

March 30 2021

British Columbia Utilities Commission  
6th Floor – 900 Howe Street  
Vancouver, BC V6Z 2V3

Mr. Patrick Wruck, Commission Secretary

**RE: FORTISBC INC. RATE DESIGN AND RATES FOR ELECTRIC VEHICLE DIRECT CURRENT  
FAST CHARGING SERVICE APPLICATION ~ PROJECT NO. 1598940**

Please find attached ChargePoint's Final Arguments. Please contact me if you have any questions.

Respectfully,

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**FORTISBC INC. RATE DESIGN AND RATES FOR ELECTRIC VEHICLE DIRECT CURRENT FAST CHARGING SERVICE APPLICATION ~ PROJECT NO. 1598940**

**CHARGE POINT  
FINAL ARGUMENT  
TO FORTIS BRITISH COLUMBIA (FORTISBC)**

**March 30 2021**

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On February 24 2021 the Commission requested that FortisBC and all interveners comment on the legal interpretations of questions outlined in Exhibit A-13<sup>1</sup> in final arguments. Aside from the responses below, ChargePoint provides no additional comments for the record in its final argument.

**ChargePoint's comments on the Commission's questions outlined in Exhibit A-13**

**1. Section 5(1) of the GRR defines an "eligible charging site" as a site where one or more eligible charging stations are located; "limited municipality" as a municipality with a population of 9,000 or more; and "site limit" as the number calculated by dividing the municipality population by 9,000 and rounding the quotient up to the nearest whole number.**

**How should a "site" be interpreted for the purposes of determining a "site limit" within a "limited municipality"? For example, should there be any considerations regarding geographic location, location size, or number of fast charging stations for a "site"? Can multiple electric vehicle (EV) charging service providers operate their fast charging stations under the same "site"?**

ChargePoint's response to Question #1:

Based on common use of the term "site" within the context of the EV charging industry, ChargePoint interprets a "site" as a discrete physical location with a physical address or discrete geographical coordinates where one or more charger is located. This may be a section of parking lot or a city block.

It is common for more than one charger to be located at one site as noted above, and, although not common practice, there are some cases where multiple service providers operate their fast charging stations at the same "site". Within the context of determining the number of sites in a "limited municipality", ChargePoint would interpret any "site" with at least one charging station as counting towards the "limited municipality" threshold for utility investment as FortisBC did in its revised and updated rate application.<sup>2</sup> For example, if a municipality had a population of 18,000 and there was an existing site with two fast charging stations, then the utility's "site limit" would be one.

**2. Section 5(2)(b) of the GRR states that an eligible charging station is a prescribed undertaking if "the public utility reasonably expects, on the date the public utility decides to construct or purchase an eligible charging station, that (i) the station will come into operation by December 31, 2025, and (ii) if the station will be located in a limited municipality, the number of eligible charging sites in the municipality on the date the station will come into operation will not exceed the site limit for the municipality on that date."**

- a. How should "on the date the public utility decides to construct or purchase an eligible charging station" be interpreted? What information should be used to determine when that date was? Should the utility be required to also determine the site where the eligible charging station will be located by that date?**

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<sup>1</sup> Exhibit A-13, BCUC's communication to interveners regarding final arguments on February 24, 2021.

<sup>2</sup> Exhibit B-5, Revised and Updated Application dated September 30, 2020, see page 9.

- b. **Considering that there may be circumstances where it may not be known if an eligible charging station has met the criteria to be a prescribed undertaking until the station comes into operation, should the BCUC make a determination, on a forecast basis, of whether an eligible charging station is a prescribed undertaking? What are the advantages and disadvantages to the utility and its ratepayers of the BCUC making such a determination on a forecast basis?**

ChargePoint's response to Question #2a:

ChargePoint would interpret "on the date the public utility decides to construct or purchase an eligible charging station" as the date that the public utility completed the necessary activity that would allow the utility to make a reasonable determination of when a charging station would come into operation.

While we do not provide specific recommendations on what information should be submitted by a utility, we do note, that based on ChargePoint's experience deploying over 100,000 charging stations globally, such information could include identification of a charging site, written permission to install and access a charging station at a site<sup>3</sup>, permit application or utility service design<sup>4</sup> as well as the elements of financial commitment noted by FortisBC in its final argument, on page 7, paragraph 19.<sup>5</sup>

*FBC has stated that it considers "the date the public utility decides to construct or purchase an eligible charging station" to be the date in which it enters into a financial commitment to purchase, construct or install the required charging station infrastructure for the eligible charging station. While it is possible that a decision could have been made earlier, an executed and dated contract or letter of intent clearly demonstrates that a decision was made by the date of the contract or letter of intent. This is true as authorization would be needed for an employee to sign the contract or letter on behalf of the utility.*

This type of information is typically required as a condition of securing or receiving funding in grant programs across North America, e.g. California Electric Vehicle Infrastructure Project and Natural Resources Canada Zero Emission Vehicle Infrastructure Program.<sup>6</sup>

ChargePoint's response to Question #2b:

ChargePoint provides no submission here.

**3. The GGRR was amended on June 22, 2020 to include EV charging stations as a prescribed undertaking. FBC submits that section 18 of the CEA and section 5 of the GGRR have a "retrospective" effect, "as they require the recovery of the costs of all charging stations that come into operation by December 31, 2025, which by definition includes stations in operation prior to June 22, 2020."**

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<sup>3</sup> In the Natural Resources Canada Zero Emissions Vehicle Infrastructure Program, grant applicants must demonstrate that they own or have permission to access the site where the charging stations will be installed as a condition of the contribution agreement (i.e. funding commitment). <https://www.nrcan.gc.ca/energy-efficiency/transportation-alternative-fuels/zero-emission-vehicle-infrastructure-program/21876>.

<sup>4</sup> In the California Electric Vehicle Infrastructure Project, grant applicants must provide proof of permit application or utility service design within 60 days of the Funds Reserved date to avoid application cancellation, <https://calevip.org/incentive-project/peninsula-silicon-valley>.

<sup>5</sup> Exhibit B-21, Fortis BC's Final Argument.

<sup>6</sup> Natural Resources Canada Zero Emissions Vehicle Infrastructure Program, <https://www.nrcan.gc.ca/energy-efficiency/transportation-alternative-fuels/zero-emission-vehicle-infrastructure-program/21876>, and California Electric Vehicle Infrastructure Project, <https://calevip.org/incentive-project/peninsula-silicon-valley>.

- a. Does section 5 of the GGRR include fast charging stations that came into operation prior to June 22, 2020 as a prescribed undertaking on a retrospective basis? Why or why not?
- b. In the case of a station that needed to be upgraded to meet the criteria to be a prescribed undertaking, what portion of the total capital cost of the upgraded station should be allowed into a public utility's rate base? For instance, would this be the entire cost of the upgraded station less accumulated depreciation, or only the incremental investment portion for the upgrade? Please provide reasons in support.

ChargePoint's response to Question #3a:

ChargePoint makes no determination on the interpretation of Section 5 within the context of charging stations being installed prior to June 22 as a prescribed undertaking.

ChargePoint's response to Question #3b:

ChargePoint provides no submission on what portion of the total capital cost of the upgraded station should be allowed into a public utility's rate base.

**4. Section 18(2) of the CEA provides that the BCUC "must set rates that allow the public utility to collect sufficient revenue in each fiscal year to enable it to recover its costs incurred with respect to the prescribed undertaking." Section 18(3) of the CEA also provides that the BCUC "must not exercise a power under the Utilities Commission Act in a way that would directly or indirectly prevent a public utility... from carrying out a prescribed undertaking." Should all cost components of an eligible charging station be eligible for recovery under the GGRR (for example, paving costs, lighting installation and maintenance costs, washroom facilities, wheelchair accessible ramps)? Why or why not? If reasonable limits on cost recovery are required, how should they be determined and why?**

ChargePoint's response to Question #4:

ChargePoint does not make a determination on the interpretation of the CEA, but does recommend that: (a) cost recovery be limited to costs associated with charging station installation, maintenance and operation, as well as costs incurred to make charging stations accessible to EV drivers, and (b) cost recovery not include amenities like washroom facilities that could be used by non-EV drivers, or that may be redundant to existing on site amenities.