

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's)	
Investigation into Electric Vehicle)	Case No. 20-434-EL-COI
Charging Service in this State.)	

REPLY COMMENTS OF OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY, AND THE TOLEDO EDISON COMPANY

On March 23, 2020, Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company (collectively, the “Companies”), filed their initial comments (the “Companies’ Comments”). The Companies’ Comments expressed their strong support for electric vehicle (“EV”) development in Ohio, and urged the Commission to find that entities that provide EV charging service in Ohio on the customer side of the utility meter are not public utilities or electric light companies subject to the Commission’s jurisdiction simply by virtue of providing EV charging service,¹ and are not providing “electric service” subject to the EDU’s exclusive right to serve.² However, the Companies’ Comments also explained that if an EDU owns and operates an EV charging station and provides EV charging service directly from its distribution system, the continuous delivery of distribution service from the EDU’s distribution circuit to the end-use EV charging customer would be subject to the Commission’s jurisdiction as retail distribution service.³

The Companies now reply to the other comments submitted in this proceeding.⁴ In general, the comments show an emerging consensus agreeing with the positions set forth in the Companies’

¹ Companies’ Comments at 1.

² *Id.* (citing R.C. 4933.81(E), (F)).

³ Companies’ Comments at 1-2.

⁴ The following entities submitted comments: Alliance for Transportation Electrification (“ATE”), Industrial Energy Users-Ohio (“IEU”), Interstate Gas Supply, Inc. (“IGS”), Duke Energy Ohio, Inc. (“Duke”), Ohio Power Company

Comments, that entities that provide EV charging service on the customer side of the utility meter are not public utilities or electric light companies.⁵ The Companies strongly oppose OCC’s outlier position that EDUs “should be prohibited from owning charging stations.”⁶ EDUs are uniquely positioned to offer public EV charging services and will play a critical role in the proliferation and adoption of EV technology in Ohio. EDUs can effectively plan and manage regular maintenance and upkeep to avoid long EV service equipment downtime, optimize EV charging retail rates, and plan for long-term infrastructure rollouts. EDUs also can identify EV charging station sites in optimal locations across the service territory, considering optimal placement for grid interconnections, travel corridors, and low-income and disadvantaged neighborhoods. OCC overlooks these clear benefits.

Moreover, OCC’s concerns about EDUs being given a “competitive advantage”, or otherwise harming the competitive market for EV charging, are belied by the comments of an actual competitive supplier of EV charging service that commented in support of EDU-owned and operated EV charging service in Ohio. Greenlots noted the “critical role that Ohio’s regulated utilities have in development of EV charging infrastructure” and overcoming the barriers to EV adoption in Ohio.⁷ The Companies agree with Greenlots that EDU investment in charging infrastructure “will help spark EV purchasing decisions and grow the total customer base, getting the market closer to an inflection point where asset utilization rates of charging infrastructure can

(“AEP”), Buckeye Power, Inc. and Ohio Rural Electric Cooperatives, Inc. (collectively, “OREC”), Ohio Partners for Affordable Energy (“OPAE”), Office of the Ohio Consumers’ Counsel (“OCC”), Environmental Law and Policy Center and Natural Resources Defense Council and Ohio Environmental Council and Sierra Club (collectively, “Environmental Advocates”), ChargePoint, Inc. (“ChargePoint”), Greenlots, and Tesla, Inc. (“Tesla”). In addition, Clean Fuels Ohio and Alliance for Automotive Innovation filed public comments in this proceeding.

⁵ See Tesla Comments at 1; Greenlots Comments at 2; ChargePoint Comments at 2; Environmental Advocates Comments at 2; OPAE Comments at 2; OREC Comments at 2; Duke Comments at 4; IGS Comments at 1; IEU Comments at 1.

⁶ OCC Comments at 11.

⁷ Greenlots Comments at 5.

attract greater private investment to hopefully sustain a healthy, competitive market.”⁸ As a recognized participant in the competitive EV charging market, Greenlots is well- positioned to comment on whether EDU ownership and operation of EV charging stations is likely to cause harm to the competitive market for this service. The Commission should reject OCC’s assertion that EDUs should be prohibited from owning charging stations.

Finally, the Companies note that Greenlots and the Environmental Advocates asked for the Commission to clarify that EV charging stations may sell charging service by the kilowatt-hour.⁹ Such a finding would be premature given the current scope of this proceeding, but in general, the Companies would not oppose such a finding as it relates to EV charging service from non-EDU owned EV charging stations to end-users. However, for service from (1) EDU-owned EV charging stations to end-users and (2) EDU-owned distribution infrastructure to third party-owned EV charging stations, EDUs should be permitted to pursue new service tariff offerings that would better align pricing with the costs of providing these services.

The Companies appreciate the opportunity to provide Reply Comments in this proceeding. The Companies urge the Commission to adopt the Companies’ recommendations as set forth in the Companies’ Comments and Reply Comments.

Respectfully submitted,

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⁸ *Id.*

⁹ Greenlots Comments at 2; Environmental Advocates Comments at 10-11.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 7th day of April, 2020. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties. In addition, a courtesy copy of the foregoing document has been served by e-mail on the following:

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in

Case No(s). 20-0434-EL-COI

Summary: Reply Reply Comments of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company electronically filed by Ms. Emily V Danford on behalf of The Cleveland Electric Illuminating Company and Ohio Edison Company and The Toledo Edison Company