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March 17, 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 proposed revisions to Division 87 Transportation Electrification rules, filed on March 3, 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 proposed revisions to Division 87 Transportation Electrification (TE) rules, filed on March 3, 2022, in Docket No. AR 654.

ChargePoint appreciates the Staff's 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 recommends modifying the proposed TE Plan timeline to require utilities file a plan every three years, rather than every two years.
- ChargePoint recommends requiring the utilities to file annual TE Plan reports.
- ChargePoint recommends adding an additional subsection to 860-087-0020 (8)(a). This subsection would require utilities to include a description of the program requirements with the program application - including any proposed technical requirements - that will be imposed on participating technology or customers.
- ChargePoint recommends the addition of a new subsection to 860-087-0030 (1)(a) which would require utilities to include an analysis of how its TE Plan has impacted innovation, competition, and customer choice within Oregon.
- ChargePoint recommends modifying subsection 860-087-0030(1)(a)(E) to correct an apparent error.

II. Comments Regarding Proposed Revisions to Division 87 TE Rules

With respect to Staff's proposed Division 87 rule revisions filed in Docket No. AR 654 on March 3, 2022, ChargePoint offers the following comments:

Proposed TE Plan Timeline

ChargePoint recommends modifying the proposed TE Plan timeline to require utilities file a plan every three years, rather than every two years. ChargePoint is concerned that a two-year plan timeline, considering the proposed TE Plan reports and the possibility of additional plan updates filed in-between TE Plans, would result in too many concurrent filings at any given time. If modifications to the TE Plans are deemed necessary in-between plan filings, the utilities still retain the option to file a plan update, allowing for flexibility. Additionally, ChargePoint recommends requiring the utilities to file annual TE Plan reports. Annual reports would provide timely updates to the Commission and stakeholders regarding the TE Plans and would provide

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necessary context for any plan update filings that occur in-between TE Plans.

Accordingly, ChargePoint recommends the following modifications to the Proposed Rules:

860-087-0020 (2)(b):

(b) An electric company must file for Commission acceptance of its TE Plan by May 1 every ~~two~~ three years after the previous TE Plan acceptance order or as otherwise directed by the Commission.

ChargePoint notes that language in 860-087-0020 (3)(b), (3)(g) and (6)(a) would also need to be modified to reflect the new three-year timeline.

860-087-0030 (1):

TE Plan filings, utilities must file a Transportation Electrification Plan Report annually, prior to filings its next ~~TE~~ plan during TE Plan filing years, ~~and~~ that summarizes the performance of its the TE Plan since the acceptance of its last plan.

ChargePoint notes that language in 860-087-0030 (1)(a)(A), (B), (C), (F), and (G) would also need to be modified to reflect the new annual reporting timeline.

Proposed Rules 860-087-0020 (8)(a)

ChargePoint recommends adding two additional subsections to 860-087-0020 (8)(a). These subsections would require utilities to include a description of the program requirements with the program application - including any proposed technical requirements - that will be required for customers and/or technology to participate in the utility program, and any data the utilities propose to collect from participants through the program.¹ This would allow the Commission and stakeholders to comprehensively review any proposed requirements for participation in a program during the initial approval process, prior to program implementation. Accordingly, ChargePoint recommends the addition of the following subsections under 860-087-0020 (8)(a):

(xiv) A description of the program requirements including any proposed technical requirements that would be imposed on participating customers and/or technology; including proposed requirements for Electric Vehicle Supply Equipment hardware or software.

(xv) A description of the data that would be collected from participants through the program and the intended use of the collected data.

Proposed Rules 860-087-0030 (1)(a)

¹ This would include any proposed requirements on hardware or software/network of the Electric Vehicle Supply Equipment (EVSE).

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ChargePoint recommends the addition of a new subsection which would require utilities to include an analysis of how its TE Plan has impacted innovation, competition, and customer choice within Oregon. This aligns with the directives included in HB 2165 which states that “Widespread transportation electrification should stimulate innovation and competition, provide consumers with increased options in the use of charging equipment and in procuring services from suppliers of electricity, attract private capital investments and create high quality jobs in this state.”² ChargePoint believes that including this analysis within the TE Plan reporting requirements is essential to ensure that the TE Plans are supporting the goals outlined within HB 2165. ChargePoint recommends the addition of the following subsection under 860-087-0030 (1)(a):

(H) An analysis of the impact of the TE Plan on innovation, competition, and customer choice within the Oregon EV charging market.

Finally, ChargePoint would like to point out an apparent error in subsection 860-087-0030(1)(a)(E). It appears the proposed language refers to the wrong section within 860-087-0020. Accordingly, ChargePoint recommends the following modifications to subsection 860-087-0030(1)(a)(E):

(E) A discussion of how the TE Plan portfolio met the performance area categories described in Section 860-087-0020 (3)(~~c~~)(A)-(~~G~~ H) in this rule, and key lessons learned;

III. Conclusion

ChargePoint appreciates Staff’s efforts in drafting the proposed 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.

² See Section 4 of Oregon House Bill 2165.