

May 1, 2024

VIA E-FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA

Re: Pennsylvania Public Utility Commission v. PECO Energy Company – Electric Division;
Petition to Intervene of EVgo Services, LLC; Docket Nos. R-2024-3046931, et al.

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is the verified Petition to Intervene of EVgo Services LLC in the above-captioned proceeding, and Notice of Appearance of Counsel.

Please contact me if you have any questions concerning today's filings.

Very truly yours,



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Attachments

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3. EVgo is an active participant in the competitive market for direct current fast charging (“DCFC”) across the Commonwealth, currently owning and operating over 90 fast-charging stalls at more than 25 locations.
4. EVgo is also a commercial customer of PECO Energy Company (“PECO” or “the Company”), taking service under the GS tariff schedule and EV-FC rate rider.
5. On March 28, 2024, PECO filed with the PUC its proposed Tariff Electric – Pa. P.U.C. No. 8 (Tariff No. 8) (the “Proposed Tariff”), which among others, contained revisions to PECO’s existing Electric Vehicle DCFC Pilot Rider (EV-FC). PECO Exhibit 1, Supplement No. 33 to Tariff Electric Pa. P.U.C. No. 7 (PDF p. 232). PECO proposes to extend the rider by five years from its current scheduled end date of December 31, 2025, to a revised end date of December 31, 2030, and to replace the fixed demand credit of 50% of nameplate charging capacity with a variable demand credit equal to 20% of the measured demand, among other modifications to the rider.
6. The Commission’s Regulations permit intervention by persons claiming “an interest which may be directly affected and which is not adequately represented by existing participants, and to which the petitioner may be bound by the action of the Commission in the proceeding.” 52 Pa. Code § 5.72(a)(2). EVgo’s Petition meets these criteria, as explained herein.
7. Pursuant to the Hearing Officers’ Prehearing Conference Order, ¶¶ 8 and 9, parties’ petitions to intervene filed pursuant to 52 Pa. Code §§ 5.32, 5.71-76 before the prehearing conference, shall be deemed granted if not objected to within three business days after filing, and the parties attend the prehearing conference. EVgo’s Petition for Leave to Intervene is timely submitted.

8. EVgo has a ***direct business interest*** in the Commission’s decision on PECO’s Rider EV-FC. EVgo is a commercial customer of PECO and is therefore subject to any rate impacts resulting from this proceeding. As the procurement of electricity constitutes one of the largest operating expenses borne by DCFC owner-operators such as EVgo,¹ PECO’s proposed revisions to Rider EV-FC are of critical importance to EVgo.
9. EVgo owns and operates one of the nation’s largest public DC fast charging networks and has substantial policy expertise and market experience related to commercial rate design for DCFC infrastructure. Because of this, EVgo maintains a unique position in the EV marketplace both nationally and in the Commonwealth and ***no other party can adequately represent*** EVgo’s interest in this proceeding.
10. Towards representing its unique interests, EVgo has actively participated in numerous proceedings outside the Commonwealth related to rate design and demand charge alternative rates, including but not limited to Massachusetts Department of Public Utilities (M.D.P.U.) 20-69, *Investigation by the Department of Public Utilities on its own Motion into the Modernization of the Electric Grid – Phase II*; M.D.P.U. 20-74, *Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of Supplemental Budgets for its 2018 to 2021 Grid Modernization Program, and Its Five-Year Electric Vehicle Charging Infrastructure Program*; M.D.P.U. 21-90, *Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Phase II Electric Vehicle Infrastructure program and Electric Vehicle Demand Charge Alternative Proposal*, and M.D.P.U. 21-91, *Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National*

¹ EVgo, May 18, 2020, “The Costs of EV Fast Charging Infrastructure and Economic Benefits to Rapid Scale-Up,” Jonathan Levy, et al., p. 11, available at: https://site-assets.evgo.com/f/78437/x/f28386ed92/2020-05-18_evgo-whitepaper_dcfc-cost-and-policy.pdf.

Grid, for approval of its Phase III Electric Vehicle Market Development Program and Electric Vehicle Demand Charge Alternative Proposal; Public Utilities Commission of Colorado Proceeding No. 21AL-0494E related to Public Service Company of Colorado's commercial rates for electric vehicle charging service; Illinois Commerce Commission Proceeding Nos. 22-0432 and 22-442 related to Commonwealth Edison Company's Beneficial Electrification Plan and New EV Charging Delivery Classes; and New York Public Service Commission Case No. 22-E-0236 Proceeding to Establish Alternatives to Traditional Demand-Based Rate Structures for Commercial Electric Vehicle Charging.

11. Within the Commonwealth, EVgo was one of several EV Service Providers that participated in working groups convened in Docket No. P-2022-3030743, *Petition to Initiate a Proceeding to Consider Issuance of a Policy Statement on Electric Utility Rate Design for Electric Vehicle Charging*, and submitted joint comments in said docket pertaining to the Commission's development of a policy statement on EV charging rate design.
12. EVgo has participated in numerous public utility commission proceedings related to transportation electrification topics more broadly in states including, but not limited to, Arizona, California, Colorado, Connecticut, Florida, Georgia, Illinois, Maryland, Massachusetts, Minnesota, Michigan, Nevada, New Jersey, New York, North Carolina, Ohio, and Utah. EVgo's national market experience and expertise will prove to be valuable in assisting the Commission in rendering a final decision on the issues affecting the DCFC market, including, PECO's proposed demand charge alternative. EVgo has demonstrated its ability to contribute constructively to utility proceedings across the nation involving EV

charging infrastructure to achieve mutually beneficial outcomes for utilities, ratepayers, and EV drivers, and will do so in this proceeding.

13. As a commercial customer of PECO taking service under the GS tariff schedule and EV-FC rate rider, and therefore subject to rate impacts stemming from approval of the Company's proposed revisions thereto, EVgo *will be bound by the action of the Commission in this proceeding.*
14. EVgo has preliminarily reviewed PECO's rate filing and has tentatively identified as an issue of interest: Whether the proposed revisions to Rider EV-FC are adequate to address the barrier of high demand charges borne by DCFC owner-operators in PECO's service territory. Notwithstanding the foregoing, EVgo reserves the right to examine any other issues that arise during this proceeding.
15. Thus, EVgo requests the right to fully participate, including by propounding information requests, inspecting and copying records, physical evidence, papers and documents, introducing evidence, cross-examining witnesses, presenting testimony, and presenting arguments orally and on brief. Nevertheless, EVgo fully intends to coordinate with any other intervenors with interests in EV charging, to limit duplication of information requests, testimony and cross-examination.
16. EVgo is represented by:

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17. EVgo requests that electronic copies of all notices, testimony, pleadings and correspondences pertaining to this proceeding be directed to:

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18. Counsel for EVgo consents to the service of documents by electronic mail to the email address of counsel listed above, as provided in 52 Pa. Code § 1.54(b)(3).

WHEREFORE, EVgo respectfully requests that the Public Utility Commission enter an order granting EVgo full status as an intervenor in this proceeding with active party status and grant such other relief as is just and appropriate.

Dated: May 1, 2024

Respectfully submitted,

EVgo Services, LLC



By its Attorney:

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VERIFICATION

I, Lindsey Stegall, hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief, and 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: May 1, 2024

Lindsey Stegall
Senior Manager, Market Development
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EVgo Services, LLC

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Dated this 1st day of May, 2024

/s/ Bernice I. Corman