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May 15, 2018

VIA EMAIL - MCHARRON@DRIVEENERGY.CA

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Attention: Mr. Maxime Charron

Dear Sirs/Mesdames:

Re: British Columbia Utilities Commission Inquiry into the Regulation of Electric Vehicle Charging Service ~ Project No. 1598941

We are counsel to the Commercial Energy Consumers Association of British Columbia (the "CEC"). Attached please find the CEC's Information Request on written evidence with respect to the above-noted proceeding.

If you have any questions regarding the foregoing, please do not hesitate to contact the undersigned.

Yours truly,

OWEN BIRD LAW CORPORATION



Christopher P. Weafer

CPW/jj

cc: BCUC – Atten: Patrick Wruck, Commission Secretary  
cc: Registered Interveners  
cc: CEC

**COMMERCIAL ENERGY CONSUMERS ASSOCIATION  
OF BRITISH COLUMBIA (“CEC”)**

**INFORMATION REQUEST NO. 1 TO DRIVE ENERGY INC.**

**British Columbia Utilities Commission – Inquiry into the Regulation of Electric Vehicle  
Charging Service ~ Project No. 1598941**

**May 15, 2018**

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**1. Reference: Exhibit C3-2, Page 1**

- iii. To summarize, there is no monopoly in the installation part of the EV industry where a company can control the pricing. The market will dictate how much they can charge per hour as EV drivers will simply avoid the most expensive charge stations – similar to ATM machines. However, on a manufacturer level, by not having the ability to have open charge point protocol for payment processing, the client is tied to the manufacturer terms & conditions as well as the payment management / processing fees and subject to any fee increase (with the industry being at around 12% fees today). This situation would create a monopoly / oligopoly. Solution: request all smart EV chargers to be open sourced, and have the ability to have open charge point protocol like it is in Europe.
- 1.1 If the Commission asserts its potential jurisdiction to regulate electricity reselling and could determine whether or not management/processing fees were fair, just and reasonable would that suffice as a solution to the issue raised here?
- 1.2 Please identify the method of either regulation or legislation that Europe uses to enable Open Charge Point Protocol.

**2. Reference: Exhibit C3-2, Page 2**

- ii. However, the EVSE owner, who are also clients of vendors, are captive of a monopoly / oligopoly structure in which they are tied to the provider of the hardware (charging station) that they have purchased. As mentioned above, until the smart EVSEs operate on Open Charge Point Protocol like ABB, Easton or Tritium DCFCs, all level 2 hardware is tied to the same company to provide payment processing & service and are very vulnerable to uncompetitive monthly fees and payment processing fee hikes.
- 2.1 Please provide a broader description of ABB, Easton and Tritium as Open Charge Point Protocol.
- 2.2 Is there a definitive description of the European Open Charge Point Protocol and could you provide a copy.

**3. Reference: Exhibit C3-2, Page 3**

- It would not be desirable for the BCUC to establish one model for all as every situation is different depending on location and EVSE ownership. With DCFC, it would make sense to have a fee to simply start the DCFC then pay per KWH used and one free hour to avoid people leaving their car behind. Also, since BC Hydro is rolling out with phase 2 of DCFC soon, other private entities will get into the market as well suggesting that BC Hydro's rate design might differ from the private sector.

3.1 Are there other DCFC stations in BC other than the ones own by BC Hydro and FortisBC and how quickly would you expect the DCFC competition to the BC Hydro and FortisBC DCFC station network?

**4. Reference: Exhibit C3-2, Page 4**

- It is very important to understand that many benefits will come from allowing private organizations to get in to building EV charging infrastructures and charging fees for it. Presently, what drives the building of EV infrastructure is heavily relied on taxpayers money as the ROI from EVSE isn't quite good. However, by allowing the private market to charge a fee for charging services and pay for electricity usage, this will change the way the industry operates. With the fast increase of EV adoption, it will increasingly become heavy on public funding to support the investment needed to build the EVSE infrastructure across the province. Also, there is currently a Federal Government Grant through NRCAN in which one of the requirement is to have payment features, therefore the station cannot be offered for free which does not align with the current gray zone in the BCUC regulations.

4.1 The current reliance for the development of the EV market on taxpayer funds at local, provincial and national government levels could become a significant tax burden if the pricing remains free. Transition to a private sector market model would be critical to avoiding a significant tax burden if the subsidized models do not phase out. From a policy perspective how do you see that transition taking place and when do you expect that it should take place?