

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
Ohio Power Company for an Increase)	Case No. 20-585-EL-AIR
in Electric Distribution Rates.)	
)	
In the Matter of the Application of)	Case No. 20-586-EL-ATA
Ohio Power Company for Tariff Approval.)	
)	
In the Matter of the Application of)	
Ohio Power Company for Tariff Approval.)	Case No. 20-587-EL-AAM
Accounting Methods)	

GREENLOTS' MOTION TO INTERVENE

Zeco Systems, Inc. d/b/a Greenlots (“Greenlots”), through counsel, respectfully moves to intervene in the above-captioned proceedings before the Public Utilities Commission of Ohio (“Commission”) pursuant to Ohio Revised Code Section (“R.C.”) 4903.221, Ohio Administrative Code (“OAC”) Rule 4901-1-11. In support of its motion, Greenlots states the following:

Greenlots has a real and substantial interest in this proceeding, in which Ohio Power Company (“AEP Ohio” or “Company”) has filed an application for an increase in electric distribution rates seeking, *inter alia*, approval of an “Electric Transportation” program designed to maximize demand-side management of electric vehicle (“EV”) charging and to support fleet electrification and growth of corridor charging.

Greenlots is a leading provider of EV charging software and services whose clients include electric utilities, and is committed to accelerating transportation electrification in Ohio. Accordingly, the outcome of this proceeding will impact Greenlots’ pursuit of that commitment. Additionally, Greenlots’ interests are not adequately represented by any other party to this

matter, since no other entity has intervened in this proceeding that duplicates Greenlots' unique business model, focused on a core product of EV charging technology – a software platform to manage EV charging and unlock the potential of EVs and EV charging as a managed grid asset. Greenlots will contribute to a just and expeditious resolution of the transportation electrification questions at issue in this proceeding, and its participation will not unduly delay the proceeding or prejudice any other party.

Greenlots therefore respectfully requests this Commission grant its motion to intervene for these reasons and those set forth in more detail in the attached Memorandum in Support.

December 18, 2020

Respectfully submitted,

/s/ Terrence O'Donnell

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**MEMORANDUM IN SUPPORT OF THE
MOTION TO INTERVENE BY GREENLOTS**

Zeco Systems, Inc. d/b/a Greenlots (“Greenlots”) seeks the approval of the Public Utilities Commission of Ohio (“Commission” or “PUCO”) to intervene in this proceeding pursuant to Ohio Revised Code (“R.C.”) 4903.221 and Ohio Administrative Code (“OAC”) 4901-11-1. Greenlots is a corporation organized and existing under the laws of the State of Delaware, and headquartered in California with the following address:

Zeco Systems, Inc. d/b/a Greenlots
767 S. Alameda Street
Suite 200
Los Angeles, CA 90021

Greenlots is a leading provider of electric vehicle (“EV”) charging software and services, and is committed to accelerating transportation electrification in Ohio. The Greenlots network supports a significant percentage of the DC fast charging infrastructure in North America, and a growing amount of Level 2 charging infrastructure. Greenlots’ smart charging solutions are built around an open standards-based focus on future-proofing, while helping utilities, cities, fleets,

other site hosts, and grid operators manage dynamic EV charging loads and respond to local and system conditions.

On June 8, 2020, Ohio Power Company (“AEP Ohio” or “Company”) filed an application for an increase in electric distribution rates which included a proposed “Electric Transportation” program (“EV Program”). The EV Program includes a portfolio of offerings collectively designed to maximize demand-side management of electric vehicle (“EV”) charging and to support fleet electrification and growth of corridor charging. The public fast charging offering is of particular importance to expand access to EV charging across a broad variety of demographics and geographies.

R.C. 4903.221 requires the Commission to consider four factors when presented with a motion to intervene. In addition, the Commission’s procedural rules similarly provide in OAC Rule 4901-11-1 that it shall consider five factors when weighing a motion to intervene. Greenlots’ motion meets all of the factors required by statute and rule.

Pursuant to R.C. 4903.221, the Commission must consider:

- (1) The nature and extent of the prospective intervenor’s interest;
- (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case;
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings; [and]
- (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

R.C. 4903.221(B).

OAC Rule 4901-1-11 permits intervention in a proceeding by an entity with “a real and substantial interest in the proceeding.” This same section of the OAC further provides the criteria

for the Commission to consider in deciding whether to permit intervention, mirroring R.C. 4903.221(B) and adding a fifth consideration:

- (1) The nature and extent of the prospective intervenor's interest.
- (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case.
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings.
- (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.
- (5) The extent to which the person's interest is represented by existing parties.

As a provider of EV charging software, equipment, and services to a range of clients, including both consumers and utilities, Greenlots has a direct and substantial interest in this proceeding. Specifically, Greenlots has a significant interest in the growth of electric vehicle charging infrastructure and the role of utilities in scaling the market for electric vehicle charging infrastructure. Greenlots' Initial Comments and Reply Comments in PUCO Case No. 20-434-EL-COI offer more of our perspective on this broad topic, which, importantly, differs from perspectives of other EV charging companies in several key respects that are relevant to these instant proceedings.¹

Greenlots also has a direct and substantial economic interest in the sustainable and scalable growth of Ohio's EV and EV infrastructure markets and in the broader regulatory and business landscape that affects the prospects of current and future EV-related business endeavors in Ohio. As a provider of EV charging software, equipment, and services, including to electric

¹ *In the Matter of the Commission's Investigation into Electric Vehicle Charging Service in this State*, Case No. 20-434-EL-COI, Reply Comments of Greenlots at 5 (Apr. 8, 2020): "Greenlots supports a regulatory approach that enables and encourages a portfolio approach to EV charging programs and includes both third-party ownership and utility ownership."

utility customers across the country, Greenlots' interests will be affected by the Commission's final determination in this proceeding as it relates to AEP Ohio's EV Program.

Greenlots' interest is also sufficiently different from that of any party, and will add measurably and constructively to the scope of the case. Indeed, no other party can adequately represent the interests of Greenlots in this proceeding. While another company within the broader EV charging industry—ChargePoint, Inc.— has also filed a motion to intervene in this proceeding, ChargePoint and Greenlots have differentiated business models and product offerings, and different market perspectives that substantively and directly pertain to the issues at hand in this proceeding. A small number of charging companies have a business model in which they own and operate their own network of charging stations and provide charging to the end-use driver. In contrast, Greenlots' business model is largely one in which the company sells its products and services to a client that owns charging stations, who, in turn provides charging to the end-users – the drivers. Greenlots' core product is a software platform to manage EV charging and unlock the potential of EVs and EV charging as managed grid assets. More broadly, Greenlots' services include turnkey charging station deployment as well as ongoing network and charging station operations and support.

In some regulatory proceedings in other states, Greenlots has seen stakeholders and even regulators be unsupportive of utility ownership of EV charging stations based upon a well-intended but mistaken presumption that such ownership will stifle competition and the growth of the private market. In fact, the opposite is the case. The more charging stations there are and the more EVs that are on the road, the bigger the market becomes for all providers and market participants. Moreover, the private market is not monolithic. It includes a diversity of business

models, products and services. Restricting utility ownership and operation of EV charging infrastructure distorts the market by favoring certain business models and limiting others.

In some regulatory proceedings, Greenlots has also seen stakeholders and regulators restrict the ability of utilities to procure and select hardware and/or software for utility-provided EV charging programs. Greenlots is convinced that utility procurement, selection, and management of charging hardware and software offers multiple benefits. These benefits include strengthening competition within the industry. Moreover, a utility-led wholesale level procurement offers the greatest likelihood of driving costs down and offering the utility—and by extension, its ratepayers—more value for every dollar spent.

Greenlots will assist in the Commission’s review of this matter by fostering a robust and fully-informed discussion related to the broader EV charging industry and market, including to what extent the EV Program will reduce market barriers and facilitate EV adoption within the Company’s service territory and elsewhere in the state. Greenlots’ intervention in this matter, which is being filed consistent with the procedural deadlines established for this docket, will neither unduly delay nor prolong the proceedings, as Greenlots desires to play a constructive role in this matter by isolating the issues of utmost importance, and offering valuable input into possible resolutions. Greenlots has already provided useful input to the Commission through its participation in Case No. 20-434-EL-COI, noted above, as well as by intervening and filing comments in a separate Commission proceeding regarding an electric transportation proposal by Duke Energy Ohio, Case Nos. 19-1750-EL-UNC *et al.* Furthermore, Greenlots has productively and actively intervened in regulatory proceedings in other jurisdictions involving EV charging infrastructure programs including:

- Atlantic City Electric, Docket No. EO18020190 (New Jersey Board of Public Utilities)

- Duke Energy Indiana, Cause No. 45253 (Indiana Utility Regulatory Commission)
- Pacific Gas and Electric, Docket No. A1502009 (California Public Utilities Commission)
- PacifiCorp dba Pacific Power, Docket UM-1810 (Public Service Commission of Oregon)
- Portland General Electric, Docket UM-1811 (Public Service Commission of Oregon)
- Public Service Electric and Gas, Docket No. EO18020190 (New Jersey Board of Public Utilities)

All correspondence and communications in this proceeding should be addressed to the following individuals, whose names should be entered on the official service list in connection with these proceedings:

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WHEREFORE, because Greenlots has a special interest in this case that is not otherwise adequately represented and because it is likely to provide informed input that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings, Greenlots respectfully requests intervention in this proceeding.

December 18, 2020

Respectfully submitted,

/s/ Terrence O'Donnell

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Record)

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CERTIFICATE OF SERVICE

The e-filing system of the Public Utilities Commission of Ohio will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons listed below via electronic mail on December 18, 2020.

/s/ Madeline Fleisher
Madeline Fleisher

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Case No(s). 20-0585-EL-AIR, 20-0586-EL-ATA, 20-0587-EL-AAM

Summary: Motion Motion to Intervene and Memorandum in Support by Zeco Systems, Inc. d/
b/a Greenlots electronically filed by Ms. Madeline Fleisher on behalf of Zeco Systems, Inc. d/
b/a Greenlots