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ChargePoint, Inc.

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April 18, 2022

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

Re: Docket No. AR 654 – Division 87 TE Rulemaking

Attached for electronic filing in the above-referenced matter, please find comments on behalf of ChargePoint, Inc. in response to Staff's second draft of proposed revisions to Division 87 Transportation Electrification rules, filed on April 8, 2022.

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) and Sarah Hall (Program Manager), Program Development & Resources, Energy Resources & Planning

Docket No. AR 654

Comments by ChargePoint, Inc.

I. Introduction

ChargePoint, Inc. (ChargePoint) submits these comments to the Oregon Public Utilities Commission (Commission) regarding Staff's second draft of proposed revisions to Division 87 Transportation Electrification (TE) rules, filed on April 8, 2022, in Docket No. AR 654.

ChargePoint appreciates Staff's continued efforts in drafting the proposed Division 87 revisions and for providing this venue for stakeholders to participate in discussions surrounding the proposed rules. As a participant in developing utility electric vehicle (EV) programs in many jurisdictions, ChargePoint believes that stakeholder discussions are an important part of the process and help to develop robust TE Plans. ChargePoint respectfully offers these comments intended to strengthen the Division 87 TE rules, with the ultimate goal of encouraging greater adoption of EVs and ensuring a healthy and competitive market for EV charging services in Oregon.

In summary, our comments are as follows:

- ChargePoint broadly supports Staff's second draft of the revised Division 87 rules.
- ChargePoint suggests that subsections 860-870-0020(4)(a)(A)(xi) and (xii) be removed from the Division 87 rules, as the topics covered by those subsections can be addressed in the broader discussion of program technical requirements encompassed in subsection 860-870-0020(4)(a)(I).
- Consider the adoption of a reliability or uptime standard in a deliberate and evidenced-based manner.

II. Comments Regarding Proposed Revisions to Division 87 TE Rules

ChargePoint appreciates the collaborative efforts of Staff and the other stakeholders to revise the Division 87 rules in order to provide an effective framework for utility TE efforts within Oregon. ChargePoint has reviewed the changes included in Staff's second draft of the revised Division 87 rules and broadly supports the proposed rules with the minor modifications discussed below.

Definition of Material Changes

Subsection 860-087-0020(2)(f) describes the scenarios in which a utility can file for a TE Plan update in-between the three-year TE Plan filings. The current draft states that TE Plan update filings are required for approval of "Material Changes", which is defined in the draft rule as:

- 1) New TE program or infrastructure measure applications that are funded by ratepayers; and
- 2) TE Budget changes that increase the ratepayer expenditures of the approved TE Budget.

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ChargePoint suggests that “Material Changes” also include modifications to existing programs that have been previously approved by the Commission. This would provide the utilities the flexibility to course-correct programs in-between TE Plan filings to address unanticipated issues that may emerge during program implementation. Importantly, the process included in the draft rules would provide all parties an opportunity to participate and provide comment on any proposed modifications.

Streamlining Filing Requirements

ChargePoint suggests that subsections 860-870-0020(4)(a)(A)(xi) and (xii) be removed from the Division 87 rules. The topics covered in those subsections (e.g., interoperability and national standards for measurement and communications) can be addressed in the broader discussion of program technical requirements encompassed in subsection 860-870-0020(4)(a)(I). Further, it is appropriate to remove 860-870-0020(4)(a)(A)(xi) and (xii) as those topics will likely inform technical standards included in the TE programs and can be incorporated as subcategories within the discussion for subsection 860-870-0020(4)(a)(I). ChargePoint believes this would streamline the requirements and prevent duplicative discussion within the filings.

Uptime Requirements

ChargePoint supports requirements to ensure that EV chargers installed in utility programs are reliable and remain available for use by EV drivers. Reliability of EV charging infrastructure is important for today’s drivers as well as to support increased consumer adoption of EVs. ChargePoint is generally supportive of an uptime requirement. However, if the Commission determines that a reliability or uptime standard is appropriate, it should ensure that the standard is developed in a deliberate and evidence-based manner. ChargePoint supports further exploration of the capabilities of charging stations and ancillary components (i.e. cellular network reliability) necessary to offer EV charging services. After understanding these capabilities, possibly through a workshop process, the establishment of an uptime requirement would be appropriate. The establishment of an uptime requirement should not take place without thorough discussion and deliberation and should be carefully designed, with input from all interested stakeholders, not left to the sole discretion of the utility.

As a starting point, ChargePoint recommends that uptime should be calculated on an annual basis, measured for each EV charging dispenser. We believe aligning uptime requirements to the calendar year streamlines calculations and reporting. It is not practical to report uptime based on a 12-month period starting with each individual dispenser’s activation date.

Additionally, the owner and operator of the charging station should have ultimate responsibility for both reporting and compliance with any standards. Charging network, hardware, and operations and maintenance providers all can assist in providing information to the owner, and in some instances may be able to assume this responsibility. However, ultimate responsibility should rest with the owner of the station.

III. Conclusion

ChargePoint appreciates Staff's continued efforts in drafting the Division 87 revisions and the opportunity to provide these comments. We look forward to continuing to work with the Commission, utilities, and other stakeholders to develop a clear and transparent process for utility TE Plans and 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.

Respectfully submitted,

/s/ Matthew Deal

Matthew Deal
Manager, Utility Policy
ChargePoint, Inc.