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|  | **PENNSYLVANIA**  **PUBLIC UTILITY COMMISSION**  **HARRISBURG, PA 17120** |  |
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|  | Public Meeting held March 28, 2019 |
| Commissioners Present: |  |

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| |  |  | | --- | --- | | Gladys M. Brown, Chairman | Gladys M. Brown, Chairman | | David W. Sweet, Vice Chairman  Norman J. Kennard | Andrew G. Place, Vice Chairman  Norman J. Kennard | | Andrew G. Place  John F. Coleman, Jr. | David W. Sweet  John F. Coleman, Jr. | |
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| PECO Energy Company Supplement No. 4 to Tariff Electric Pa. P.U.C. No. 6 | Docket Number:  R-2019-3008085 |

# ORDER

**BY THE COMMISSION:**

On February 22, 2019, PECO Energy Company (PECO Energy), Utility Code: 110550, filed Supplement No. 4 to Tariff Electric Pa. P.U.C. No. 6 (Supplement No. 4), to become effective March 29, 2019.

PECO Energy proposed Supplement No. 4 to add language revising Rule 13.1 and the Electric Vehicle Public Direct Current Fast Charger (DCFC) Pilot Rider regarding the following: third-party owned Electric Vehicle (EV) charging stations and the customer’s requirement to notify PECO of planned EV charging station installations.

PECO Energy submitted that the tariff supplement is a direct result of the Commission’s Final Policy Statement Order (FPS Order)[[1]](#footnote-1) entered November 8, 2018. The FPS Order instructed EDCs to add tariff language providing clarity to its rules regarding third-party owned and operated EV charging stations to address: 1) that third-party EV charging stations are excluded from the pricing requirements of 66 Pa. C.S. § 1313 (as described in § 69.3501(b) and the FPS Order) and 2) when and how owners and operators of third-party EV charging services are to notify the EDC of a planned installation of an EV charging station.

PECO Energy’s proposed tariff supplement states that EVs charging at third-party owned EV charging stations, including DCFCs, will not be considered resale of electricity. PECO Energy’s proposed tariff supplement further states that the customer, who may be either the owner or the host of a third-party owned EV charging station, shall notify PECO at least one hundred twenty (120) days in advance of the planned installation date and may be required to install metering for the station as required by the company.

The proposed tariff supplement is in the public’s interest because it clarifies the tariff rules regarding third-party owned EV charging stations. PECO Energy stated that the tariff supplement is consistent with the Commission’s FPS Order. PECO Energy further stated that the tariff supplement will have no effect on customer bills or on PECO Energy’s revenues and expenses.

PECO Energy’s proposed tariff supplement, filed February 22, 2019, requests an effective date of the Tariff Supplement of March 29, 2019. Ordering Paragraph No. 3 of the FPS Order stated that the Commission will waive the 60-day public notice requirement for tariff changes and reduce that notice period to 30-days pursuant to Commission regulations at 52 Pa. Code § 53.31.

PECO Energy serves approximately 1,646,400 customers. PECO Energy served the proposed tariff changes on the Commission’s Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Attorney General - Bureau of Consumer Protection, the Office of Small Business Advocate, Advanced Energy Economy, ChargePoint, Inc., Industrial Energy Consumer of Pennsylvania, the Pennsylvania Department of Environmental Protection, and the Sierra Club. No complaints have been filed and no hearings held.

Upon review of Supplement No. 4, we agree that PECO Energy’s tariff supplement is consistent with the Commission’s Final Policy Statement Order entered November 8, 2018, which ordered EDCs to file tariff amendments with the Commission to address third-party EV charging stations.

Accordingly, we permit Supplement No. 4 to become effective on March 29, 2019. However, approval of this filing does not constitute a determination that this filing is lawful, just, or reasonable, but only that further investigation or suspension does not appear to be warranted at this time; **THEREFORE,**

**IT IS ORDERED:**

1. That PECO Energy Company Supplement No. 4 to Tariff Electric Pa. P.U.C. No. 6 is hereby permitted to become effective on March 29, 2019.

2. That this Order is without prejudice to any issues that may be raised by any party with respect to the tariff changes implemented by Supplement No. 4 to Tariff Electric Pa. P.U.C. No. 6 in future proceedings.

3. That a copy of this Order be served the proposed tariff changes on the Commission’s Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Attorney General - Bureau of Consumer Protection, the Office of Small Business Advocate, Advanced Energy Economy, ChargePoint, Inc., Industrial Energy Consumer of Pennsylvania, the Pennsylvania Department of Environmental Protection, and the Sierra Club.

4. That the proceeding at Docket No. R-2019-3008085 be closed.

**** **BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: March 28, 2019

ORDER ENTERED: March 28, 2019

1. M-2017-2604382, *Policy Statement of Third-Party Electric Vehicle Charging – Resale/Redistribution of Utility Service Tariff Provisions* [↑](#footnote-ref-1)