

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
SURREBUTTAL TESTIMONY OF

DANITA PARK

ON BEHALF OF THE
RETAIL ENERGY SUPPLY ASSOCIATION
AND NRG ENERGY, INC.

Docket No. R-2021-3023618

UGI Utilities, Inc. – Electric Division
2021 Base Rate Proceeding

TOPIC:

Electric Vehicle Program

June 10, 2021

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1 **I. INTRODUCTION**

2 **Q. PLEASE STATE YOUR NAME AND TITLE.**

3 A. My name is Danita Park. I am employed by NRG Energy, Inc. (“NRG”) and serve as
4 Director, Electric Vehicle and Commercial Development.

5 **Q. HAVE YOU PREVIOUSLY PROVIDED TESTIMONY IN THIS PROCEEDING?**

6 A. Yes. On May 3, 2021, I submitted direct testimony on behalf of the Retail Energy
7 Supply Association (“RESA”)¹ and NRG Energy, Inc.² marked as RESA/NRG Statement
8 No. 2. The direct testimony was accompanied by five (5) exhibits marked as Exhibit DP-
9 1 through DP-5. I also submitted rebuttal testimony on behalf of RESA and NRG
10 marked as RESA/NRG Statement No. 2-R. The rebuttal testimony was accompanied by
11 one (1) exhibit marked as Exhibit DP-6. My direct and rebuttal testimony was revised on
12 June 7, 2021.

13 **Q. WHAT IS THE PURPOSE OF YOUR SURREBUTTAL TESTIMONY?**

14 A. The purpose of my surrebuttal testimony is to respond to the testimony of certain parties
15 who submitted rebuttal testimony in this proceeding. In broad terms, my surrebuttal
16 testimony addresses issues regarding UGI Utilities, Inc. – Electric Division’s (“UGI
17 Electric” or “Company”) proposed Electric Vehicle (“EV”) Program. I respond to the

¹ The comments expressed in this filing represent the position of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

² NRG’s license retail supply companies include: Reliant Energy Northeast LLC d/b/a NRG Home/NRG Business A-2010-2192350; Green Mountain Energy Company A-2011-2229050; Energy Plus Holdings LLC A-2009-2139745; XOOM Energy New Jersey, LLC A-2012-2283821; Stream Energy New Jersey, LLC A-2010-2181867; Direct Energy Services, LLC A-110164; Direct Energy Business, LLC A-110025; Direct Energy Business Marketing, LLC A-2013-2368464; and Gateway Energy Services Corporation A-2009-2137275.

1 rebuttal testimony on behalf of UGI Electric, Inc. by Eric Sorber and John Taylor (UGI
2 Electric Statement Nos. 3-R and 6-R) and ChargePoint, Inc. (“ChargePoint”) by Matthew
3 Deal (ChargePoint Statement No. 2). If I do not address each and every issue or
4 argument in the testimony of a witness, it does not imply agreement with those issues or
5 arguments.

6 **II. RESPONSE TO REBUTTAL TESTIMONY OF UGI ELECTRIC WITNESSES**
7 **ERIC SORBER AND JOHN TAYLOR**

8 **Q. DOES UGI ELECTRIC NEED TO OWN CHARGING STATIONS TO GAIN**
9 **INFORMATION ON SYSTEM IMPACTS STEMMING FROM EV CHARGING**
10 **STATIONS (UGI ELECTRIC STATEMENT NO. 3-R AT 35; UGI ELECTRIC**
11 **STATEMENT NO. 6-R AT 62))?**

12 A. No. UGI Electric does not need to own and operate EV charging stations to gain
13 information about the distribution system impact of EV charging stations. For planning
14 purposes, UGI Electric can gain information about distribution system impacts from other
15 electric distribution companies in the Commonwealth that have experience with third-
16 party ownership of public EV charging stations in their service territories. UGI Electric
17 can also gain this information from reading technical fast charging specifications
18 available from companies that sell charging hardware and network, such as ChargePoint,
19 or requesting a sample load shape. In addition, UGI Electric assesses new service
20 requests and estimates impact to the system based on the intended use of service (UGI
21 Electric Service Tariff - Pa. P.U.C. No. 6 at Original Page 8). It is disingenuous for UGI
22 Electric to claim that it needs to own EV charging stations to gain information on system
23 impacts from EV charging stations. UGI Electric can make the necessary plans for its
24 system as the competitive market for charging stations evolves.

1 **Q. PLEASE RESPOND TO UGI ELECTRIC’S TESTIMONY ON CHARGING**
2 **STATION AVAILABILITY IN ITS SERVICE TERRITORY. (UGI ELECTRIC**
3 **STATEMENT NO. 3-R AT 36).**

4 A. As indicated in my revised direct testimony, an evaluation of charging station location
5 applications such as PlugShare, EVgo, ChargePoint and ChargeHub reflects that there are
6 numerous publicly-available EV charging stations surrounding and near the edge of UGI
7 Electric’s service territory. (RESA/NRG Revised Statement No. 2 at 18). As Witness
8 Sorber identified, several Level 2 stations are located within PPL Electric Utilities
9 Corporation’s service territory, which shares a boundary with UGI Electric. (UGI
10 Electric Statement No. 3-R at 36).

11 **Q. IS UGI ELECTRIC’S CLAIM THAT THERE ARE NO CHARGING PORTS IN**
12 **ITS SERVICE TERRITORY REASON ENOUGH TO JUSTIFY ITS**
13 **INVOLVEMENT IN THE COMPETITIVE EV CHARGING MARKET (UGI**
14 **ELECTRIC STATEMENT NO. 3-R AT 36 AND STATEMENT NO. 6-R AT 59)?**

15 A. No. The siting of public EV charging stations should not be driven by utility boundaries,
16 which EV drivers do not take into account when deciding where to charge their EVs.
17 There are numerous publicly-available EV charging stations surrounding and near the
18 edge of UGI Electric’s service territory. UGI Electric provides electric distribution
19 service to approximately 62,000 customers in a portion of Luzerne County and a small
20 portion of Wyoming County. UGI Electric reflected in discovery that, as of September
21 30, 2020, 260 EVs were registered in Luzerne County, PA and 23 EVs were registered in
22 Wyoming County. (RESA/NRG Exhibit DP-7, UGI Electric Response to OSBA Set I,
23 No. 14). Assuming that UGI Electric serves 283 customers that own EVs (which is likely
24 a higher than actual figure since UGI only serves a portion of Luzerne County and
25 Wyoming County), only roughly 0.45% of its customers own EVs. The market is clearly
26 meeting the charging needs for these customers – either at home or on the go via the

1 existing nearby infrastructure. The market has demonstrated an ability to exceed
2 customer demand. UGI Electric has not shown that there is a need for the proposed
3 investment.

4 **Q. MR. SORBER CLAIMS THAT YOUR CONCERN THAT UGI ELECTRIC**
5 **“SHOULD NOT INCLUDE TIME-OF-USE RATES WHICH ARE PRODUCT**
6 **OFFERINGS BEST SUITED TO THE COMPETITIVE MARKET” IS MOOT.**
7 **(UGI ELECTRIC STATEMENT NO. 3-R AT 37; RESA/NRG STATEMENT NO. 2**
8 **AT 17-18). DO YOU AGREE?**

9 A. No. In discovery, UGI Electric indicated that it “is working with ChargePoint to evaluate
10 related pricing criteria and factors which may vary with time of use.” (see RESA/NRG
11 Exhibit DP-3, UGI Electric Response to RESA and NRG Set I, No. 12). UGI Electric
12 has proposed to own and operate three EV charging stations and to charge through Rate
13 EV-C a maximum rate of \$0.50/kWh charged to EV operators at UGI-owned public EV
14 charging stations. Pursuant to Rate EV-C, UGI Electric could presumably charge a time-
15 of-use rate that falls below the maximum rate of \$0.50/kWh. As indicated in my direct
16 testimony, time-of-use rates are best offered by the competitive market. (RESA/NRG
17 Revised Statement No. 2 at 17). If UGI Electric’s proposal to own and operate three EV
18 charging stations (which I oppose) is approved by the Commission, UGI Electric should
19 be required to solicit competitive retail suppliers to offer time-of-use rates to customers
20 who charge at those stations.

21 **Q. HOW DOES UGI ELECTRIC RESPOND TO CHARGEPOINT’S PROPOSAL TO**
22 **ALLOW SITE HOSTS TO ESTABLISH PRICES AND PRICING POLICIES FOR**
23 **UGI-OWNED PUBLIC EV CHARGING STATIONS?**

24 A. UGI Electric Witness Sorber indicates that the Company is “willing to provide the site
25 host pricing flexibility, provided that the site host reimburses the Company an equivalent
26 revenue amount it otherwise would have received during each charging session.” UGI
27 Electric would credit back the same amount of revenue to its customers that they

1 otherwise would realize by charging market rates for the charging sessions. (UGI
2 Electric Statement No. 3-R at 39).

3 **Q. HOW DO YOU RESPOND?**

4 A. UGI Electric’s willingness to provide the site host pricing flexibility does not alleviate
5 my concerns that UGI Electric’s ownership of the EV charging stations will create an
6 unfair competitive advantage and negatively impact the competitive market.

7 **Q. UGI ELECTRIC WITNESS SORBER INDICATES THAT HE IS NOT AWARE**
8 **OF A TIME WHEN THE COMPANY HAS BEEN CONTACTED BY AN**
9 **INTERESTED COMPETITIVE MARKET PARTICIPANT REGARDING EV**
10 **STATIONS. (UGI ELECTRIC STATEMENT NO. 3-R AT 41). DOES THIS**
11 **SUPPORT THE POSITION IN YOUR DIRECT TESTIMONY THAT UGI**
12 **ELECTRIC HAS NOT DEMONSTRATED NEED FOR THE PROPOSED EV**
13 **CHARGING STATIONS?**

14 A. Yes, as indicated in my Direct Testimony, there is no need for utility intervention in the
15 competitive EV charging market. (RESA/NRG Revised Statement No. 2 at 7).
16 Participants in the competitive market have already built 1,596 Level 2 charging stations
17 and another 324 DC fast charging stations in the Commonwealth. There are already
18 more charging ports than necessary to support the EVs in Pennsylvania. (RESA/NRG
19 Revised Statement No. 2 at 10, 11, 22-23). The competitive market is designed to fulfill
20 the needs of consumers. With numerous publicly-available EV charging stations
21 surrounding and near the edge of UGI Electric’s service territory, it does not appear that
22 additional charging stations are needed in this part of the Commonwealth at this time and
23 I anticipate the trend of pre-emptive building by the EV charging market to continue into
24 the future.

25 **Q. MR. SORBER CLAIMS THAT YOUR TESTIMONY THAT ITS MAKE-READY**
26 **PROPOSAL IS NOT COMPETITIVELY NEUTRAL CONTRADICTS**

1 **CHARGEPOINT WITNESS DEAL’S TESTIMONY. (UGI ELECTRIC**
2 **STATEMENT NO. 3-R AT 42). DO YOU AGREE?**

3 A. No. UGI Electric Witness Sorber claims that my testimony concluding UGI Electric’s
4 make-ready proposal is not competitively neutral contradicts Mr. Deal’s testimony that
5 the proposal will allow site hosts “to choose the EV charging equipment and network
6 service provider that best meets their needs, which supports the existing competitive
7 market for EV charging station hardware and network services.” (UGI Electric
8 Statement No. 3-R at 42; ChargePoint Statement No. 1 at 5). Mr. Sorber is focusing on a
9 component of the EV charging competitive market – the hardware and network service
10 provider. He ignores that the proposed make-ready program would exclude certain
11 locations/site hosts from being eligible for make-ready support, limit the technology that
12 could be utilized, and (without justification) dictates the number and type of chargers to
13 be installed at charging stations that could qualify for the support. Based on the
14 foregoing, UGI Electric’s proposed make-ready program is not competitively neutral and
15 should not be approved.

16 **Q. THE COMPANY INDICATES IT IS WILLING TO ADOPT ELIGIBILITY**
17 **REQUIREMENTS FOR THE MAKE-READY PROGRAM PROPOSED BY**
18 **CHARGEPOINT WITNESS MR. DEAL. (UGI ELECTRIC STATEMENT NO. 3-**
19 **R AT 43). HOW DO YOU RESPOND?**

20 A. As I have previously stated, I oppose UGI Electric’s make-ready proposal. If the
21 Commission decides to approve UGI Electric’s make-ready program, I do not oppose
22 ChargePoint’s recommendation that all EV chargers be smart or networked, tested for
23 safety by a national testing laboratory, and that all Level 2 chargers be ENERGY STAR
24 certified so long as any EV chargers installed through the make-ready program be
25 networked *only if* the data is made available to all third parties to ensure a fair and level
26 playing field.

1 **Q. WHAT DOES WITNESS SORBER INDICATE ABOUT UGI ELECTRIC'S**
2 **INTENDED USE OF CUSTOMER DATA COLLECTED FROM ITS PROPOSED**
3 **CHARGING STATIONS (UGI ELECTRIC STATEMENT NO. 3-4 AT 44-45)?**

4 A. UGI Electric Witness Sorber indicates that the Company does not intend to rely on
5 customer-specific data as the owner of proposed charging stations. (UGI Electric
6 Statement No. 3-R at 44-45).

7 **Q. DOES THAT ALLEVIATE YOUR CONCERNS?**

8 A. No. As I previously stated, I oppose UGI Electric's ratepayer subsidized ownership of
9 public EV charging stations. If its proposed EV program is approved, my concern is that
10 stakeholders operating in the competitive market for EV products and installations will
11 not be provided access to EV charging data that UGI Electric plans to collect (see UGI
12 Electric Statement No. 3 at 29-30). This is because if third party entities that offer EV
13 products and installations do not have access to EV charging data, UGI Electric would
14 have an unfair advantage in offering EV products and installations.

15 **Q. WHAT DOES WITNESS SORBER INDICATE REGARDING CUSTOMER**
16 **UTILIZATION DATA?**

17 A. Witness Sorber indicates that UGI Electric will share with third parties data made
18 available to the Company by the network provider and that the Company will publish the
19 data to its website on a quarterly basis. (UGI Electric Statement No. 3-R at 45).

20 **Q. HOW DO YOU RESPOND TO UGI ELECTRIC'S WILLINGNESS TO SHARE**
21 **CUSTOMER UTILIZATION DATA WITH THIRD PARTIES AND TO MAKE IT**
22 **AVAILABLE ON ITS WEBSITE ON A QUARTERLY BASIS (UGI ELECTRIC**
23 **STATEMENT NO. 3-R AT 45)?**

24 A. If UGI Electric's EV program is approved (which I oppose), UGI Electric should be
25 required to share the same data made available to the Company by the network provider
26 in the exact same frequency and level of granularity. At a minimum, the data should
27 include: each charging event; total kWh dispensed per event; average kWh per charging

1 event; average duration of charging events; rate per kWh; charging device operational
2 status (uptime/downtime); time that vehicles are parked but not charging in space; faults
3 during a charging event; network uptime/downtime; revenue charged per event; and
4 aggregated customer demographic data. This information should be made available to
5 third parties in as close to real-time as is practicable.

6 **Q. UGI ELECTRIC WITNESS JOHN TAYLOR CLAIMS THAT YOUR**
7 **ARGUMENTS OPPOSING UGI ELECTRIC'S OWNERSHIP OF EV**
8 **CHARGING STATIONS IS FLAWED BECAUSE RESA/NRG'S DISCOVERY**
9 **RESPONSES DO NOT INDICATE ANY CURRENT OR FUTURE OWNERSHIP**
10 **OF PUBLIC EV CHARGING STATIONS IN PENNSYLVANIA. (UGI ELECTRIC**
11 **STATEMENT NO. 6-R AT 56-57). IS THAT A FAIR CHARACTERIZATION?**

12 A. No. In discovery, RESA and NRG indicated that RESA, a trade organization, is a broad
13 and diverse group of retail energy suppliers and that the organization does not have
14 access to business plans of its individual members. RESA and NRG also reflected that
15 business plans of competitive companies could not be shared among trade association
16 members or RESA due to the competitively sensitive nature of such plans. (RESA/NRG
17 Exhibit DP-8, RESA/NRG Response to UGI Electric Set I, No. 29). In addition, RESA
18 and NRG indicated in discovery that NRG previously owned a public DC fast charging
19 network but that it is not in a position to explain the scope of any potential future
20 agreement that may be finalized relating to public EV charging stations in Pennsylvania.
21 (RESA/NRG Exhibit DP-9, RESA/NRG Response to UGI Electric Set I, No. 30;
22 RESA/NRG Exhibit DP-10, RESA/NRG Response to UGI Electric Set I, No. 34). Mr.
23 Taylor's testimony does not fairly characterize my testimony or experience.

24 **Q. UGI ELECTRIC WITNESS TAYLOR TOUTS CHARGEPOINT'S SUPPORT OF**
25 **UGI ELECTRIC'S PROPOSED OWNERSHIP OF EV CHARGING STATIONS.**

1 **IS CHARGEPOINT’S SUPPORT OF THE PROGRAM SURPRISING IN LIGHT**
2 **OF ITS BUSINESS ARRANGEMENTS WITH UGI ELECTRIC?**

3 A. No. ChargePoint’s support of UGI Electric’s proposed ownership of EV charging
4 stations is not surprising because it is a competitive market participant that is situated to
5 benefit from the program. UGI Electric intends to partner with ChargePoint and proposes
6 to install ChargePoint equipment and utilize its network services (see RESA/NRG
7 Exhibit DP-2). UGI Electric is currently installing two ChargePoint Level 2 chargers at
8 the Company’s Wilkes-Barre office to provide charging for UGI Electric’s all-electric
9 vehicles. (see RESA/NRG Exhibit DP-6). ChargePoint’s business relationship with UGI
10 Electric reflects that ChargePoint is likely to financially benefit if UGI Electric’s proposal
11 to own charging stations is approved in this proceeding.

12 **Q. DOES UGI ELECTRIC VIEW ITS PROPOSAL TO OWN AND OPERATE EV**
13 **CHARGING STATIONS AS ANTI-COMPETITIVE?**

14 A. No. UGI Electric argues that its proposal will not adversely affect the competitive
15 market because it is only planning to own and install three public EV charging stations.
16 (UGI Electric Statement No. 6-R at 57).

17 **Q. DO YOU AGREE WITH UGI ELECTRIC’S ASSESSMENT?**

18 A. No. Just because UGI Electric proposes to own and operate a small percentage of public
19 EV charging stations in Pennsylvania does not mean that it is appropriate for it to enter
20 the competitive space or that it will not have a negative impact on the competitive
21 market. UGI Electric should maintain and focus on its role as a regulated electric utility
22 with responsibility to maintain a safe and reliable distribution system – not an EV
23 charging station owner and operator as it proposes in this proceeding.

24 **Q. UGI ELECTRIC ARGUES THAT ITS EV PROPOSAL IS COMPETITIVELY**
25 **NEUTRAL BECAUSE IT IS ONLY PROPOSING TO OWN AND OPERATE**

1 **THREE EV CHARGING STATIONS (UGI ELECTRIC STATEMENT NO. 6-R**
2 **AT 57). IS UGI ELECTRIC’S ARGUMENT PERSUASIVE?**

3 A. No. UGI Electric cites that its proposed ownership of three EV charging stations would
4 represent a small percentage of the public charging stations markets in Pennsylvania.
5 Regardless of the scope of the project, if approved by the Commission, UGI Electric’s
6 intervention in the competitive EV charging market (by owning and operating public EV
7 charging stations) will have an adverse impact on the competitive EV charging market.

8 **Q. HOW DO YOU RESPOND TO UGI ELECTRIC’S CLAIM THAT THE**
9 **PROPOSED EV PROGRAM WILL BENEFIT THE COMPETITIVE MARKET**
10 **BY SPURRING PURCHASE OF EVS AND INVESTMENT IN PUBLIC EV**
11 **CHARGING STATIONS (UGI ELECTRIC STATEMENT NO. 6-R AT 58, 60)?**

12 A. As outlined in my testimony, UGI Electric has a role to play in EV adoption, that as an
13 educator. UGI Electric has not demonstrated any evidence or provided any studies to
14 support its claim that the proposed EV ownership or make-ready program will benefit the
15 competitive market. Rather than spurring investment in public EV charging stations, as
16 UGI Electric claims, its ownership of charging stations will instead dissuade private
17 investment in charging stations in its service territory. Ratepayers should not be
18 burdened with the investment risk when the competitive market for EV charging stations
19 has clearly demonstrated an interest in financing these projects in response to customer
20 demand. UGI Electric’s proposal threatens to negatively impact the competitive market
21 because its guaranteed cost recovery from ratepayers creates unfair competitive
22 advantages and crowds out the ability of private companies to deploy innovative
23 technology.

1 **Q. DO YOU AGREE WITH UGI ELECTRIC’S CLAIM THAT ITS MAKE-READY**
2 **PROGRAM WILL NOT NEGATIVELY IMPACT THE COMPETITIVE**
3 **MARKET (UGI ELECTRIC STATEMENT NO. 6-R AT 60)?**

4 A. No. There are private companies investing time and energy to become subject matter
5 experts and qualified installation partners to EV hardware/software providers.
6 ChargePoint³ has a network of certified installers but does not prominently list them on
7 its website. Using just one example to demonstrate this industry, Clipper Creek is a
8 reputable EV hardware manufacturer and prominently displays a list of 118
9 recommended installers and provides a searchable database of electricians in each State.⁴
10 Other well-known installation specialists include Qmerit and EnviroSpark Energy
11 Solutions. In short, competent general contractors and electricians are already providing
12 these competitive make-ready services and investing in partnerships and relationships to
13 grow their business. UGI Electric’s proposal to provide make-ready support will
14 dissuade companies in the competitive market from offering products and services in its
15 service territory. UGI Electric misleadingly claims that if the Company’s proposed EV
16 program would threaten private investment in EV charging stations, then ChargePoint (a
17 participant in the EV charging station market) would oppose its proposed program. As
18 mentioned above, ChargePoint’s general support of the proposed EV program is linked to
19 its business relationship with UGI Electric. ChargePoint is poised to benefit financially
20 from the Commission’s approval of UGI Electric’s proposed EV Program and its support
21 of the program is biased by its current and planned partnership with UGI Electric.

³ ChargePoint, *Become a Certified ChargePoint Installer*, available at <https://www.chargepoint.com/partners/installers/>.

⁴ ClipperCreek, *EV Charging Station Installers*, available at <https://clippercreek.com/installers/>.

1 **Q. UGI ELECTRIC COMPARES ITS PROPOSED EV PROGRAM TO DUQUESNE**
2 **LIGHT COMPANY’S EV PILOT (UGI STATEMENT NO. 6-R AT 62). ARE THE**
3 **PROGRAMS COMPARABLE?**

4 A. No. UGI Electric’s proposed EV Program is not comparable to Duquesne Light
5 Company’s (“DLC”) EV Pilot. DLC’s EV Pilot involves utility ownership of charging
6 stations utilized for DLC’s own vehicles and for the Port Authority of Allegheny County.
7 DLC’s EV Pilot does not include ownership of public charging stations as proposed by
8 UGI Electric. (UGI Electric Statement No. 6-R at 62 and UGI Electric Statement No. 6
9 at 30); *Pa. PUC v. Duquesne Light Co.*, Docket Nos. R-2018-3000124, pp. 17-18, 69-71
10 (Order entered Dec. 20, 2018).

11 **Q. UGI ELECTRIC INDICATES THAT ALL OF ITS CUSTOMERS WILL**
12 **BENEFIT FROM THE PROPOSED EV PROGRAM. (UGI ELECTRIC**
13 **STATEMENT NO. 6-R AT 62). WHAT PERCENTAGE OF ITS CUSTOMERS**
14 **WILL DIRECTLY BENEFIT FROM THE PROPOSED EV PROGRAM?**

15 A. At most, 283 individuals in UGI Electric’s service territory own EVs and may benefit
16 directly from the proposed EV program. (RESA/NRG Exhibit DP-7, UGI Electric
17 Response to OSBA Set I, No. 14). As UGI Electric serves approximately 62,000
18 customers, less than 0.45% of UGI Electric’s customers will directly benefit from the
19 proposed EV program. As 80% of customer EV charging is done at home or at work,
20 and electric vehicles are being manufactured with vehicle battery ranges exceeding 200
21 miles, the proposed EV program offers limited value to UGI Electric’s customers.
22 Furthermore, as indicated in my testimony, 79% of EVs registered in the United States
23 are Tesla⁵ vehicles with access to the supercharging network.

24 **Q. HOW DO YOU RESPOND TO UGI ELECTRIC’S STATEMENT THAT**
25 **IMPLIES THAT YOU BELIEVE EV CHARGING STATIONS SHOULD ONLY**

⁵ Electrek, *Tesla owns 79% of the electric car market in the US, and that needs to change (February 16, 2021)*, available at <https://electrek.co/2021/02/16/tesla-owns-electric-car-market-us/#:~:text=Tesla%20owns%20almost%2079%25%20of,the%20US%20electric%20car%20market>.

1 **BE BUILT WHEN THE CURRENT CAPACITY OF THE EV CHARGING**
2 **STATIONS CAN NO LONGER HANDLE THE NUMBER OF EV CARS ON THE**
3 **ROAD (UGI ELECTRIC STATEMENT NO. 6-R AT 63-64)?**

4 A. UGI Electric mischaracterizes my direct testimony. As my direct testimony reflects, the
5 competitive market is not only meeting demand for EV charging stations, but has built
6 more charging capacity than is required to support the EVs in Pennsylvania. (RESA/NRG
7 Revised Statement No. 2 at 10, 22-23). In other words, UGI Electric should not interfere
8 with the competitive market for charging stations.

9 **Q. DOES THE NUMBER OF PUBLICLY CHARGING STATIONS CONTRIBUTE**
10 **TO THE DISPARITY BETWEEN HOME CHARGING AND PUBLIC**
11 **CHARGING AS ALLEGED BY UGI? (UGI ELECTRIC STATEMENT NO. 6-R**
12 **AT 64)?**

13 A. No. Customers charge their EVs at home because of the convenience of doing so. More
14 than 80% of charging occurs at home.⁶ With regard to customers that rent homes or units
15 in apartment buildings, it is vital to recognize that apartment owners that install charging
16 equipment will provide a feature and a benefit for their current and future tenants. In
17 addition, any plug-in can become a point of charge. Apartment buildings and garages
18 with a 120V plug or 240V plug are all that is needed to use the portable charging device
19 that comes with every EV. This fact underscores the role that UGI Electric can play in
20 educating its customers about the ease and access that *already* exists in its territory for
21 EV adoption.

22 **Q. UGI ELECTRIC STATES THAT THERE IS NOTHING IN THE PUBLIC**
23 **UTILITY CODE THAT LEGALLY PREVENTS THE COMPANY FROM**
24 **INSTALLING, OWNING AND MAINTAINING PUBLIC EV CHARGING**
25 **STATIONS. (UGI ELECTRIC STATEMENT NO. 6-R AT 66-67). DOES THAT**

⁶ U.S. DOE Office of Energy Efficiency & Renewable Energy, *Charging at Home, Electric Vehicles*, see <https://www.energy.gov/eere/electricvehicles/charging-home>

1 **MEAN THAT THE PUC SHOULD REGULATE PUBLIC EV CHARGING**
2 **STATIONS?**

3 A. No. On the advice of counsel, I am not aware of any language in the Public Utility Code
4 that would prohibit UGI Electric from installing, owning and maintaining a public EV
5 charging station. However, that does not mean that the Commission should permit UGI
6 Electric to own and operate a public EV charging station at the expense of ratepayers. As
7 public EV charging stations are currently installed by private companies operating in the
8 competitive market, it would create regulatory and customer confusion if the Commission
9 regulated certain public EV charging stations (such as those proposed by UGI Electric). I
10 am not aware of any Pennsylvania electric distribution company that has been permitted
11 by the Commission to own and operate a public EV charging station at the expense of
12 ratepayers.

13 **III. RESPONSE TO CHARGEPOINT’S RECOMMENDATIONS REGARDING UGI**
14 **ELECTRIC’S PROPOSED EV PROGRAM**

15 **Q. WHAT DOES CHARGEPOINT’S REBUTTAL TESTIMONY FOCUS ON?**

16 A. ChargePoint’s rebuttal testimony focuses on Section 5-m of UGI Electric’s proposed
17 Tariff Supplement No. 26 which establishes eligibility requirements for its proposed
18 make-ready program. Section 5-m is set forth below:

19 Qualified EV Charging Stations shall be defined as one (1) to four (4) DC Fast Charge
20 (“DCFC”) stations of 50kW or greater which are (a) configured to support SAE/CCS and
21 Tesla plug configurations at a minimum and are located directly along a major highway
22 and in a commercial retail office, hotel or shopping location having parking
23 accommodations for not less than 100 vehicles, (b) located in a commercial gasoline
24 retail service station, or (c) located in another location where the Company, in its sole
25 discretion, anticipates that adequate public availability and access is being provided.
26 Installation locations may also be inclusive of one or more adjacent Level 2 charging
27 stations.

1 **Q. WHAT DOES CHARGEPOINT’S TESTIMONY REFLECT REGARDING THE**
2 **PROPOSED TARIFF LANGUAGE?**

3 A. ChargePoint Witness Matthew Deal acknowledges that he does not believe that all of
4 UGI Electric’s proposed criteria for eligible EV charging stations are necessary.
5 (ChargePoint Statement No. 2 at 2). ChargePoint makes several recommendations
6 regarding the language in Section 5-m of the proposed Tariff Supplement No. 26.
7 (ChargePoint Statement No. 2 at 3).

8 **Q. CHARGEPOINT WITNESS DEAL IDENTIFIES A CONCERN WITH THE**
9 **ELIGIBILITY CRITERIA FOR UGI ELECTRIC’S PROPOSED MAKE-READY**
10 **PROGRAM. PLEASE EXPLAIN.**

11 A. ChargePoint Witness Deal takes issue with Section 5-m (quoted above) that indicates
12 that: (1) UGI Electric will only support make-ready infrastructure for specific or
13 approved installations that include one to four public DC Fast Charge (“DCFC”)
14 chargers; and (2) site hosts that install only Level 2 chargers would not be eligible for
15 make-ready support. (ChargePoint Statement No. 2 at 3-4). ChargePoint Witness Deal
16 asserts that site hosts should be permitted to “choose the number and configuration of
17 DCFC and/or Level 2 chargers that best meet their individual use case.” (ChargePoint
18 Statement No. 2 at 4). Nevertheless, he recommends that Section 5-m be modified to
19 permit hosts that install at least four Level 2 charging ports to qualify for make ready
20 infrastructure support. (ChargePoint Statement No. 2 at 4).

21 **Q. IF THE COMMISSION PERMITS UGI ELECTRIC TO INVEST IN, OWN AND**
22 **MAINTAIN MAKE-READY INFRASTRUCTURE, DO YOU AGREE WITH**
23 **CHARGEPOINT’S RECOMMENDATION?**

24 A. As I have previously stated, I oppose UGI Electric’s make-ready proposal. If the
25 Commission decides to approve UGI Electric’s make-ready program, I do not support
26 ChargePoint’s recommendation to permit hosts that install at least four Level 2 charging

1 ports to qualify for make ready infrastructure support as I believe that site hosts should be
2 permitted to choose the number and configuration of DCFC and/or Level 2 chargers at
3 their site.

4 **Q. WHAT DOES CHARGEPOINT RECOMMEND REGARDING THE REQUIRED**
5 **CHARGING PLUG CONFIGURATIONS?**

6 A. ChargePoint has concerns regarding language that requires charging station installations
7 “to support SAE/CCS and Tesla plug configurations.” (ChargePoint Statement No. 2 at
8 5). ChargePoint recommends that UGI Electric be directed to remove the reference to
9 Tesla plug configurations or, in the alternative, UGI Electric be directed to require that
10 site hosts that deploy Tesla plugs deploy an equal or greater number of open standard
11 plug types such as SAE/CCS. The example provided is that “if a site host wished to host
12 two Tesla Superchargers, it should be required to also host two DCFCs with open
13 standard plug types.” (ChargePoint Statement No. 2 at 6).

14 **Q. DO YOU AGREE WITH CHARGEPOINT’S RECOMMENDATION**
15 **REGARDING THE PLUG TYPES REQUIRED FOR THE MAKE-READY**
16 **PROGRAM (CHARGEPOINT STATEMENT NO. 2 AT 6)?**

17 No. As I have previously stated, I oppose UGI Electric’s make-ready proposal. If the
18 Commission decides to approve UGI Electric’s make-ready program, UGI Electric’s
19 proposed tariff language on plug configurations should, at a minimum, be revised “to
20 support SAE/CCS or Tesla plug configurations.” As written, the tariff language would
21 require charging stations to support both SAE/CCS and Tesla plug configurations. It is
22 unlikely that a charging station would support both SAE/CCS and Tesla plug
23 configurations. I have no opposition to either plug, but call attention to the fact that there
24 is no industry wide standard for plugs at this time and Tesla is the market leader in EV

1 sales.⁷ I oppose ChargePoint’s recommendation that UGI Electric be directed to remove
2 the reference to Tesla plug configurations in Section 5-m of the proposed Tariff
3 Supplement No. 26. ChargePoint’s recommended change would exclude charging
4 stations that have Tesla chargers from UGI Electric’s make-ready program.
5 ChargePoint’s recommendation to remove Tesla plugs is unnecessarily restrictive and
6 anti-competitive. The Commission should also reject ChargePoint’s recommendation
7 that site hosts seeking to host Tesla Superchargers be required to also install an equal or
8 greater number of DCFCs with SAE/CCS plug configurations. UGI Electric should not
9 specify in its tariff the type of plug configurations that must be utilized as the technology
10 will evolve.

11 **Q. WHAT DOES SUBPART (C) OF SECTION 5-M OF UGI ELECTRIC’S**
12 **PROPOSED TARIFF SUPPLEMENT NO. 26 PROVIDE?**

13 A. Subpart (c) of Section 5-m of Proposed Tariff Supplement No. 26 provides UGI Electric
14 the sole discretion to identify a location (with one (1) to four (4) DC Fast Charge stations
15 of 50kW or greater) as eligible for make-ready support if UGI Electric anticipates “that
16 adequate public availability and access is being provided.”

17 **Q. WHAT LOCATIONAL REQUIREMENTS DOES UGI ELECTRIC PROPOSE**
18 **FOR MAKE-READY SUPPORT?**

19 A. UGI Electric’s proposed locational requirements for its make-ready infrastructure provide
20 that the charging station be “located directly along a major highway and in a commercial
21 retail office, hotel or shopping location having parking accommodations for not less than
22 100 vehicles, (b) located in a commercial gasoline retail service station, or (c) located in

⁷ Electrek, *Tesla owns 79% of the electric car market in the US, and that needs to change (February 16, 2021)*, available at <https://electrek.co/2021/02/16/tesla-owns-electric-car-market-us/#:~:text=Tesla%20owns%20almost%2079%25%20of,the%20US%20electric%20car%20market>.

1 another location where the Company, in its sole discretion, anticipates that adequate
2 public availability and access is being provided.” (UGI Electric Proposed Tariff
3 Supplement No. 26, First Revised Page 17).

4 **Q. WHAT DOES CHARGEPOINT RECOMMEND REGARDING THE PROPOSED**
5 **LOCATION REQUIREMENTS?**

6 A. ChargePoint indicated that it would typically recommend removing all geographic-based
7 restrictions from a make-ready program. (ChargePoint Statement No. 2 at 7). Since UGI
8 Electric is a small utility and the make-ready program would be a “new activity” for the
9 utility, it does not recommend any changes to the locational requirements. Instead,
10 ChargePoint encourages UGI Electric “to be expansive in its interpretation and
11 implementation of subpart (c), which allows UGI Electric in its discretion to approve site
12 hosts for participation in the program if they do not meet locational requirements in
13 subparts (a) and (b).” (ChargePoint Statement No. 2 at 2).

14 **Q. HOW DO YOU RESPOND?**

15 A. I do not agree with ChargePoint’s rationale in support of UGI Electric’s geographic-
16 based restrictions in the proposed make-ready program (especially as ChargePoint would
17 typically oppose all such restrictions). The fact that UGI Electric is a small utility
18 supports removal of the geographic-based restrictions since there will likely be few sites
19 in its service territory that meet the eligibility requirements. I continue to have concerns
20 that UGI Electric’s proposal is not competitively neutral and will allow the utility to
21 micro-manage the placement of charging stations in its service territory.

22 **IV. CONCLUSION**

23 **Q. DOES THAT COMPLETE YOUR SURREBUTTAL TESTIMONY?**

24 A. Yes.

Exhibit DP-7

UGI Utilities, Inc. - Electric Division
Docket No. R-2021-3023618
UGI Electric 2021 Base Rate Case
Responses to OSBA Set I (1 thru 26)
Delivered on April 5, 2021

OSBA-I-14

Request:

Reference UGI Electric Statement No. 3, pages 29-31, EV charging stations:

- a. Please identify the number of EVs registered in UGI Electric's service territory.
- b. Please provide the Company's estimate of the expected load, revenues, and operating costs for the EV charging stations.
- c. Please describe all efforts made by UGI Electric to work with third party charging station entities (e.g., ChargePoint, Electrify America) to understand their needs and interests in developing charging stations in the UGI Electric service territory.

Response:

- a. As of September 30, 2020, 260 electric vehicles were registered in Luzerne County, PA and 23 electric vehicles were registered in Wyoming County (vehicle statistics provided by ChargePoint). UGI Electric provides electric distribution service to a significant portion of Luzerne County and a small portion of Wyoming County.
- b. The Company does not have an estimate of the load (utilization) or revenues for the proposed EV charging stations at this time but is working with ChargePoint as the largest and most open network operator in the world to understand how such initial estimates may be developed. Operating costs are provided in response to I&E-RE-55-D(C).
- c. As noted above, UGI Electric is working with ChargePoint as the largest and most open network operator in the world to facilitate the Company's EV charging station proposal. Per ChargePoint, there are no current, pending or proposed public DC Fast Charge stations which will be ChargePoint networked stations within the Company's service territory other than those proposed by the Company at this time. Currently, the Company is installing two ChargePoint Level 2 charges at the Company's Wilkes-Barre office to provide charging for UGI Electric's first two all-electric vehicles.

Exhibit DP-8

**Response of the Retail Energy Supply Association (“RESA”) and
NRG Energy, Inc. (“NRG”) to the Interrogatories, Requests for Production of
Documents and Requests for Admission of UGI Utilities, Inc. –
Electric Division (“UGI”), Set I in Docket Nos. R-2021-3023618, *et al.***

Request: UGI I-29. Reference RESA and NRG Statement No. 2, pp. 3, 9-14. How many public EV charging stations do each of RESA’s members plan to directly interconnect with UGI Electric’s distribution system over the next 5 years?

Response: RESA is a trade association of competitive energy suppliers. RESA does not maintain comprehensive records or have access to the above requested information for any of its individual members. Moreover, the business plans of competitive companies is not information which would be publicly shared among trade association members or RESA due to the competitively sensitive nature of such plans.

Response provided by: Deanne M. O’Dell, Esquire
Counsel for RESA

Dated: May 17, 2021

Exhibit DP-9

**Response of the Retail Energy Supply Association (“RESA”) and
NRG Energy, Inc. (“NRG”) to the Interrogatories, Requests for Production of
Documents and Requests for Admission of UGI Utilities, Inc. –
Electric Division (“UGI”), Set I in Docket Nos. R-2021-3023618, *et al.***

Request: UGI I-30. Reference RESA and NRG Statement No. 2, p. 3. Please list all public EV charging stations in Pennsylvania in which NRG has an ownership interest. If none, please explain why NRG has not pursued investing in such a charging station.

Response: NRG does not own any public charging stations in Pennsylvania. NRG announced the sale of EVgo, a public DC fast charging network, in 2016.¹

Response provided by: Danita Park
Director, Electric Vehicle and Commercial Development
NRG Energy, Inc.

Dated: May 17, 2021

¹ <https://investors.nrg.com/news-releases/news-release-details/nrg-energy-inc-reports-first-quarter-results-concludes-greenco>

Exhibit DP-10

**Response of the Retail Energy Supply Association (“RESA”) and
NRG Energy, Inc. (“NRG”) to the Interrogatories, Requests for Production of
Documents and Requests for Admission of UGI Utilities, Inc. –
Electric Division (“UGI”), Set I in Docket Nos. R-2021-3023618, *et al.***

Request: UGI I-34. Reference RESA and NRG Statement No. 2, pp. 3, 9-14. How many public EV charging stations does NRG plan to directly interconnect with electric utilities’ distribution systems in Pennsylvania over the next 5 years?

Response: NRG is not in a position at this time to explain the scope of any potential future agreement that may be finalized relating to the above requested business plans for the next 5 years.

Response provided by: Danita Park
Director, Electric Vehicle and Commercial Development
NRG Energy, Inc.

Dated: May 17, 2021

VERIFICATION

I, Danita Park, hereby state that: (1) I am the Director, Electric Vehicle and Commercial Development for NRG Energy, Inc.; (2) that I am authorized to submit this testimony on behalf of the Retail Energy Supply Association and NRG Energy, Inc.; (3) the facts set forth in this testimony are true and correct (or are true and correct to the best of my knowledge, information and belief); and (4) that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: June 10, 2021

Danita Park

Danita Park
Director, Electric Vehicle and
Commercial Development
NRG Energy, Inc.