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**FEDERAL EXPRESS**

July 31, 2018

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**RECEIVED**

JUL 31 2018

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Re: Policy Statement on Third Party Electric Vehicle Charging  
Resale/Redistribution of Utility Service Tariff Provisions  
Docket No. M-2017-2604382**

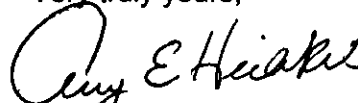
Dear Ms. Chiavetta:

Enclosed for filing on behalf of PPL Electric Utilities Corporation ("PPL Electric") are PPL Electric's Comments in the above-captioned proceeding. These Comments are being filed in accordance with the Proposed Policy Statement issued on May 4, 2018 at the above referenced docket.

Pursuant to 52 Pa. Code § 1.11, the enclosed document is to be deemed filed on July 31, 2018, which is the date it was deposited with an overnight delivery service as shown on the delivery receipt attached to the mailing envelope.

If you have any questions regarding these comments, please call me at (610) 774-4254 or James Conrad, Supervisor – Distribution Standards for PPL Electric at (610) 774-6066.

Very truly yours,

  
Amy E. Hirakis

Enclosures

cc: Scott Thomas  
Joseph Cardinale  
Darren Gill

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Third Party Electric Vehicle Charging – :  
Resale/Redistribution of Utility Service Tariff :       Docket No. M-2017-2604382  
Provisions :

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**COMMENTS OF  
PPL ELECTRIC UTILITIES CORPORATION**

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:**

On March 15, 2018, the Pennsylvania Public Utility Commission (“Commission”) passed the Motion of Chairman Gladys M. Brown to issue a proposed policy statement on third party electric vehicle (“EV”) charging stations. Thereafter, on May 4, 2018, the Commission issued a Proposed Policy Statement Order (“Proposed Policy Statement”) in the above referenced docket and directed interested parties to file comments within 45 days of the Proposed Policy Statement being published in the Pennsylvania Bulletin. On June 16, 2018, the Proposed Policy Statement was published in the Pennsylvania Bulletin.

In accordance with the Proposed Policy Statement Order, PPL Electric Utilities Corporation (“PPL Electric” or “the Company”) submits the following comments.

**I.     INTRODUCTION**

PPL Electric is a public utility and an EDC as defined in Sections 102 and 2803 in the Pennsylvania Public Utility Code, 66 Pa. C.S §§ 102, 2803. PPL Electric provides electric distribution, transmission, and default service to approximately 1.4 million customers throughout its certificated service territory, which includes all or portion of 29 counties and 10,000 square miles in eastern and central Pennsylvania.

On May 18, 2017, the Commission adopted the Motion of Chairman Gladys M. Brown to initiate a review on third party EV charging stations and potential restrictions in the Public Utility Code and/or the EDCs' tariffs. Thereafter, on June 15, 2017, the Commission issued a Secretarial Letter seeking comments on how EDC tariff provisions addressing the resale/redistribution of electric power to third parties may affect third party EV charging stations. PPL Electric submitted Comments in response to the June 15<sup>th</sup> Secretarial Letter on August 22, 2017.

At the Commission's March 15, 2018 Public Meeting, Chairman Brown introduced a motion, subsequently passed by the Commission, to have the Commission issue a proposed policy statement clarifying the Commission's policy that third party EV charging stations that are open to the public for the purpose of recharging an EV battery should not be considered a resale of public utility service under Section 1313 of the Public Utility Code (66 Pa. C.S. § 1313). In accordance with Chairman Brown's March 15<sup>th</sup> motion, on May 4, 2018, the Commission issued the instant Proposed Policy Statement.

## **II. COMMENTS**

The Proposed Policy Statement states that regulatory uncertainty regarding EV charging stations needs to be eliminated in order to promote the expansion of EV charging infrastructure in the Commonwealth. *Proposed Policy Statement* at 1. To eliminate such uncertainty, the Proposed Policy Statement clarifies that it is the Commission's policy that an EV charging station serving the public for the purpose of recharging an EV battery is not a sale to a residential consumer. The Proposed Policy Statement also requires each electric distribution company ("EDC") to explicitly address third party electric vehicle charging stations in its tariff. *Id.* at 1-2. Specifically, the Commission's proposed Policy Statement is as follows:

**§ 69.3501. Section 1313 of the Public Utility Code (66 Pa. C.S. § 1313).**

(a) Section 1313 of the Public Utility Code, 66 Pa. C.S. § 1313 (relating to price upon resale of public utility services), applies restrictions on the resale of utility service to residential customers.

(b) It shall be the policy of the Commission that a person, corporation or other entity, not a public utility, electric cooperative corporation, municipal authority or municipal corporation, owning and operating an electric vehicle charging facility that is open to the public for the sole purpose of recharging an electric vehicle battery should not be construed to be a sale to a residential consumer and should therefore not fall under the pricing requirements of 66 Pa. C.S. § 1313 (relating to price upon resale of public utility services).

**§ 69.3502. Electric vehicle charging tariff provisions.**

It is the policy of the Commission that all jurisdictional electric distribution companies should have tariff language providing clarity as to its rules regarding third party owned and operated electric vehicle charging stations that should address at least the following issues:

- (1) Reflect the statement of law in 66 Pa. C.S. § 1313, along with this Commission's policy statement that excludes third party electric vehicle charging stations, as described in § 69.3501(b), from the pricing requirements of 66 Pa. C.S. § 1313.

*Proposed Policy Statement, Annex A.*

PPL Electric believes that the proposed Policy Statement should indeed help clarify the treatment of sales from EV charging stations as Section 69.3501 makes it abundantly clear that Section 1313 of the Public Utility Code is not applicable to third party EV charging stations. Further, the proposed Policy Statement would require all EDCs to address third party EV charging stations in their tariffs, which would provide additional clarity to potential EV charging station operators and/or owners. PPL Electric specifically supports that Section 69.3502 allows the EDCs to develop their own tariff rules for EV charging stations/facilities. As PPL Electric stated in its initial comments, EDCs need to have flexibility in amending their tariffs as the EDCs have drastically different tariffs, characteristics, customer bases, and objectives. If the proposed Policy

Statement is adopted, PPL Electric requests that the Commission include in its order a streamlined procedure for EDCs to obtain Commission approval to amend their tariffs consistent with the policy statement.

PPL Electric is prepared to comply with § 69.3502, if adopted, and would seek to modify its Rule 5 (Use of Service) by adding a provision that states:

“(5) For purposes of third-party owned electric vehicle charging stations, charging the electric vehicle shall not be considered redistribution as defined under 66 Pa. C.S. §1313 and §69.3501(b) (relating to section 1313 of the Public Utility Code).

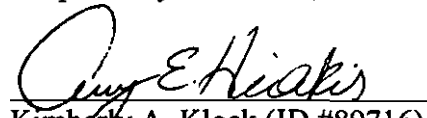
(a) Owner and/or operators of third-party electric vehicle charging services are to notify the Company of a planned installation of the electric vehicle charging facilities in accordance with Rules 2 – Requirements for Service, 3 – Extension of Service, and 4 – Supply of Service.”

The Company believes that this new provision expressly allows third party electric vehicle charging facilities. The provision would also provide guidance to interested third parties on when and how they must notify the Company about installation of electric vehicle charging facilities. A redline revision for Rule 5 of the Company tariff is attached in Appendix A.

**III. CONCLUSION**

PPL Electric supports the Commission's efforts to promote the expansion of EV charging station infrastructure throughout the Commonwealth, and specifically supports the proposed Policy Statement. The Company respectfully requests that if the Commission adopt the Policy Statement requiring EDC's to amend their tariffs, that the Commission provide a streamlined process for the EDCs to submit their proposed tariff amendments for Commission approval.

Respectfully Submitted,



Kimberly A. Klock (ID #89716)

Amy E. Hirkis (ID #310094)

PPL Services Corporation

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Date: July 31, 2018

Counsel for PPL Electric Utilities Corporation

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JUL 31 2018

Appendix A

RULES FOR ELECTRIC SERVICE PA PUBLIC UTILITY COMMISSION (C)

SECRETARY'S BUREAU

RULE 5 - USE OF SERVICE (CONTINUED)

E. ABNORMAL DEMAND AND USAGE

All metered demands and usage, including abnormal demands and usage which are inconsistent with the customer's normal use pattern, are billed as metered in the billing period in which they occur. This provision may be waived at the Company's option.

F. REDISTRIBUTION OF SERVICE

(1) Energy purchased from the Company shall not be submetered and resold to another party except as permitted under 5F(2), ~~and 5F(4)~~ and 5F(5). It is the Company's intent to meter and bill each tenant as an individual customer. Tenant is defined as an occupant of a multi-tenancy commercial building or parcel where it is expected that tenure shall be for a year or more. For the purpose of this rule, the term multi-tenancy commercial building shall include any structure which contains or houses 3 or more separate and distinct residential or commercial units.

(2) Where installation of electric service was completed by May 21, 1980, electric energy may be redistributed and submetered to tenants provided service to the premises is to one point of delivery through a single meter under the applicable general rate schedule, and charges for electric service to such tenants do not exceed charges as computed under the Company's applicable rate schedule for comparable service.

(3) At the service locations covered hereunder connected after May 21, 1980, each tenant shall be served, metered and billed individually by the Company under the appropriate rate schedule except where a definite commitment has been made as of that date to permit master metering with the resale provision of 5F(2). Upon application, affidavit, and proof presented to the Company, any owner (or his duly authorized representative) of a new multi-tenancy commercial building may seek an exception to Tariff Rule 5(F) by demonstrating that the installation of individual electric meters at each separate unit within the building is neither feasible nor practical from a financial, technical, or engineering point of view or by citing any other valid reason; all of which must be designed to prove that the installation of individual electric meters within the building will not achieve any notable reduction in the consumption of electricity by the tenants in the building beyond that which would be accomplished through the use of a master metering system with efficient heat controls.

(4) Company, at its discretion, may permit submetering for both existing and new service locations in accordance with the resale provisions of 5F(2) when all of the following conditions are present:

- (a) It is impractical for the Company to separately bill each tenant.
- (b) Each tenant has control of the majority of his electric energy use.
- (c) That substantial energy conservation will be effected.

(5) For purposes of third-party owned electric vehicle charging stations, charging the electric vehicle shall not be considered redistribution as defined under 66 Pa. C.S. §1313 and §69.3501(b) (relating to section 1313 of the Public Utility Code).

(a) Owner and/or operators of third-party electric vehicle charging services are to notify the Company of a planned installation of the electric vehicle charging facilities in accordance with Rules 2 – Requirements for Service, 3 – Extension of Service, and 4 – Supply of Service.

#### G. VANDALISM

When Company street light facilities at a location are repeatedly vandalized, the customer shall reimburse the Company for all costs to repair such vandalism after the second recorded incident over a consecutive 24 month period.



ORIGIN ID: ABEA (484) 634-3035  
 DONNA KINGCAID  
 PPL ELECTRIC UTILITIES  
 827 HAUSMAN ROAD

SHIP DATE: 31 JUL 18  
 ACTWGT: 0.50 LB  
 CAD: 105881116/NET4040

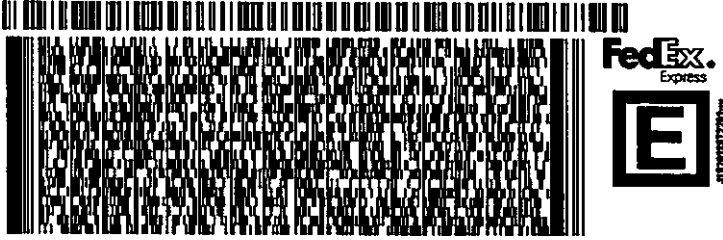
ALLENTOWN, PA 18104  
 UNITED STATES US

BILL SENDER

**TO ROSEMARY CHIAVETTA, SECRETARY  
 PENNSYLVANIA PUBLIC UTILITY COMMISS  
 COMMONWEALTH KEYSTONE BLDG  
 400 NORTH ST  
 HARRISBURG PA 17120**

562,116,009,DC46

(717) 772-7777 REF: M:2017-2604382  
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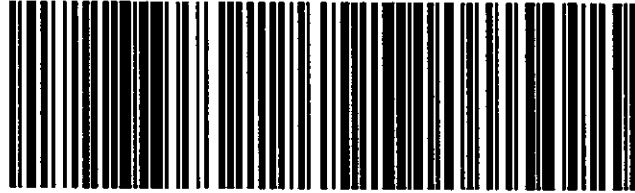


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