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July 30, 2018

VIA E-FILED

Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
2nd Floor, Room N201
400 North Street
Harrisburg, PA 17120

**Re: Proposed Policy Statement on Third Party Electric Vehicle Charging--
Resale/Redistribution of Utility Service Tariff Provisions
Docket No. M-2017-2604382**

Dear Secretary Chiavetta:

Enclosed please find Duquesne Light Company's comments in the above-referenced proceeding.

Upon receipt, if you have any questions regarding the information contained in this filing, please contact the undersigned or Audrey Waldock at 412-393-6334 or awaldock@duqlight.com.

Sincerely,

A handwritten signature in blue ink that reads "Shelby A. Linton-Keddie".

Shelby A. Linton-Keddie
Manager, State Regulatory Strategy
Senior Legal Counsel

Enclosure

cc (w/ enc.): Law Bureau (sjthomas@pa.gov, jcardinale@pa.gov)
Bureau of Technical Utility Services (dgill@pa.gov)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Proposed Policy Statement on Third Party
Electric Vehicle Charging—

Resale/Redistribution of Utility Service : Docket No. M-2017-2604382
Tariff Provisions

**COMMENTS OF
DUQUESNE LIGHT COMPANY**

I. BACKGROUND

At the Public Meeting of May 18, 2017, the Pennsylvania Public Utility Commission (“PUC” or “Commission”) adopted a Motion by Chairman Gladys Brown to initiate a review of current electric distribution company (“EDC”) tariff provisions regarding third-party electric vehicle charging.¹ Thereafter, on June 15, 2017, the Commission issued a Secretarial Letter, seeking comments “with regard to how those provisions may affect the operation of – even the viability of – electric vehicle (EV) charging stations.”²

The Secretarial Letter was served on various parties, and indicated that comments would be due within forty-five days following publication of the letter in the *Pennsylvania Bulletin* on July 8, 2017.³ Consistent with that schedule, Duquesne Light Company (“Duquesne” or

¹ See *Third Party Electric Vehicle Charging – Resale/Redistribution of Utility Service Tariff Provisions, Motion of Chairman Gladys M. Brown*, (May 18, 2017).

² See *Third Party Electric Vehicle Charging – Resale/Redistribution of Utility Service*, Docket No. M-2017-2604382, (Jun. 15, 2017) at 1 (hereinafter “Secretarial Letter”).

³ See 47 Pa. B. 3790.

“Duquesne Light”), an EDC as defined in 66 Pa. C.S. § 2803, filed comments for the Commission’s consideration.⁴

Thereafter, at the March 15, 2018 Public Meeting, the Commission adopted a Motion by Chairman Gladys Brown to issue a proposed policy statement to clarify utility resale/redistribution tariffs for third-party electric vehicle charging. The Motion instructed the Law Bureau to prepare a Tentative Order, to be published in the *Pennsylvania Bulletin*. This order was published on June 16, 2018.⁵ Consistent with the deadline in the notification, Duquesne Light files these comments in support of the Proposed Policy Statement.

II. GENERAL COMMENTS

Upon review of interested parties’ comments in the above-captioned proceeding, the PUC concludes that “Most commenters agreed on three main points: (1) that EV charging stations should not be subject to Section 1313 because they are providing a service, not reselling/redistributing electricity; (2) that the various EDC resale/redistribution tariff provisions create uncertainty and inconsistency throughout the state; and (3) that eliminating such regulatory uncertainty is a necessary step to encourage the development of EV charging station infrastructure.”⁶

⁴ In addition to Duquesne, comments were also filed by Advanced Energy Economy, Chargepoint, Inc., Citizens Electric Company of Lewisburg, PA and Wellsboro Electric Company, the Pennsylvania Department of Environmental Protection, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company (collectively, FirstEnergy), the Office of Consumer Advocate, PECO Energy Company, PPL Electric Utilities Corporation, and the Sierra Club.

⁵ See 48 Pa.B. 3584.

⁶ Order at 3.

Consistent with Duquesne Light's previously submitted comments in response to the June 15 Secretarial Letter, the Company is supportive of efforts to clarify the rules around third-party EV charging and agrees that EV charging stations should not be subject to Section 1313.⁷ However, while the second and third conclusions above make sense, because the Company only has direct knowledge of activities within its own service territory, Duquesne Light is not commenting on either statement. Notably, the Company has a tariff rule that specifically addresses third-party owned EV charging, Rule 18.1, that has been in effect since 2014.⁸

As currently written, the Proposed Policy Statement attempts to create regulatory certainty and promote investment in EV charging by doing the following:

1. Clarifying that the policy of the Commission is that third-party owners of electric vehicle charging facilities that are open to the public for the sole purpose of electric vehicle charging do not fall under pricing limitations of 66 Pa C.S. §1313; and,
2. Articulating the belief of the Commission that EDCs should include tariff language that (a) clarifies the inapplicability of 66 Pa C.S. §1313, and (b) stipulates when and how owners and operators of third-party electric vehicle charging services are to notify the EDC of a planned installation of the electric vehicle charging facilities and what information should be provided.

Because Duquesne Light already includes such language in its tariff under its currently effective Rule 18.1, complying with this change will require little or no changes. Accordingly, the Company supports the scope of the Proposed Policy Statement.

⁷ See Duquesne Light Comments at 3.

⁸ Duquesne Light Company Supplement No. 95 to Tariff Electric – Pa PUC No. 24, Docket No. R-2014-2430058 (filed July 1, 2014).

Further, the Company appreciates the Commission’s recognition that “Notification of third party EV charging stations locations is vital to EDCs’ distribution planning.”⁹ As the PUC is undoubtedly aware, local distribution grids have been built to serve local load and are not necessarily ready to accommodate significant unknown spikes in demand. The Company’s transformers are typically rated at either 37.5 kVA or 50 kVA and serve 5 to 15 customers. They are sized such that during peak periods they are loaded near capacity. A single EV charging from a Level 1 (120 V) or Level 2 (240 V) station uses approximately 2 kVA or 7 kVA, respectively. Multiple EVs charging at the same time could result in the need for system upgrades. Further exacerbating this situation is the fact that the system peak coincides with the time many commuters will be arriving home and plugging in their vehicles.

In addition to requiring EV owners to give the Company at least 120 days’ advanced notice of charging infrastructure installation, so that Duquesne Light can analyze the reliability effect of these installations on its system, the Company is also exploring ways to incentivize customers installing EV chargers to register those chargers with the Company, in order to allow for measurement, tracking, and planning purposes. This combined proactive approach to managing charging impacts is expected to be less expensive than an approach that is reactive to problems as they arise.

⁹ Order at 5.

III. CONCLUSION

Duquesne Light is extremely and enthusiastically supportive of electric vehicle technology deployment and appreciates the Commission's consideration of this matter. This Proposed Policy Statement balances the need for regulatory certainty by clarifying the inapplicability of Section 1313 of the Public Utility Code, while also recognizing the need for EDCs to have advanced notice and a certain level of information prior to installation of charging facilities on the distribution system. The Company appreciates the balancing of interests while maintaining flexibility for compliance.

Respectfully submitted,



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