

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of Union            )  
Electric Company d/b/a Ameren Missouri            )  
for Approval of a Tariff Setting a Rate for            )  
Electric Vehicle Charging Stations.                )            Case No. ET-2016-0246

**CHARGEPOINT, INC.’S  
STATEMENT OF POSITION ON THE ISSUES**

Comes now ChargePoint, Inc. (ChargePoint) by and through counsel, and submits this statement of position on the separate list of issues filed by ChargePoint, the Office of Public Counsel, Midwest Energy Consumers Group and Consumers Council of Missouri on January 4, 2017:

**1. Commission Jurisdiction**

**Does the Commission have jurisdiction to regulate utility-owned and operated electric vehicle charging stations operated in a utility’s service area?**

As stated in the rebuttal testimony of Anne Smart on page 12, the Commission clearly has jurisdiction over Ameren Missouri and any investment made by the utility that it regulates. However, the proposal by Ameren Missouri to install and operate EV charging station is not a “public utility” service under Missouri law Section 393.140(1). Furthermore, the acquisition of and operation of EV charging stations are not regulated services and charging stations do not qualify as “electric plants” under Missouri law Section 386.020(14).

**2. Public Policy**

**A. Are there public benefits realized if the Commission approves Ameren Missouri’s proposal to installation of six electric vehicle charging stations in Ameren’s service territory?**

ChargePoint is supportive of public utility investments in EV charging infrastructure and strongly supportive of EV adoption. Increasing access to charging stations, in coordination with a competitive EV charging industry, can encourage EV adoption and EV charging, which provides the grid with benefits from increased load, opportunities for load management and balancing with intermittent renewables, and overall downward pressure on electricity rates for all customers, including non-EV drivers. However, if the Commission approves Ameren Missouri's proposal, adverse effects on competition would ensue contrary to the public interest.

**B. Is Ameren acting as a regulated utility in offering this service?**

Ameren Missouri represents that it would act as a public utility in providing this service but in reality, no, the proposed provision of EV charging stations would not constitute a service Ameren offers as a public utility. As mentioned previously, EV charging service is not a "public utility" service.

**C. Does the pilot design proposed by Ameren impact competition with third parties for charging station sites in its service territory?**

Yes. As indicated in the rebuttal testimony of Anne Smart on page 8, the design of Ameren Missouri's pilot, including selecting a single vendor for the charging stations, and seeking to regulate pricing to drivers, could negatively impact the competitive EV charging market in Ameren's service territory. It would be nearly impossible for third parties to sell or operate charging stations along the same highway corridor proposed in this pilot until Ameren's investment is complete since those third parties would have to compete against the availability of free charging station equipment for site hosts and do not have the same ability to socialize the cost of charging stations across a ratebase.

### 3. Costs

**Should the cost of installing the electric vehicle charging stations be booked below the line or above the line and recovered from ratepayers?**

It is ChargePoint's position that public utilities should be allowed to recover the cost of installing electric vehicle charging stations in Missouri only if the proposed projects support competition, customer choice, and innovation. In the rebuttal testimony of Anne Smart, ChargePoint has recommended several changes be made to the pilot design in order to support these principles. Costs of those stations should not be subsidized by or recovered in rates charged to ratepayers unless changes are made to the pilot design to avoid adverse effects on the competition already present in the market for these services.

### 4. Rates

**Does Ameren Missouri's proposed tariff represent the proper rate design for its EV charging station pilot project?**

The question assumes that the Commission has jurisdiction over the service and ChargePoint contends that it does not. The rate for this service should be established by competitive market forces and not by regulation.

Respectfully submitted,

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Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via email on this 6<sup>th</sup> day of January, 2017, to:

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