



May 2, 2024

**VIA E-FILING**

**William Lesser**

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Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

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

Dear Secretary Chiavetta:

Please see attached for filing with the Pennsylvania Public Utility Commission the Petition to Intervene of Electrify America, LLC in the above-referenced matter. Copies of this pleading have been served on the parties to this proceeding in accordance with the attached Certificate of Service. Please direct any questions concerning this filing to me. Thank you for your attention to this matter.

Respectfully submitted,

COZEN O'CONNOR

A handwritten signature in blue ink, appearing to read "William A. Lesser".

By: William Lesser (PA I.D. No. 332951)  
*Counsel for Electrify America, LLC*

WL  
Enclosures

cc: Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission** :  
: **Docket Nos. R-2024-3046931, et al.**  
v. :  
:  
**PECO Energy Company – Electric Division** :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 2<sup>nd</sup> day of May 2024 served a true copy of the following Petition to Intervene of Electrify America, LLC on the parties, listed below in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

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William Lesser, Esq.  
Counsel for *Electrify America, LLC*





the demand credit, b) remove the reference to DCFCs that are not separately metered and remove the requirement for the customer to provide usage and demand data for such DCFCs, and c) allow ancillary loads of up to one percent of the EVSE nameplate capacity to be included in the demand credit calculation, among other modifications to the EV-FC Rider.<sup>2</sup>

3. Electrify America, the largest open DCFC network in the United States, is investing more than \$2 billion over ten years on Zero Emissions Vehicle (“ZEV”) infrastructure, education and awareness. This investment will enable millions of Americans to discover the benefits of electric driving and support the build-out of a nationwide network of ultra-fast community and highway chargers that are convenient and reliable. To date, Electrify America has built a coast-to-coast network of DCFC stations across over 900 locations and with over 4,000 individual DC fast chargers in total, including 21 locations with 86 individual DC fast chargers in Pennsylvania. Within PECO’s service territory, Electrify America currently operates 9 stations with 38 individual DC fast chargers and is currently enrolled in the EV-FC Rider. The chargers range from 150 kW to 360 kW of power based on anticipated needs and use cases, as well as available real estate and power. The ultra-fast 360 kW chargers are the most powerful public chargers on the market today, capable of recharging speeds close to gasoline fueling.

4. Electrify America anticipates further expansion in Pennsylvania, particularly given the presence of major highway corridors, metropolitan areas, and the expected influx of \$171 million dollars in Federal funding through the National Electric Vehicle Infrastructure (“NEVI”) Formula Program.<sup>3</sup> Electrify America is uniquely situated as a non-proprietary charging network capable of providing up to 360 kW to capable vehicles in Pennsylvania, and more broadly is one

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<sup>2</sup> *Id.* at 21-27.

<sup>3</sup> PA PUC Docket P-2023-3039439, PECO Petition for Expedited Approval to Extend the Electric Vehicle DCFC Pilot Rider by 18 Months, p. 3.

of few charging networks statewide providing the fastest and most customer-friendly refueling speeds. Faster refueling speeds are widely recognized as instrumental in allowing the Commonwealth (and country) to realize its EV adoption and transportation electrification goals.

5. In Pennsylvania, the Department of Environmental Protection “acknowledges the significant role that electric vehicles (EV) will play in Pennsylvania’s transportation future” and finds that “boosting consumer confidence in EVs with a strategic rollout of EV charging stations to meet the projected demand” is vital “to support a regional clean transportation network.”<sup>4</sup> The Pennsylvania Electric Vehicle Roadmap provides that “having more charging stations available in workplace and public locations will go a long way to help current electric vehicle owners maximize their vehicle’s capabilities and decrease range anxiety for people considering an electric vehicle purchase.”<sup>5</sup> This is in line with federal policy under recent infrastructure law investments and executive orders to develop a national network of 500,000 EV chargers along highways and in communities.<sup>6</sup> Public policy for the Commonwealth and the United States strongly support a nationwide buildout of public fast charging stations in order to confront the climate crisis through transportation electrification.

6. Electrify America’s investment in PECO’s service territory, and in the Commonwealth as a whole, depends in part on sustainable economics for the private market of ZEV infrastructure. Utility rates and incentives structured to support infrastructure development

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<sup>4</sup> Pennsylvania Department of Environmental Protection, *Electric Vehicles in PA*,

<https://www.dep.pa.gov/Business/Energy/OfficeofPollutionPrevention/ElectricVehicles/Pages/default.aspx>

<sup>5</sup> Pennsylvania Department of Environmental Protection, *Pennsylvania Electric Vehicle Roadmap: 2021 Update*, at p. 6,

<https://files.dep.state.pa.us/Energy/OfficeofPollutionPrevention/StateEnergyProgram/PAElectricVehRoadmapBookletDEP5334.pdf>

<sup>6</sup> Press Release, *Biden-Harris Administration Announces New Standards and Major Progress for a Made-in-America National Network of Electric Vehicle Chargers* (Feb. 15, 2023), <https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/15/fact-sheet-biden-harris-administration-announces-new-standards-and-major-progress-for-a-made-in-america-national-network-of-electric-vehicle-chargers/>

align with Commonwealth public policy and ensure the financial sustainability of continued ZEV infrastructure operation. Incentivizing ZEV infrastructure and structuring particular rates for public charging stations are critical steps to allow the Commonwealth to realize its transportation electrification goals.

7. Electrify America is broadly supportive of PECO's proposed changes to the EV-FC Rider, and seeks to participate in the above-referenced proceeding to support the approval of these revisions. Importantly, PECO's proposed modifications to the EV-FC Rider are supportive of further DCFC development in its service territory.

8. Consequently, in accordance with 52 Pa. Code § 5.72(a)(2), Electrify America has an interest that may be directly impacted by the outcome of this proceeding, its interest is not adequately represented by existing parties, and Electrify America may be bound by the action of the PUC in this proceeding.<sup>7</sup> Electrify America should be granted intervenor status in this proceeding.

9. All communications and notices with respect to this Petition, and, if granted, Electrify America's intervention in this proceeding, should be served on the following:

William Lesser, Esq. (ID # 332951)  
Cozen O'Connor  
3 WTC  
175 Greenwich Street, 55<sup>th</sup> Floor  
New York, New York 10007  
(212) 453-3808

-and-

Stephen Bright, Esq.  
Electrify America, LLC  
1950 Opportunity Way, Suite 1500  
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<sup>7</sup> 52 Pa. Code §§ 5.72(a)(2).

The above-named counsel for Electrify America will accept electronic service in this proceeding on behalf of the Electrify America and will not require hard-paper copies of filed documents.

10. Petitions to intervene shall be filed no later than the date fixed for filing protests as published in the Pennsylvania Bulletin except for good cause shown. 52 Pa. Code §5.74(b)(2).

11. As explained in detail above, the Commission's disposition of PECO's Proposed Tariff will impact the rates and services provided to Electrify America by PECO.

WHEREFORE, Electrify America respectfully requests that the Pennsylvania Public Utility Commission grant this Petition to Intervene and provide Electrify America with full party status in this proceeding.

Respectfully submitted,



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Dated: May 2, 2024

*Counsel for Electrify America, LLC*

**VERIFICATION**

I, Stephen Bright, Esq., hereby certify 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 hereby certify that I am authorized to execute this verification on behalf of Electrify America, LLC. I understand that the statements made herein are made subject to the penalties of 18 Pa. C.S. § 9404 (relating to unsown falsification to authorities).



Date: May 2, 2024

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Stephen Bright, Esq.  
Senior Counsel  
Electrify America, LLC