in these proposed rules, and the Commission's commitment to working with stakeholders. PacifiCorp understands that this is an iterative process and will continue to be actively engaged as this process continues.

Please contact me at (503) 813-5701 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Etta Lockey', with a long horizontal flourish extending to the right.

Etta Lockey
Vice President, Regulation

Proposed Redlines

OAR 860-087-0020

Transportation Electrification Plan
PacifiCorp's Edits to the Proposed Rules

860-087-0020

Transportation Electrification Plan

- (1) This rule prescribes the required elements of an electric company's Transportation Electrification Plan (TE Plan), which contains the electric company's long-term strategy to accelerate transportation electrification in its Oregon service territory. The objective of the TE Plan is to:
 - (a) Integrate all of the electric company's TE actions into one document. This includes, but is not limited to, analyzing the electric company's portfolio of near-term and long-term transportation electrification actions, including approved program(s), future transportation electrification actions, and other transportation electrification actions such as Clean Fuels programs.
 - (b) Identify a portfolio of actions, which may include investments and infrastructure for electric vehicles of various sizes, rate design, programs, and services, reasonably expected to accelerate transportation electrification in an effective and efficient manner. The TE Plan should seek to address areas most hampered by market barriers in the electric company's service territory and to provide benefits for traditionally underserved communities.
- (2) An electric company must file for Commission ~~approval~~acceptance of a TE Plan.
 - (a) As used in this rule, "~~approval~~acceptance" means the Commission finds that the TE Plan meets the criteria and requirements of this rule and does not constitute a determination on the prudence of the individual actions discussed in the TE plan. Conversely, lack of ~~approval~~acceptance means that the TE Plan does not meet the criteria or requirements of the rule.
 - (b) An electric company must file for Commission ~~approval~~acceptance of its TE Plan within two years of its previous TE Plan ~~approval~~acceptance order or as otherwise directed by the Commission.
 - (c) The electric company must present its TE Plan to the Commission at a public meeting prior to the deadline for written public comment.
 - (d) The Commission staff will work with parties to propose a schedule for review of the TE Plan after it is filed. The schedule will be adopted by an administrative law judge and will provide an opportunity for written comments by Commission staff and stakeholders, and reply comments by the electric company.
 - (e) Commission staff will present its recommendation on the electric Company's TE plan at a public meeting. The Commission will also consider comments and recommendations on an electric company's TE Plan at the public meeting before issuing an order on ~~approval~~acceptance. The Commission may provide direction to an electric company regarding any additional analyses or actions that the electric company should undertake in its next TE Plan.

- (f) An electric company is not prohibited from proposing transportation electrification programs at any time.
- (3) The TE Plan must include:
- (a) Current condition of the transportation electrification market in the electric company's Oregon service territory, including, but not limited to:
 - (A) A discussion of existing state policies and programs;
 - (B) Market barriers, which may include charging station development and electric vehicle adoption;
 - (C) Existing data on the availability of charging stations;
 - (D) Number of electric vehicles of various sizes in the utility service territory and projected number of vehicles in the next five years;
 - (E) Other transportation electrification infrastructure, if applicable;
 - (F) Charging and vehicle technology updates;~~,-and~~
 - (b) ~~Distribution system impacts;~~ A summary of the electric company's approved transportation electrification program(s) and potential 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 earned are carried forward;
 - (c) A discussion of how the utility's TE Plan, ~~investments, programs, and actions are~~ is expected to accelerate transportation electrification, addresses barriers to adoption, and extend access to traditionally underserved communities;
 - (d) The supporting data and analysis used to develop the TE Plan; ~~which may be derived from elements such as review of costs and benefits; rate design; energy use and consumption; overlap with other utility programs , and customer and electric vehicle user engagement~~
 - (e) ~~A discussion of the electric company's potential impact on the competitive electric vehicle supply equipment market, including consideration of alternative infrastructure ownership and business models, and identification of a sustainable role for the electric company in the transportation electrification market;~~ A discussion of current and anticipated electric company system impacts resulting from increased transportation electrification ~~and the electric company's portfolio of actions~~, and how the TE Plan is designed to address these system impacts.
 - (f) A discussion of how ~~programs and concepts in~~ the TE Plan relates to the carbon reduction goals of the Clean Fuels Program and other state programs, including expected greenhouse gas emission reductions based on publicly available metrics.
- (4) The Commission may direct an electric company to incorporate the TEP an into other electric company planning documents.