

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio Power     )  
Company for Authority to Establish a Standard     )  
Service Offer Pursuant to §4928.143, Revised     ) Case No. 16-1852-EL-SSO  
Code, in the Form of an Electric Security Plan.     )

In the Matter of the Application of Ohio Power     )  
Company for Approval of Certain Accounting     ) Case No. 16-1853-EL-AAM  
Authority.     )

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**POST-HEARING BRIEF  
by the  
ELECTRIC VEHICLE CHARGING ASSOCIATION**

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**I. INTRODUCTION**

The Electric Vehicle Charging Association (“EVCA”) now respectfully submits its post-hearing brief. EVCA is a not-for-profit organization comprised of member-companies representing a vast majority of the competitive electric vehicle charging infrastructure market nationwide. EVCA’s mission is to educate policymakers, stakeholders, and members of the public about the critical role of EV technology, infrastructure, and services. EVCA advocates for policies that will expand clean, electrified transportation. Member organizations develop, manufacture, and deploy electric vehicle charging infrastructure and manage data networks to support EV supply equipment. Given EVCA members’ primary role in deploying charging stations throughout Ohio and the nation, EVCA timely intervened in this proceeding.

On August 25, 2017, Ohio Power Company (“AEP Ohio” or “the Company”) and numerous other Signatory Parties representing a variety of diverse interests filed a Joint Stipulation and Recommendation for Commission (“Stipulation”), which represents a reasonable resolution

of all issues in this proceeding.<sup>1</sup> The Stipulation satisfies the Public Utility Commission of Ohio's ("Commission" or "PUCO") three-prong test, and also advances the goals of Smart Columbus. Smart Columbus is a significant public policy effort underway in AEP Ohio's service territory focused on advanced transportation technologies. The Stipulation provides rebates to support a pilot deployment of approximately 300 Level 2 and 75 DC fast charging stations. Deployed smart, networked charging stations under this program will provide valuable data to the utility that will assist in future planning and grid management. Furthermore, charging data and smart charging capabilities will enable grid benefits, which will benefit all ratepayers. Finally, this infrastructure will assist in the expansion of clean, electrified transportation, and forward State of Ohio statutory policy goals and Commission. As such, EVCA respectfully requests that the Commission approve and adopt the Stipulation.

## **II. LAW AND ARGUMENT**

Under Ohio Administrative Code 4901-1-30, parties to Commission proceedings may enter into stipulations to resolve any or all issues in a Commission proceeding. Although stipulations are not binding on the Commission, the terms of these agreements are given substantial weight by the Commission. In considering the reasonableness of stipulations, the Commission often relies on the following three-prong test:

1. Is the settlement a product of serious bargaining among capable, knowledgeable parties?
2. Does the settlement, as a package, benefit ratepayers and the public interest?
3. Does the settlement package violate any important regulatory principle or practice?<sup>2</sup>

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<sup>1</sup> *In the Matter of the Application of Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan*, Case No. 16-1852-EL-SSO, et al, Joint Stipulation and Recommendation (Joint Exhibit 1) at 2 (August 25, 2017).

<sup>2</sup> See *Indus. Energy Consumers of Ohio Power Co. v. Pub. Util. Comm'n*, 68 Ohio St.3d 559 (1994).

The Stipulation in this case should be adopted by the Commission because it satisfies the three-prong test.

**A. The Stipulation is the product of serious bargaining among capable, knowledgeable parties.**

The record clearly indicates that the Stipulation is product of serious bargaining among capable, knowledgeable parties. The Stipulation has support of the following diverse, knowledgeable parties, representing various utility customer, environmental and business interests:

- Staff of the Public Utilities Commission of Ohio
- AEP Ohio
- Ohio Energy Group
- Ohio Hospital Association
- Mid-Atlantic Renewable Energy Coalition
- Environmental Law and Policy Center
- Ohio Partners for Affordable Energy
- Industrial Energy Users – Ohio
- Electric Vehicle Charging Association
- Ohio Environmental Council and Environmental Defense Fund
- Natural Resources Defense Council
- Constellation NewEnergy, Inc.
- Sierra Club

In addition, Commerce Energy, Inc. and Walmart Stores East, L.P. and Sam's East, Inc. agree not to oppose the Stipulation.

These signatory parties have significant experience participating in energy and utility regulatory proceedings. The signatory parties are all very knowledgeable regarding the Commission's regulatory process, and were represented by experienced, competent counsel throughout this case. In addition, as AEP witness Allen testified, the terms of the Stipulation indicate that various parties made concessions to ultimately achieve a final agreement, which

demonstrates that the Stipulation is the product of serious bargaining between the signatory parties.<sup>3</sup>

**B. The Stipulation, as a package, benefits ratepayers and the public interest.**

The record demonstrates that the Stipulation will benefit ratepayers and the public interest. More specifically, the proposed rebate program for electric vehicle charging stations, a core component of the Stipulation, is designed to provide valuable data to the utility and Commission on the trends and utilization of electric transportation.

*1. The electric vehicle charging rebate program benefits ratepayers.*

The grid benefits from electric vehicle charging infrastructure deployed in the proposed rebate program will have a direct and substantial benefit to ratepayers in AEP Ohio's service territory. In his testimony, EVCA witness Dr. Cherkaoui noted that the EV charging program proposed in the stipulation is structured to learn, provide, and optimize grid benefits from EV charging.<sup>4</sup> Furthermore, in the Stipulation the Signatory Parties recognized the opportunity and need for reporting valuable data from networked charging stations in the program. Networked charging provides grid benefits over traditional load management, and valuable data can be collected to inform better utility planning decisions and help maintain reliability and affordability. Commission Staff witness Schaefer provided testimony as to the value and use of the reporting from this electric vehicle charging demonstration program.<sup>5</sup>

All charging infrastructure deployed under the demonstration program will collect reportable data and have demand-response capabilities. EVCA believes that demand response

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<sup>3</sup> *In the Matter of the Application of Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan*, Case No. 16-1852-EL-SSO, et al, Direct Testimony of William A. Allen (Company Exhibit 1) p.19, lines 20-21 and p.20, lines 1-5 (September 3, 2017).

<sup>4</sup> *Id.*, Direct Testimony of Dr. Abdellah Cherkaoui (EVCA Exhibit 1), p. 10, lines 11-12 (September 13, 2017).

<sup>5</sup> *Id.*, Direct Testimony of Krystina Schaeffer (Staff Exhibit 1)p.3, lines 9-21, p.4, lines 1-2 (September 13, 2017).

capabilities in networked EV charging stations represent important tools for utilities in the effective management of grid assets, grid maintenance, and grid resilience. The use of these capabilities during times of high demand may decrease stress to the grid and lead to benefits for all ratepayers. EVCA further posits that network charging stations offer several tools to utilities to enable calculable ratepayer net benefits.<sup>6</sup> When paired with a networked charging solution, electric vehicles become a flexible load and valuable asset to the grid. The demonstration program in the Stipulation provides the opportunity for the utility to learn more about the intersection of these features, enabling cost-effective measures in grid planning.

*2. The electric vehicle charging rebate program is in the public interest.*

The electric vehicle charging infrastructure deployed in the proposed rebate program will make charging assets more widely available to the public within AEP Ohio's service territory. Furthermore, wider charging infrastructure availability will accelerate EV adoption near-term and help to prepare stakeholders in AEP Ohio's service territory for future transportation electrification. Projections show that electric vehicle adoption will continue to accelerate both locally and nationally. EVCA notes that one of the purposes of the pilot program is to determine the benefits and impacts to both ratepayers and increased EV adoption in central Ohio. Deploying charging infrastructure throughout the service territory, with a specific number of stations designated for installation in low-income communities, will not only demonstrate the public benefit of EV charging, but also enhance the data and analysis of the pilot deployment.

The primary near-term goals for electric vehicle programs is to accelerate adoption, support the competitive market, and increase awareness and education on electric vehicles and charging technologies. EVCA believes that the primary long-term goals for electric vehicle programs is to

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<sup>6</sup> EVCA Exhibit 1, page 10, lines 11-12.

sustain electric vehicle adoption, maintain ownership, and ensure charging station availability for all addressable segments of the market. Supporting and achieving these objectives is within the scope of the Stipulation and demonstrates direct alignment with the public interest.

**C. The Stipulation does not violate any regulatory practice or principle.**

The Stipulation as a whole, and the electric vehicle charging component in particular, does not violate any regulatory policy or principle. Electric security plans are governed by Ohio Revised Code Section 4928.143. That section states in part that an electric distribution utility may cover costs related to several items. These items include infrastructure and grid modernization:

The plan may provide for or include, without limitation, any of the following:

[...]

The latter may include a long-term energy delivery infrastructure modernization plan for that utility or any plan providing for the utility's recovery of costs, including lost revenue, shared savings, and avoided costs, and a just and reasonable rate of return on such infrastructure modernization. As part of its determination as to whether to allow in an electric distribution utility's electric security plan inclusion of any provision described in division (B)(2)(h) of this section, the commission shall examine the reliability of the electric distribution utility's distribution system and ensure that customers' and the electric distribution utility's expectations are aligned and that the electric distribution utility is placing sufficient emphasis on and dedicating sufficient resources to the reliability of its distribution system.<sup>7</sup>

The charging station incentives are certainly a part of the Company's modernization efforts to prepare for the increase in electric vehicles in the Central Ohio Region. In addition, these charging stations are certainly aligned with the PUCO's *PowerForward* Initiative, meant to "enhance the consumer electricity experience."<sup>8</sup> This demonstration program will assist in the determination of what technologies are needed for future electric distribution grids and increased electric vehicle traffic.

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<sup>7</sup> (Emphasis Added) R.C. 4928.143(B)(2)(h).

<sup>8</sup> Please see: <https://www.puco.ohio.gov/industry-information/industry-topics/powerforward/>

Finally, the expansion of the grid to include additional charging stations forwards Ohio statutory policy goals. The State's goals include a "diversity of supplies and suppliers," the provision of "appropriate incentives to new technologies" and "facilitating the state's effectiveness in the global economy."<sup>9</sup> Providing incentives for clean electrified transportation facilitates all of these statutory policy goals and places Ohio in a position to lead other states into the future. Therefore, the Commission should adopt this stipulation and the charging station incentive provisions within it.

### III. CONCLUSION

Based on the foregoing, the Electric Vehicle Charging Association respectfully requests that the Public Utilities Commission of Ohio approve the Stipulation as submitted.

Respectfully submitted on behalf of the

ELECTRIC VEHICLE CHARGING ASSOCIATION

/s/Christopher J. Allwein

Christopher J. Allwein (0084914)

Kegler Brown Hill & Ritter LPA

Capitol Square, Suite 1800

65 East State Street

Columbus, Ohio 43215-4294

Telephone: (614) 462-5496

Fax: (614) 464-2634

[callwein@keglerbrown.com](mailto:callwein@keglerbrown.com)

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<sup>9</sup> R.C. 4928.02 states in part: "It is the policy of this state to do the following throughout this state: [...] (C): Ensure diversity of electricity supplies and suppliers, by giving consumers effective choices over the selection of those supplies and suppliers... [...] (J): Provide coherent, transparent means of giving appropriate incentives to new technologies that can adapt successfully to potential environmental mandates; [...] (N) Facilitate the state's effectiveness in the global economy."

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the Post-Hearing Brief has been served via electronic transmission upon the following parties of record this 30<sup>th</sup> day of November 2017.

/s/ Christopher J. Allwein  
Christopher J. Allwein

Counsel for Electric Vehicle Charging Association

### SERVICE LIST

[Bojko@carpenterlipps.com](mailto:Bojko@carpenterlipps.com)  
[perko@carpenterlipps.com](mailto:perko@carpenterlipps.com)  
[mfleisher@elpc.org](mailto:mfleisher@elpc.org)  
[cmooney@ohiopartners.org](mailto:cmooney@ohiopartners.org)  
[paul@carpenterlipps.com](mailto:paul@carpenterlipps.com)  
[mleppla@theOEC.org](mailto:mleppla@theOEC.org)  
[tdougherty@theOEC.org](mailto:tdougherty@theOEC.org)  
[lhawrot@spilmanlaw.com](mailto:lhawrot@spilmanlaw.com)  
[dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com)  
[charris@spilmanlaw.com](mailto:charris@spilmanlaw.com)  
[ibatikov@vorys.com](mailto:ibatikov@vorys.com)  
[whitt@whitt-sturtevant.com](mailto:whitt@whitt-sturtevant.com)  
[campbell@whitt-sturtevant.com](mailto:campbell@whitt-sturtevant.com)  
[glover@whitt-sturtevant.com](mailto:glover@whitt-sturtevant.com)  
[tony.mendoza@sierraclub.org](mailto:tony.mendoza@sierraclub.org)  
[dborchers@bricker.com](mailto:dborchers@bricker.com)  
[eakhbari@bricker.com](mailto:eakhbari@bricker.com)  
[sechler@carpenterlipps.com](mailto:sechler@carpenterlipps.com)  
[cpirik@dickinsonwright.com](mailto:cpirik@dickinsonwright.com)  
[todonnell@dickinsonwright.com](mailto:todonnell@dickinsonwright.com)  
[wvorys@dickinsonwright.com](mailto:wvorys@dickinsonwright.com)  
[callwein@keglerbrown.com](mailto:callwein@keglerbrown.com)  
[werner.margard@ohioattorneygeneral.gov](mailto:werner.margard@ohioattorneygeneral.gov)  
[Robert.eubanks@ohioattorneygeneral.gov](mailto:Robert.eubanks@ohioattorneygeneral.gov)

[stnourse@aep.com](mailto:stnourse@aep.com)  
[msmckenzie@aep.com](mailto:msmckenzie@aep.com)  
[cblend@aep.com](mailto:cblend@aep.com)  
[fdarr@mwncmh.com](mailto:fdarr@mwncmh.com)  
[mpritchard@mwncmh.com](mailto:mpritchard@mwncmh.com)  
[Kurt.Helfrich@ThompsonHine.com](mailto:Kurt.Helfrich@ThompsonHine.com)  
[Stephanie.Chmiel@ThompsonHine.com](mailto:Stephanie.Chmiel@ThompsonHine.com)  
[Michael.Austin@ThompsonHine.com](mailto:Michael.Austin@ThompsonHine.com)  
[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)  
[kboehm@BKLawfirm.com](mailto:kboehm@BKLawfirm.com)  
[jkylercohn@BKLawfirm.com](mailto:jkylercohn@BKLawfirm.com)  
[rick.sites@ohiohospitals.org](mailto:rick.sites@ohiohospitals.org)  
[mwarnock@bricker.com](mailto:mwarnock@bricker.com)  
[rdove@attorneydove.com](mailto:rdove@attorneydove.com)  
[rsahli@columbus.rr.com](mailto:rsahli@columbus.rr.com)  
[mjsettineri@vorys.com](mailto:mjsettineri@vorys.com)  
[glpetrucci@vorys.com](mailto:glpetrucci@vorys.com)  
[ibatikov@vorys.com](mailto:ibatikov@vorys.com)  
[joliker@igsenergy.com](mailto:joliker@igsenergy.com)  
[mdortch@kravitzllc.com](mailto:mdortch@kravitzllc.com)  
[amy.spiller@duke-energy.com](mailto:amy.spiller@duke-energy.com)  
[Elizabeth.watts@duke-energy.com](mailto:Elizabeth.watts@duke-energy.com)  
[joe.halso@sierraclub.org](mailto:joe.halso@sierraclub.org)

Attorney Examiners:

[Sarah.parrot@puc.state.oh.us](mailto:Sarah.parrot@puc.state.oh.us)  
[Greta.see@puc.state.oh.us](mailto:Greta.see@puc.state.oh.us)



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Summary: Brief electronically filed by Mr. Christopher J. Allwein on behalf of Electric Vehicle Charging Association