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**Testimony of Kevin George Miller on Behalf of ChargePoint  
HB 5510/LCO 2022 – An Act Concerning Electric, Zero Emission and Fuel Cell Electric Vehicles**

Headquartered in Campbell, California, ChargePoint is the world's largest and most open electric vehicle (EV) charging network with more than 26,000 level 2 and DC fast charging spots, including more than 140 spots in Connecticut. Every 4.5 seconds, a driver connects to a ChargePoint station and by initiating over 14 million charging sessions, ChargePoint drivers have driven over 320 million gas free miles.

ChargePoint wishes to commend the Energy and Technology Committee for seeking to continue expanding support for electric vehicles and electric vehicle service equipment (EVSE) for the people of Connecticut. We support the overall intent and purpose of this legislation to make charging more accessible and enable private investment in EV Charging Infrastructure.

The State of Connecticut has been a leader in clean transportation policy, and this bill can be another step in the right direction. In 2015, Connecticut signed a Memorandum of Understanding (MOU) with seven other states to put 3.3 million zero-emission vehicles (ZEVs) on the road by 2025. Successfully achieving Connecticut's share of that goal, 155,000 ZEVs, hinges on the continued support from the General Assembly and the Administration.

ChargePoint encourages the Committee to consider the promising model from Southern California (Southern California Edison) for sustainably deploying charging networks, which combines the strength of utilities to lay down basic infrastructure and the innovative capacity of the competitive marketplace to provide an amazing customer experience. In California and elsewhere, utilities, regulators, policy-makers, NGOs, and the business community are working together to create bold EV utility programs. These policies include: (1) smart rate structures, EV infrastructure in key locations, and other programs that incentivize EV purchases and reduce barriers to electric vehicle charging; (2) policies that allow utility investments to be optimized for a future with a smarter grid and widespread clean distributed energy resources; and (3) policies that demonstrate benefits for all utility customers and maintain customer choice in charging equipment and services and innovation in the market.

Our comments for HB 5510 follow, with full recommended edits included in Appendix A:

**Section 3: Exempting EV Charging Stations from Regulation as Utilities.** Establishing an exemption for EV charging station site hosts to resell electricity to EV drivers is a key to unlocking the growth in Connecticut's EV market.



ChargePoint does not own EV Charging infrastructure. Rather, we sell our products and services to companies that provide charging services. Typically, these are apartment building owners, employers like Kaman Aerospace and Pfizer, cities, counties, and parking garage operators.

Each such company has its own business model for providing charging services. For most but not all employers, it's a free service to encourage clean transportation and is an employee benefit. Apartment building owners will typically charge for the service as they do for a coin op laundry. Cities and counties charge cost-recovery fees in order to avoid just giving away electricity at taxpayer expense. Some of these services are free, some are included in rent, some are pay per use and some are modified to elicit charging behavior and highest utilization of the asset.

With the clarity of HB 5510 these companies are certain they can offer these services with an appropriate model for their situation and so they will build out and make private investment in the infrastructure that is key to EV adoption.

By adopting this provision, Connecticut will join 18 other states, including Vermont, Massachusetts, Rhode Island, New York, and Maryland. New Hampshire has recently opened a proceeding on the matter as well. The recommendation is also part of the NESCAUM State ZEV Action plan as a priority regulatory policy.

It is critical that EV charging station owners in Connecticut also be exempted from consideration as an *"electric distribution company"* or an *"electric supplier"*. These terms will ensure a robust exemption for EV charging, and failure to include them could leave site hosts in a legal grey area.

**Section 4: EV Definitions.** ChargePoint respectfully proposes to amend the definitions of EV charging stations to maintain the capacity for innovation in the EV market. The language as currently drafted equates a "public" station with one that is free of charge, and defines "private" stations as having open access. These definitions are confusing, and do not reflect the full range of flexible options for incentivizing the use of EV charging stations on private property and publicly available parking spaces. The definition of a "publicly available parking space" will also need clarification to ensure that the private property rights of EV Charging hosts are maintained and that we do not place new regulatory burdens on customers that will cause them to hesitate to make the investment or cause confusion in this emerging market.

**Section 4: Time of Day (TOD) Rates.** We urge the Committee to consider implementing EV TOD rates for both residential and commercial consumers. TOD rates are an essential tool that allow for residential and commercial EV stakeholders to capture value by charging up when electric demand is low.

**Section 8: EV Charging Station Operations.** ChargePoint respectfully encourages the Committee to amend the language in HB 5510 as follows:

- Subscription Fees. ChargePoint agrees with the underlying principle that EV drivers should not be required to obtain membership in order to access public EV charging stations. However, the current language implements a broad prohibition on creating incentives for EV charging stations. We recommend amending the language to have open access to public EV charging stations while allowing for innovation through price schedules, subscription, and membership.
- Payment Options. We recommend against narrowly defining what technologies must be offered at an EV charging station, and to instead stipulate that stations must provide payment options that allow access by the general public. This will allow for the statute to accommodate changes in technology without the need to revisit language in the future.
- Data Sharing. The language as filed current directs the Department of Motor Vehicles to share information about public EV charging stations. We recommend that the Committee direct the owner or operator, or its designee, to share charging station data that is consistent with the data already collected by the National Renewable Energy Laboratory.

**Sections 9 – 11: Weights & Measures Inspections.** We urge the Committee to strike these sections entirely. The standards referenced in Sections 10 and 11 have already been adopted by the Department of Consumer Protection, and as there is no established inspection procedure in place it would be premature to assess a fee as identified in Section 9.

ChargePoint fully acknowledges the authority to pass a device registration fee. However, a state metrology Director and senior and Board member of the National Council on Weights and Measures has indicated that inspection costs for EV stations are still unknown at the moment and that it would not be prudent to charge for an inspection that won't, or can't, be performed. Implementing a Weights & Measures fee at this point would be a disincentive to the continued growth of the EV market, which will be necessary for Connecticut to meet its commitment to put 155,000 EVs on the road by 2025.

Thank you for the opportunity to testify on behalf of HB 5510. ChargePoint looks forward to continue working with the General Assembly in order to continue sustainably expanding the EV market in Connecticut.

Sincerely,



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