

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of the Dayton)
Power and Light Company for Approval of its) Case No. 18-1875-EL-GRD
Plan to Modernize its Distribution Grid.)

In the Matter of the Application of the Dayton)
Power and Light Company for Approval of a) Case No. 18-1876-EL-WVR
Limited Waiver of Ohio Adm. Code 4901:1-18-)
06(A)(2).)

In the Matter of the Application of the Dayton)
Power and Light Company for Approval of) Case No. 18-1877-EL-AAM
Certain Accounting Methods.)

In the Matter of the Application of the Dayton)
Power and Light Company for Administration)
of the Significantly Excessive Earnings Test) Case No. 19-1121-EL-UNC
Under R.C. 4928.143(F) and Ohio Adm. Code)
4901:1-35-10 for 2018.)

In the Matter of the Application of the Dayton)
Power and Light Company for Administration)
of the Significantly Excessive Earnings Test) Case No. 20-1041-EL-UNC
Under R.C. 4928.143(F) and Ohio Adm. Code)
4901:1-35-10 for 2019.)

In the Matter of the Application of The Dayton)
Power and Light Company for a Finding that its)
Current Electric Security Plan Passes the) Case No. 20-680-EL-UNC
Significantly Excessive Earnings Test and the)
More Favorable in the Aggregate Test in R.C.)
4928.143(E).)

**REPLY BRIEF OF CHARGEPOINT, INC.
IN SUPPORT OF THE ELECTRIC VEHICLE REBATE PROGRAM**

I. Introduction

ChargePoint, Inc. (“ChargePoint”) respectfully submits this reply brief in support of the Electric Vehicle (“EV”) Rebate Program included in the Joint Stipulation and Recommendation (the “Stipulation”). Contrary to the Ohio Consumers’ Counsel’s (“OCC”) position, EV charging does play a necessary and important role in grid modernization, and the Rebate Program, as developed, will serve to benefit all ratepayers rather than just those who participate in the rebate program.

II. Background

As succinctly set forth in the initial post-hearing briefing of Sierra Club, the Environmental Law and Policy Center (“ELPC”), and the Ohio Environmental Council (“OEC”), the EV Rebate Program will advance state law objectives and the Commission’s vision for grid modernization as set forth through the PowerForward Roadmap—which specifically identified the challenges and opportunities of EV expansion. As more DP&L customers adopt EVs, the charging load associated with EVs will increase in DP&L’s service territory. The EV Rebate Program allows DP&L to better understand how EV charging impacts the distribution grid, evaluate reliability considerations, and direct customers to rates to help manage charging to the benefit of the grid for *all* customers.

Moreover, as set forth in the stipulation and in post-hearing briefing, the EV Rebate Program would create incentives for third parties to deploy EV charging stations where they are most needed, help accelerate the deployment of infrastructure that is necessary for EV adoption, and is carefully designed to improve access to electric transportation options for all DP&L customers, not just those that already own EVs. From its modest size to the robust information it stands to generate, the EV Rebate Program is well-designed, a product of compromise, and a benefit to the Commission’s stated goals and the public’s general interest. It should be adopted.

III. Electric Vehicle Charging Plays an Important Role in Grid Modernization.

The EV Rebate Program proposed by the Stipulation is consistent with the Commission’s specific, EV-related policy directive identified in the PowerForward process. Pursuant to the Stipulation, DP&L commits to implementing an EV Rebate Program that consists of EV supply equipment (“EVSE”) rebates for Level 2 and Direct Current Fast chargers (“DCFC”), education and marketing for the program, and future intelligent charging incentives. *See* Stipulation at 13. The costs associated with these innovations are capped at \$5.1 million. *Id.*

As rightly identified by ELPC, OEC, and the Sierra Club in their initial post-hearing briefs, the guidance issued to stakeholders during the PowerForward Process regarding the future of grid modernization in the State of Ohio specifically explained that “the grid modernization plans developed by the [utilities] must address how the existing distribution grid will adapt to meet the anticipated energy and power needs of EVs, so that the societal benefits associated with EV charging can be maximized.” *See* PUCO PowerForward Roadmap at 20, OCC Exh. 66; *see also* Post-Hearing brief of ELPC and OEC at 7. As part of that process, the Commission found that utilities “must address the need for both urban and corridor travel charging stations.” *Id.* at 8. The guiding principles for PowerForward also support the inclusion of the Rebate Program, including the fostering of innovation in technology and regulation and creating societal benefit for enhanced customer electricity experience. *Id.* at 8. The EV Rebate Program is consistent with the Commission’s EV-related policy guidance.

Criticism of the Rebate Program leveled by the OCC in its brief and testimony represents a narrow view of the types of programs DP&L and other similarly-situated utilities should include in their grid modernization plans.¹ Moreover, OCC’s approach does not mention or account for the call

¹ Indeed, the Commission has already approved and AEP Ohio has already adopted and operated a very successful EV Rebate Program, and Duke Energy is currently seeking approval for a similar opportunity. *See* In the Matter of the Application of Ohio Power Company for Authority to Establish a Standard Service Offer

to action initiated by the PowerForward process, which specifically recommended that utility grid modernization plans “address how the existing distribution grid will adapt to meet the anticipated energy and power needs of EVs so that the societal benefits associated with EV charging can be maximized.” *See* PowerForward Roadmap at 20, OCC Exh. 66.

The EV Rebate Program’s alignment with PowerForward is correctly identified in the briefs of the Sierra Club and ELPC and OEC, respectively. As they state, the Rebate Program allows DP&L to better understand how EV owners use the grid and the impact of the associated load increase to DP&L’s service territory due to the increase in electric vehicle charging in the very near future. *See, e.g.*, initial brief of ELPC and OEC at 7 (“The Program is consistent with PUCO’s guidance in its PowerForward roadmap”); *see also* initial brief of the Sierra Club at 7 (citing language from the PowerForward policy document “outlin[ing] a process for moving forward). As set forth in the Stipulation, the EV Rebate Program will allow DP&L to evaluate any reliability or power quality impacts related to EV charging, and help to manage customer rates to the benefit of the grid as a whole. These are opportunities available to DP&L, and the broader utility industry, only in the near term while the EV market is still in its formative stages—they should not be missed.

The Commission’s vision for grid modernization set forth in the PowerForward process, and highlighted by ELPC, OEC, and the Sierra Club in their respective post-hearing briefs, calls on utilities to “address how the existing distribution grid will adapt to meet the anticipate energy and power needs of EVs, so that the societal benefits associated with EV charging can be maximized.” *See* PowerForward Roadmap at 20, OCC Exh. 66. The EV Rebate Program as developed and

Pursuant to R.C. 4928.143, in the Form of an Electric Security Plan, Case No. 16-1852-EL-SSO, et al., Opinion and Order issued April 25, 2018. *See also* In the Matter of Duke Energy Ohio, Inc.’s Application for Approval of its Infrastructure Modernization Plan, Adjustment to Rider PowerForward, and Request for Deferrals, Case No. 19-1759-EL-UNC, *et al.*

proposed is consistent with the Commission’s specific, EV-related policy guidance and the principles and priorities set forth in the PowerForward process. It should be adopted.

IV. The EV Rebate Program, and other programs like it, will Benefit the Public Interest, as Previously Recognized by the Commission.

The EV Rebate Program is in the public’s best interest and will benefit ratepayers in DP&L’s territory, beyond just those who are able to receive rebates. Additionally, the Commission has already recognized the “vast array of benefits” of such programs, both via previously approved rebate programs, and the PowerForward process (as highlighted above). The OCC’s briefing and testimony does not address the previous success of prior rebate programs and does not account for the many benefits of the information such a program can provide to the utility, the Commission and greater public.

As discussed by the Sierra Club in its post-hearing brief, the Commission has already evaluated and approved an EV program that was the product of a Joint Stipulation in Case No. 16-1852-EL-SSO et al. *See* initial brief of Sierra Club at 4. There, the Commission recognized the “modest cost of the [EV Program], the benefits to be afforded to customers, and the vast array of benefits provided to the public interest” in approving a \$10 million EV Rebate Program. *Id.*; *see also* In the Matter of the Application of Ohio Power Company, Case No. 16-1852-EL-SSO, *et al.*, Commission Opinion and Order issued April 25, 2018 at 75. In its Order, the Commission recognized, as set forth by Sierra Club in its initial post-hearing brief, the many benefits to the public interest, and utility customers at large, including, *inter alia*: (1) “fostering the goal of increasing the number of [EVs],” (2) “facilitating the travel of [EVs] to and through the state,” (3) “reducing carbon emissions,” and (4) “prepar[ing] Ohio for advances in the transportation and electric market” while balancing the needs of customers through the service territory. *See* initial brief of Sierra Club at 5. ChargePoint agrees that all of these public benefits will likewise be served by the EV Rebate Program at issue in this case:

- The DP&L EV Rebate Program will clearly foster the adoption of EVs by facilitating their use and targeting deployment of charging stations in market segments—i.e. multi-unit dwellings, workplaces, fast charging stations.
- The Program will have the opportunity to reduce transportation emissions.
- A significant part of the pilot includes the collection of usage data from charging stations that can then be used to analyze grid reliability, demand response potential, and load growth. *See* initial brief of Sierra Club at 6; Stipulation at 16.
- All of this data will in turn be shared on an annual basis, thus assisting the Commission in understanding the impact of EV adoption on the electric market—a major goal of the EV Rebate Program.

As effectively stated in the Sierra Club and ELPC and OEC’s briefs, the potential benefits to the grid, to EV adoption, and to those served by DP&L’s territory far outweighs the proposed modest amount designated to the EV Rebate Program by the Stipulation. The OCC has not offered a compelling argument to the contrary in its testimony or initial post-hearing brief. DP&L’s modernization of its grid and understanding of grid impacts will provide a net positive to its customers and service territory.

V. Conclusion

For the reasons stated above, ChargePoint urges the Commission to approve the EV Rebate Program together with the Joint Stipulation.

Respectfully submitted on behalf of
CHARGEPOINT, INC.



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Reply Brief* was served by electronic mail upon the following Parties of Records on this 5th day of March, 2021:



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Summary: Reply Brief of ChargePoint, Inc. in Support of The Electric Vehicle Rebate Program electronically filed by Teresa Orahood on behalf of Dylan F. Borchers