January 22, 2024

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

**RE: Electric Utility Rate Design for Electric Vehicle Charging, Docket No. M-2023-3040755**

Dear Ms. Chiavetta:

Electrify America, EVgo Services, LLC ("EVgo"), ChargePoint, Inc. ("ChargePoint") and Tesla Inc. ("Tesla") (collectively the "Electric Vehicle Service Providers" or "EVSPs") appreciate the opportunity to submit these joint comments on the Pennsylvania Public Utility Commission's ("Commission") proposed policy statement ("Proposed Policy Statement") on electric vehicle ("EV") charging rate design entered on November 15, 2023. The EVSPs commend the Commission for the issuance of its Proposed Policy Statement, which represents a positive first step towards the utilities adoption of rate designs that facilitate transportation electrification within the state. The highly constructive Proposed Policy Statement reflects many of the recommendations of the Commission-directed EV Charging Rate Design Working Group ("Working Group") that convened on December 1, 2022 in a related proceeding.[1] Of particular note, the EVSPs commend the Commission's explicit recognition that EV charging rate design should address demand charges for public direct current fast charging ("DCFC") stations. To further strengthen the Commission's Proposed Policy Statement, the EVSPs recommend that the Commission incorporate additional clarifying language into its Proposed Policy Statement to help ensure that the utilities file timely proposals for EV charging rate designs that promote transportation electrification and; that the proposals address both supply and distribution demand charges applicable to public DCFC stations.

## I. BACKGROUND ON THE EVSPS

Electrify America, the largest open DCFC network in the United States, is investing more than $2 billion over 10 years in Zero Emission Vehicle infrastructure, education and access. To date, Electrify America has built a coast-to-coast network of public DCFC stations across approximately 850 locations with 3700 individual DC fast chargers in total. Electrify America currently operates 21 public DCFC stations with 86 DC fast chargers in Pennsylvania, and currently has more DCFC stations under development within the state.

[1] The related proceeding concerned ChargEVC-PA's petition for the Commission to initiate a proceeding that would result in issuance of a policy statement on electric utility rate design for EV charging. See Docket P-2022-3030743.

EVgo is a leader in charging solutions, building and operating the infrastructure and tools needed to expedite the mass adoption of electric vehicles for individual drivers, rideshare and commercial fleets, and businesses. EVgo is one of the nation's largest public fast charging providers, featuring over 950 fast charging locations across more than 35 states, including stations built through EVgo eXtend™, its white label service offering. EVgo is accelerating transportation electrification through partnerships with automakers, fleet and rideshare operators, retail hosts such as grocery stores, shopping centers, and gas stations, policy leaders, and other organizations. With a rapidly growing network, robust software products and unique service offerings for drivers and partners including EVgo Optima™, EVgo Inside™, EVgo Rewards™, and Autocharge+, EVgo enables a world-class charging experience where drivers live, work, travel and play. EVgo is an active participant in the competitive market for DCFC in Pennsylvania, currently owning and operating 91 fast-charging stalls at 29 locations, with plans for expansion.

Tesla is a manufacturer of EVs, energy storage equipment, EV charging equipment, and is also a charging network owner and operator. Tesla currently owns and operates 79 public DCFC sites in Pennsylvania with a total of 730 chargers with power levels up to 250 kW per charger. Tesla's mission is to accelerate the transition to sustainable energy through the development of all-electric vehicles and clean energy products, including photovoltaic solar and battery storage. All Tesla vehicles sold in the United States are currently manufactured in Fremont, CA and Austin, TX. Tesla's vehicle line-up includes the Model S sedan, Model X crossover vehicle, Model 3 sedan, Model Y crossover vehicle, and the Cybertruck. The vehicles have an all-electric range of up to 405 miles per charge (Model S), and industry-leading performance and safety ratings. In 2023, Tesla delivered more than 1.8 million vehicles globally[2] and in December 2022, delivered its all-electric Class 8 Semi trucks to the first customer. Worldwide Tesla owns and operates an extensive Supercharger network of public DCFCs with over 50,000 Supercharger connectors deployed globally.[3]

Since 2007, ChargePoint has been committed to making it easy for businesses and drivers to go electric with one of the largest EV charging networks and a comprehensive portfolio of charging solutions. ChargePoint's cloud subscription platform and software-defined charging hardware is designed internally and includes options for every charging scenario from home and multifamily to workplace, parking, hospitality, retail, corridor, and fleets of all kinds. ChargePoint's primary business model is to sell our integrated charging software and hardware solutions directly to site hosts and provide services that enable them to provide charging services that align with their specific needs.

[2] https://ir.tesla.com/press-release/tesla-vehicle-production-deliveries-and-date-financial-results-webcast-fourth-quarter-2023

[3] https://www.tesla.com/supercharger#:~:text=With%2050%2C000%2B%20Superchargers%2C%20Tesla%20owns,you're%20away%20from%20home.

## II. COMMENTS

### A. Include Language Stating that EV Rates Should Promote Transportation Electrification

Section 69.3551 sets out the purpose and scope of the Commission's Proposed Policy Statement on EV charging rate design, emphasizing the need for EV charging rate designs to mitigate the anticipated EV charging impacts on the distribution system by incentivizing increased capacity utilization. This emphasis should be balanced with an equal emphasis on promoting transportation electrification. The addition of directional language on the promotion of transportation electrification is necessary to explicitly signal that EV charging rate design should encourage the deployment of DCFC infrastructure. This infrastructure is critical to reach the state's increasing population of EV drivers and is especially crucial to enable electrification for drivers without access to charging at their residence or workplace such as multifamily residents and renters. This addition will better align the Commission's Proposed Policy Statement with Pennsylvania's goals related to transportation electrification, the Working Group's recommendations collectively supporting an EV charging rate design policy statement,[4] and the goal to establish rates that promote transportation electrification embodied in the Infrastructure Investment and Jobs Act.[5] For these reasons, the EVSPs offer the following blackline amendment to the first portion of the Proposed Policy Statement's purpose and scope section, § 69.3551:

> Due to Federal and State policy initiatives to promote the proliferation of electric vehicles, as defined in the Vehicle Code, 75 Pa.C.S. §§ 101-9802 (relating to definitions), the Commission is encouraging development of rate structures for electric-vehicle charging customers **that facilitate transportation electrification while addressing anticipated impacts of electric-vehicle charging on the distribution system**.

### B. Address Supply and Distribution Demand Charges

Section 69.3551 of the Proposed Policy Statement encourages the utilities "to develop tariffs with distribution and default service generation rates for the purpose of implementing rates specifically for electric-vehicle charging customers."[6] Section 69.3553 of the Proposed Policy Statement directs the utilities to "take into consideration rates for direct current fast chargers, including demand charges…".[7] These directives have the potential to generate utility proposals that positively impact rate designs for public DCFC stations by addressing demand charge barriers. However, clarification is needed to ensure both distribution and supply demand charges are addressed, as demand charges pose barriers to public DCFC stations operation and development on both sides of the bill. The EVSPs offer clarifying amendments to emphasize the importance of addressing the barrier that demand charges pose on both

[4] See generally, Recommendations of the Electric Vehicle Charging Rate Design Working Group ("Working Group Report"), Docket P-2022-3030743 (March 29, 2023).
[5] Pub. L. No. 117-58, 135 Stat 429 (Nov. 15, 2021) (providing that, "Each State shall consider measures to promote greater electrification of the transportation sector, including the establishment of rates …".).
[6] PA Public Utility Commission Proposed Policy Statement on EV Charging Rate Design ("Proposal"), § 69.3551 (Nov. 15, 2023).
[7] *Id.* at § 69.3553.

sides of the bill in a manner that achieves the transportation electrification related goal of encouraging development of DCFC stations across charging segments. Thus, the EVSPs offer the following blackline edits to Section 69.3553(a) of the Proposed Policy Statement:

> Electric distribution companies should also take into consideration rates for direct current fast chargers, including **addressing any barriers posed** by demand charges **in distribution and default service generation rates**, to manage electric grid stress during peak hours **while encouraging development of DCFC stations.**

Demand charges pose a critical barrier to the development of public DCFC stations in Pennsylvania. This barrier is particularly acute in the early years of EV infrastructure deployment, when the usage of EV charging facilities may be low. Given the unique load profiles of DCFCs, demand charges can result in high per unit costs for electricity at commercial EV charging facilities. Research from the Great Plains Institute found that demand charges can account for over 90% of electricity costs for DC fast charging, and "lead to operating costs that far exceed the revenue these chargers can receive from customer payments,"[8] a finding echoed in a 2021 U.S. Department of Energy ("DOE") report.[9] Demand charges, assessed on peak energy consumption rather than quantity of electricity used, pose an economic challenge for high-power, low-utilization uses cases such as public DCFC stations and present a major cost barrier to the growth of EV adoption. Furthermore, the increased charging capacity of new EV models and the associated customer expectations for rapid charging exacerbates demand exposure at DCFC stations. This is especially notable at ultra-fast charging stations that can provide speeds of up to 350 kW. In the past six model years, the average charging speed of new EV models has increased four-fold, from 50kW to 200kW, and the trend is accelerating.[10]

In Pennsylvania, DCFC stations experience a wide variety of demand charges depending on location. Since higher demand charges pose a barrier to public DCFC development within the state, the vast differences in demand charges across service territories could result in an uneven distribution of DCFC stations. The service territories with lower demand charges may see a higher prevalence of public DCFC stations, assuming other factors favorable to public DCFC stations are present.[11] This outcome would undermine the Commission's commitment to fairness and equity,[12] and could inhibit future transportation electrification and related economic development in certain parts of the state.

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[8] McFarlane, D., et al, "Overcoming Barriers to Expanding Fast Charging Infrastructure in the Midcontinent Region," Great Plains Institute, available at https://www.betterenergy.org/wp-content/uploads/2019/08/GPI_DCFC-Analysis.pdf (July 2019).

[9] U.S. Department of Energy, "An EV Future: Navigating the Transition," available at https://8b9a2972-f6bd-463f-ab0e-7b2ba71ee2f1.filesusr.com/ugd/1c0235_965967cdf2bf4b94924c05637398fda3.pdf (October 2021).

[10] Atlas Public Policy analysis of data from U.S. Environmental Protection Agency and various industry sources.

[11] Examples of factors that drive development in addition to rate structures include land availability and price and interconnection and line extension costs at a location.

[12] The "Purpose and scope" section of the proposal provides, "The Commission's policy on electric-vehicle charging also encompasses fairness and equity principles that electric distribution companies are to consider in developing electric-vehicle charging tariffs." See § 69.3551.

Table 1 shows the demand based charges reflected in the rates of each utility within the state. These include demand charges for distribution, transmission, generation, and distribution riders with demand components determined based on non-coincident peak ("NCP") demand, peak load contribution ("PLC") capacity tags based on customer load during the top five hours in the PJM grid, and network service peak load ("NSPL") transmission tags based on customer load during zonal transmission system peaks.

**Table 1: PA Taxonomy of Distribution & Default Service Generation Demand Charge[13]**

| Demand-Based Charges ($/kW) | PECO | PPL | First Energy | | | | Duquesne Light Co. |
|---|---|---|---|---|---|---|---|
| | | | Met-Ed | Penelec | Penn Power | West Penn Power | |
| | GS | MG3 | GSLF | GSLF | GSLF | GP35F | GM≥25 |
| Distribution (NCP) | X | X | X | X | X | X | X |
| Transmission (NCP) | X | | | | | | X |
| Generation (PLC) | X | X | | | | | |
| Dist. Rider PLC Tag | | | X | X | X | X | |
| Dist. Rider NSPL Tag | | | X | X | X | X | |

Table 2 provides the dollar values for these charges on a $/kW basis. The Total Demand Charge column illustrates the sum of the demand charges that appear on both the distribution and supply side of the bill, inclusive of base rates and riders. These demand charges range from a low of $3.96 $/kW in Penn Power's service territory to a high of $12.68 in PECO's service territory.

**Table 2: PA Distribution & Default Service Generation Demand Charge Summary**

| | | | Total Demand Charges ($/kW) | | | |
|---|---|---|---|---|---|---|
| Utility | Rate | Demand Mitigation | Dist & Trans (NCP) | Dist Riders & Supply (PLC) | Dist Riders (NSPL) | Total |
| PECO | GS | Yes, Pilot | $10.71 | $1.97 | - | $12.68 |
| PPL | MG3 | none | $3.99 | $0.07 | - | $4.05 |
| Duquesne Light Co. | GM≥25 | Yes[14] | $9.57 | - | - | $9.57 |
| First Energy Companies | | | | | | |
| Met-Ed | GSLF | none | $4.16 | $0.32 | $0.62 | $5.10 |
| Penelec | GSLF | none | $6.68 | $0.24 | $2.81 | $9.73 |
| Penn Power | GSLF | none | $4.36 | $0.44 | ($0.84) | $3.96 |
| West Penn Power | GP35F | none | $3.99 | - | $1.24 | $5.23 |

[13] For PPL, Penelec, and West Penn, Table 1 and 2t shows rates that apply to public DCFC stations meet the 500 kW threshold in the utilities respective tariffs even though stations usually start on a rate for lower demand loads.
[14] Duquesne's tariff provides a declining percent discount to monthly demand charges for base distribution services included in Rates GS/GM, GL, and L through 2026. Duquesne Light Company, Rider No. 19, Community Development for New Load, Supp. 36, PA. P.U.C. No. 25 available at: https://duquesnelight.com/docs/default-source/default-document-library/CurrentTariff7194c8bf-78bf-4fe6-a18b-020df6ce2db1.pdf

Demand charges for default service generation rates that are based on capacity tags pose a heightened barrier to public DCFC stations because these demand rates have a high degree of volatility and unpredictability. The EVSPs prefer that volumetric rate designs be used as a substitute for PLC and NSPL capacity tags wherever possible. Capacity tags introduce extreme volatility in year-to-year operating costs for public DCFC stations as well as a wide disparity in supply charges among stations. For example, customers subject to the Hourly Default Service pricing rider in PECO and PPL's service territory are billed for PJM generation capacity based on the PLC tags. The PLC tag is determined based on the DCFC station's usage during PJM's Top 5 load hours from the prior summer. These Top 5 hours are only known in hindsight, and public DCFC stations cannot limit charging sessions or charging speeds during potential PJM peak hours without severely degrading the customer experience.. The volatility introduced by capacity tags makes long term budgeting and forecasting difficult amongst a portfolio of DCFC stations and the risk will become more acute in the future if PJM Generation charges rise. This issue is also present where utilities bill distribution riders such as the Energy Efficiency & Conservation ("EE&C") based on capacity tags.

Existing alternatives to demand charges are not widely available among the PA utilities (see Table 2 above). PECO's DCFC Pilot Rider (EV-FC) offers a demand charge alternative which will expire on December 31, 2025. However, PECO's EV-FC Rider does not adequately address the demand charge barrier for low load factor stations which are most susceptible to the challenges posed by demand charges. This is due to the provisions of the tariff that require a minimum billed demand equal to 40% of the station's contract demand. While stations with greater usage are generally able to avoid the minimum demand provisions and therefore benefit from the demand discounts per Rider EV-FC, this is not the case for stations with low load factors.

### C. Use Time-Varying Rates for Public DCFC Stations

The EVSPs support the use of time-varying rates for public DCFC stations, provided that the peak-to-off-peak ratio is not extremely high so that it results in excessive charges, and so that demand charge barriers are addressed within the time-of-use ("TOU") rate structure. Sec. 69.3553 of the Commission's Proposed Policy Statement addresses the use of time-varying rates, stating "[P]ublic utilities should consider variable rates for electric-vehicle customers based on the time of day and the level of demand on the electric grid… electric-vehicle charging rates should be higher during peak demand hours and lower during off-peak hours…". DCFC station operators greatly value customer experience and therefore may be unwilling to pass through extremely elevated peak costs. Further, different charging segments (residential, fleet, public DCFC, etc.) have different abilities to respond to price signals.[15] For instance, EVs with longer dwell time at home, at work, and fleet charging applications have greater ability to schedule charging and modify their charging times and power levels

[15] In the context of a proposal to establish a managed charging program for public DCFC stations, the New York Public Service Commission's recent order ("NY PSC") recognized that public DCFC station loads are largely inelastic to event-based price signals when it stated that, "[b]ecause public DCFC charging is not predictable, cannot be scheduled, and often cannot be managed without impacting the EV driving experience, public DCFC stations simply cannot be expected to manage their charging at this phase in the EV adoption cycle." NY PSC Final Order, Proceeding to Establish Alternatives to Traditional Demand-Based Rate Structures for Commercial Electric Vehicle Charging, Case No. 22-E-0236, pp. 20 (Jan. 19, 2023).

to account for the peak rate. In contrast, EVs that are in transit and need quick, public charging to continue to their destination may not have this flexibility and therefore should not be subject to extremely high on-peak-to-off-peak price differentials.

### D. Address Demand Charges in a Timely Manner for Public DCFC Stations

The Commission's Proposed Policy Statement "encourages" the utilities to file EV charging rate design proposals in the purpose and scope section (§ 69.3551), and does not specify a timeline for filing such proposals. This open-ended timeline may result in delays in addressing demand charges for public DCFC stations and may result in gaps in the availability of EV charging rates in utility service territories such as PECO's, where the DCFC Pilot Rider is set to expire on December 31, 2025. Therefore, the EVSPs recommend the utilities file demand charge alternatives proposals in a proceeding dedicated to the utilities' EV rate design or other EV-related proposals by September 1, 2024. The EVSPs recommend the Commission ensure a new long-term rate solution is in effect prior to December 31, 2025, when PECO's existing rider expires. While the EVSPs recognize that a filing timeline may not directly align with the utilities' individual general rate case schedules, the EVSPs strongly encourage the utilities to make filings outside of a rate case, at least with respect to demand charge alternatives for public DCFC stations. Base rate case reviews involve many issues, and it is much more difficult for stakeholders like the EVSPs to participate in a base rate case due to the cost and time commitment that participation entails. Specifically, the EVSPs recommend that the Commission include the following addition in the Proposed Policy Statement's Electric Vehicle Charging Rate Design section (§ 69.3553):

> The utilities should aim to file demand charge alternatives proposals in a proceeding dedicated to the utilities' EV rate design or other EV-related proposals by September 1, 2024.

This addition is consistent with the Working Group members' recommendation that the Commission adopt "a policy statement that requests EDCs to file these [demand charge alternative] proposals by December 2023."[16] While that date has since passed, the EVSPs renew the request that the Commission encourage the utilities to file an EV charging rate design proposal for public DCFC stations by a target date.

### E. Promote Electric Vehicle Charging Equity Through Rates

The EVSPs strongly agree and note that reasonable electric rates for public DCFC stations are a key component to promoting equity. Section 69.3554 of the Commission's Proposed Policy Statement addresses electric vehicle charging rate equity, stating "[t]he Commission recommends that electric-vehicle charging distribution and default service generation rates be designed to promote fairness and equity." Access to DCFC stations is particularly crucial for drivers that do not have access to home charging, e.g., residents of multi-unit dwellings ("MUDs"). Research from UCLA's Luskin Center

[16] Working Group Report, p. 16. Supporting working group members included ChargEVC-PA, Electrify America, ChargePoint, EVgo, Tesla, Advanced Energy United, and Alliance for Transportation Electrification. Supporting working group members included ChargEVC-PA, Electrify America, ChargePoint, EVgo, Tesla, Advanced Energy United, and Alliance for Transportation Electrification.

shows that 43% of MUD residents rely on DCFC stations for their primary means of charging.[17] Urban householders are more than twice as likely as suburban households to be located in MUDs.[18] As explained previously, an additional equity issue is the risk that high demand charges inhibit development within some utility service territories causing unequitable distribution of public DCFC stations in the state (see Section II.b. above). Demand charges are the largest differentiating factor between effective electricity rates billed by the utility to residential customers and commercial customers--an inequity that imposes greater costs on Pennsylvania's residents who depend on public DCFC stations.

### F. Consider Additional EV Charging Rate Design Principles

The EVSPs encourage the utilities to consider the following additional rate design principles in developing EV charging rates that address the demand charge barrier:

1. **Enable customer choice by making rates optional.** Providing rate options, including the ability to switch to a standard commercial rate schedule will give charging station operators more tools to adapt their pricing to both customer preferences and system needs, as their load factors and load profiles change. Additionally, charging is not a one-size-fits-all application. Rural, standalone, low usage, high-capacity chargers have different economics and cost causation than suburban chargers served on the host power of a large retailer. Enabling choice among qualifying rates–throughout a charger's lifecycle– enables near-term private sector investment, while allowing operators to optimize economics.

2. **Make rates available to new and existing customers.** All EV charging rates should be made available to currently installed, as well as future, charging stations. In anticipation of significant increases in demand, private providers have already installed thousands of charging stations nationwide.

3. **Provide certainty with long duration rates (e.g. 10 years).** EV load shapes are unique. Short-term demand charge holidays do not provide a long-term solution to serve the unique load shapes of non-residential charging stations. Usage will always need to stay relatively lower than other commercial use cases given the trade-off between customer utilization and customer experience so that customers will not need to wait in line to charge their vehicles, which would discourage EV adoption. As such, EV charging rates should be long duration in nature (e.g. 10 years).

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[17] DeShazo and Di Filippo, "Evaluating Multi-Unit Resident Charging Behavior at Direct Current Fast Chargers. UCLA Luskin Center for Innovation," pp. 3, 13, available at https://innovation.luskin.ucla.edu/wp-content/uploads/2021/03/Evaluating-Multi-Unit-Resident-Charging-Behavior-at-Direct-Charging-Behavior-at-Direct-Current-Fast-ChargersCurrent-Fast-Chargers.pdf (February 2021).

[18] In fact, 37% of urban households and 16% of suburban households reside in MUDs. See Mortgage Bankers Association, "MBA Chart of Week: Distribution of Housing Types, Race and Ethnicity (Urban Areas and U.S.)," available at https://newslink.mba.org/mba-newslinks/2017/october/mba-newslink-monday-10-2-17/mba-chart-of-week-distribution-of-housing-types-race-and-ethnicity-urban-areas-and-u-s/ (Oct. 2, 2017). Furthermore, 86% of the 31.4 million MUDs in the US are rented, and these residents have the greatest difficulty charging at home. See Neal N., Goodman, L., and Young, C., "Housing Supply Chartbook," Urban Institute (January 2020).

## III. CONCLUSION

For these reasons, the EVSPs request that the Commission adopt the proposed amendments within these comments (shown in their totality in Appendix A) in order to strengthen and clarify the already highly constructive Proposed Policy Statement.

Respectfully submitted,

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**APPENDIX A: EVSP BLACKLINE OF THE PROPOSED ELECTRIC UTILITY RATE DESIGN FOR ELECTRIC VEHICLE CHARGING**

**§ 69.3551. Purpose and scope.**
Due to Federal and State policy initiatives to promote the proliferation of electric vehicles, as defined in the Vehicle Code, 75 Pa.C.S. §§ 101-9802, the Commission is encouraging development of rate structures for electric-vehicle charging customers that facilitate transportation electrification while addressing anticipated impacts of electric-vehicle charging on the distribution system. Electric-vehicle charging will increase demand on existing infrastructure, and it is imperative that electric distribution companies are prepared to address this increased demand with distribution and default service generation rate structures that properly signal to electric-vehicle charging customers to incentivize increased capacity utilization of the distribution system. The Commission's policy on electric-vehicle charging also encompasses fairness and equity principles that electric distribution companies are to consider in developing electric-vehicle charging rates.

**§ 69.3552. Electric Vehicle Charging Rate Tariffs.**
These distribution and default service generation electric-vehicle charging tariffed rates should reflect the actual costs of providing charging infrastructure and services, including the cost of electricity, maintenance, and administrative expenses in a manner that avoids unreasonable cross-subsidization between customers.

**§ 69.3553. Electric Vehicle Charging Rate Design.**
To promote efficient use of electric-vehicle charging infrastructure and to manage electric grid demand, public utilities should consider variable rates for electric-vehicle customers based on the time of day and the level of demand on the electric grid. This means that electric-vehicle charging rates should be higher during peak demand hours and lower during off-peak hours. We recommend that electric distribution companies develop electric-vehicle distribution rates with cost-of-service principles that incentivize increased network capacity utilization of the distribution system. Electric distribution companies should also take into consideration rates for direct current fast chargers, including addressing any barriers posed by demand charges in distribution and default service generation rates, to manage electric grid stress during peak hours while encouraging development of DCFC stations. We also recommend that electric distribution companies develop electric-vehicle charging default service generation rates that, at a minimum, properly reflect the cost of generation services during times of system stress. These default service generation rates may include use of time-of-use rates that use on and off-peak periods which appropriately incentivize the movement of charging consumption to off-peak periods or periods of less system stress. The utilities should aim to file demand charge alternatives proposals in a proceeding dedicated to the utilities EV rate design or other EV-related proposals by September 1, 2024 or alternatively, a brief explanation of why a filing is not achievable by that date within Docket M-2023-3040755.

The Commission recommends that electric-vehicle charging distribution and default service generation rates should be flexible and adaptable to changing circumstances and technologies. As such, electric-vehicle charging distribution and default service generation rates should be periodically reviewed and adjusted, as necessary, to ensure that they remain fair, cost-effective, and efficient.

**§ 69.3554. Electric Vehicle Charging Rate Equity.**
The Commission recommends that electric-vehicle charging distribution and default service generation rates be designed to promote fairness and equity. As such, the distribution and default service generation electric-vehicle charging rates should not discriminate against certain types of electric

vehicles or drivers, and should not create undue financial burdens for low-income customers or disadvantaged communities. The Commission recommends that electric distribution companies consider impacts on low-income customers due to the design of their distribution and default service generation electric-vehicle charging rates. Electric distribution companies may need to consider customer-specific and electric distribution company region-specific rates to best serve the needs of their communities. It is important that electric distribution companies prioritize customer education to encourage efficient and effective use of electric-vehicle charging infrastructure and proper knowledge of available distribution and default service generation rates.