

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates.	)	Case No. 21-887-EL-AIR
	)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval.	)	Case No. 21-888-EL-ATA
	)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.	)	Case No. 21-889-EL-AAM
	)	

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**OBJECTION TO THE STAFF REPORT BY CHARGEPOINT, INC.**

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**I.     INTRODUCTION**

In accordance with Ohio Revised Code Section (“R.C.”) 4909.19 and Ohio Administrative Code (“OAC”) 4901-1-28(B), ChargePoint, Inc. (“ChargePoint”) submits its objection to the May 19, 2022 Report filed by the Staff of the Public Utilities Commission of Ohio (“PUCO” or “Staff”). ChargePoint submits this objection without prejudice to or limitation upon its right to fully participate at the hearing in this proceeding, including the cross-examination of all witnesses presented as to all issues raised during the course of the proceeding. Whether or not it presents witnesses at the hearing, ChargePoint may adduce evidence through cross-examination of any witness concerning not only ChargePoint’s objection to the Staff Report, but also to objections filed by others parties, particularly Duke Energy Ohio, Inc. (“Duke Energy” or “Company”), and as to such additional issues which the Commission or the Hearing Examiner may permit the parties to present in accordance with OAC 4901-1-28(C).

**II. OBJECTION: The Staff Report fails to consider opportunities for rate design to promote EV charging and manage impacts to the grid.**

The Commission has recognized that the transition to an electrified transportation sector will have a significant impact to the grid. Rate design that does not hinder charging services and incentivizes off-peak charging is integral to minimizing grid impacts and realizing benefits is integral to distribution system planning. In fact, properly designed rates can provide important functions to ensure that EVs are properly integrated in a way that optimizes the grid, while also reducing barriers to widespread adoption of EVs. Exploring new rate designs could unlock investment in EV charging infrastructure needed to support EV drivers in Ohio as well as those transiting through the state. A distribution rate case is the appropriate time to examine whether rate design achieves these objectives, however the Staff Report fails to address this issue in any respect.

This rate case presents the Commission and stakeholders with an opportunity to ensure that Ohio's EV charging market continues to develop in a manner that benefits the grid and all ratepayers. Utility rate design is an effective tool for incentivizing EV charging and this proceeding will enable an examination of the range of EV load management options to ensure that the increased adoption of EVs leads to beneficial load growth across the grid. EV drivers, as well as all utility ratepayers, can realize great value when EV charging occurs at times that are most beneficial to the grid. Incentivizing charging behavior to take place during off-peak or super off-peak periods can lead to increased utilization of utility assets and avoid the need for additional capacity and grid infrastructure. Research indicates that incentivizing this type of behavior can be part of a strategy for managing the increasing adoption of EVs in a way that can put a downward pressure on rates.

Additionally, on November 15, 2021, President Joe Biden signed into law H.R. 3684, the Infrastructure Investment and Jobs Act (IIJA).<sup>1</sup> IIJA includes amendments to the Public Utility Regulatory Policies Act (PURPA) which direct utility regulators across the country to consider measures that promote greater electrification of the transportation sector through third party investments.<sup>2</sup> Specifically, the PURPA amendments require utility regulators in every state to initiate proceedings before November 2022 to consider establishing measures, including EV-specific rate designs that:

1. Promote affordable and equitable EV charging options for residential, commercial, and public EV charging infrastructure;
2. Improve the customer experience associated with EV charging, including reduction of charging times;
3. Accelerate third-party investment in EV charging; and
4. Appropriately recover the marginal costs of delivering electricity to EVs and EV charging infrastructure.

Further, utilizing the rate case as an opportunity to address rate design to promote EV charging and managing impacts to the grid is consistent with recent rate cases by other Ohio electric distribution utilities and with recent Duke Energy proceedings in other jurisdictions. For instance, in the recent AEP Ohio distribution rate case, the Commission approved new tariff provisions for electric vehicles.<sup>3</sup>

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<sup>1</sup> H.R. 3684 became Pub. L. No: 117-58 on November 15, 2021, available at: <https://www.congress.gov/bill/117th-congress/house-bill/3684/text>.

<sup>2</sup> See IIJA Section 40431, pp. 620-621.

<sup>3</sup> *In the Matter of the Application of Ohio Power Company for an Increase in Electric Distribution Rates*; Case No. 20-585-EL-AIR.

Duke Energy is also very familiar with electric vehicle rate design issues as a result of its activity in other jurisdictions. For example, Duke Energy Indiana offers a standard Low Load Factor Secondary Service rate without a demand charge and two time-of-use commercial rates that could be utilized by commercial and industrial electric vehicle charging customers.<sup>4</sup>

Respectfully submitted on behalf of  
CHARGEPOINT, INC.



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<sup>4</sup> See [https://desitecoreprod-cd.azureedge.net/\\_media/pdfs/for-your-home/rates/electric-in/iurc-15/011-de-in-rider-10-llf.pdf?la=en&rev=53f0b8099b9f4b98af19f30116f4f2f5](https://desitecoreprod-cd.azureedge.net/_media/pdfs/for-your-home/rates/electric-in/iurc-15/011-de-in-rider-10-llf.pdf?la=en&rev=53f0b8099b9f4b98af19f30116f4f2f5)

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing Responses was served by electronic mail, on this 21<sup>st</sup> day of June, 2022, to the parties listed below.



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Summary: Objection to The Staff Report by ChargePoint, Inc. electronically filed by  
Teresa Orahod on behalf of Dylan F. Borchers