BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of a Working Case Regarding Electric Vehicle Charging Facilities	)))	Case No. EW-2016-0123

COMMENTS OF CHARGEPOINT, INC.

Comes now ChargePoint, Inc. ("ChargePoint") and respectfully submits comments responding to the Notice Scheduling Workshop and Requesting Responses issued by the Missouri Public Service Commission ("Commission") on January 20, 2016, and the February 1, 2016 Order Rescheduling Workshop Meeting.

I. INTRODUCTION

On December 2, 2015 the Commission opened this working case for the purpose of investigating the legal and policy regulatory issues related to both the installation and operation of electric vehicle ("EV") charging facilities and the associated sale of electricity to electric vehicle owners.[1] Pursuant to this order, the Commission has scheduled a workshop on March 29, 2016, and invited all interested stakeholders to respond to questions identified by Staff. The Commission will use these responses as a guide for discussion in the March 29 workshop.

ChargePoint appreciates the opportunity to submit this response and looks forward to actively participating in this proceeding. Headquartered in Campbell, California, ChargePoint is the world's largest and most open EV charging network with more than 26,000 Level 2 EV and DC fast charging spots, including 470 ports in Missouri. ChargePoint has over 5,100 customers, including major employers, municipalities, universities, utilities, real estate developers and parking garage facility owners and operators that provide EV charging and related services to EV

[1] Order Opening a Working Case Regarding Electric Vehicle Charging Facilities, p.1.

drivers. Every 5 seconds, a driver connects to a ChargePoint station, and drivers on the ChargePoint network have driven over 298 million gas-free miles.

ChargePoint was established by Silicon Valley entrepreneurs with the sole mission to ensure that consumers do not hesitate to purchase electric vehicles because they could not find a place to charge them. The company is credited with delivering the first networked "smart" charging station in the U.S. market, and is building a global EV community and the network that connects it. ChargePoint has been recognized for its contributions to innovation, and was one of 16 companies from around the world recently invited to the COP 21 meeting in Paris to accept the United Nations Momentum for Change Award in recognition of its innovative and scalable approach to tackling climate change.

The Commission's questions are timely and appropriate. In jurisdictions around the country, ChargePoint has observed that clarifying the regulatory status of third-party providers of EV charging equipment and services is a crucial first step in order to provide the regulatory certainty necessary to support participation and private investment. ChargePoint applauds this Commission for actively engaging on this issue and for seeking input and best practices from industry stakeholders.

The next important question is the role of the utilities in enabling expansion of EV charging infrastructure. Most stakeholders agree that utilities can play a critical role in providing financial, educational and logistical assistance to customers interested in deploying EV infrastructure at public, workplace and multi-unit residential sites. At the same time, there are legislative and regulatory discussions happening around the country on defining the role of the utility to actively support deployment of EV charging stations in a way that benefits ratepayers and allows competition, customer choice, and innovation to continue in the market.

ChargePoint is proud to have partnered with Kansas City Power and Light ("KCP&L") on its Clean Charge Network program. We believe that KCP&L took the appropriate first steps to jump-start an EV market in its service territory in Missouri and in Kansas, where infrastructure deployment and therefore EV adoption has been lagging. Moving forward beyond the focused scope of KCP&L's initial pilot, ChargePoint believes that the utility role should be limited to an investment in "make ready" which is the utility upgrades and installation costs on the customer premise needed to make a parking space ready for EV charging. This leverages private investment and also enables customer choice of equipment and services, an essential element in supporting healthy competitive markets and encouraging technological innovation.

We address the Staff's questions below and look forward to providing information and recommendations at the March 29, 2016 workshop.

II. RESPONSES TO QUESTIONS

As requested, ChargePoint provides responses below, as relevant, to the questions identified in Attachment B of the Notice Scheduling Workshop and Requesting Responses.

1. **What is the Missouri Public Service Commission's role in regulation of electricity from a charging station to an electric vehicle? Please provide the legal justification for your response.**

The Commission should clarify that non-utility entities providing EV charging services are not subject to Commission regulation, and that the Commission does not regulate the pricing, terms or conditions of the sale of EV charging by EV charging service providers. This clarification would be consistent with Missouri law, and with the position taken by other states across the country, which have determined unanimously that third-party companies purchasing electricity at retail from regulated utilities and using it to provide charging service to EV drivers

(regardless of the business context) are not performing the function of an electric utility or electricity supplier, and should not be subject to regulation as such.[2]

a. Third-party providers of EV charging services are not subject to regulation by the Commission, and the Commission does not have the authority to regulate the terms and conditions of EV charging services provided by non-jurisdictional entities.

The Commission has plenary authority to regulate the provision of utility services by jurisdictional investor-owned utilities. However, third-party owners or operators of EV charging stations are not public utilities because they do not own, operate, control or manage electric plant or provide utility services to the public. Under Section 386.020(43) of the Missouri Revised Statutes a jurisdictional "public utility" includes an "electrical corporation" defined in Section 386.020(15) as a:

> corporation, company, association, joint stock company or association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, other than a railroad, light rail or street railroad corporation generating electricity solely for railroad, light rail or street railroad purposes or for the use of its tenants and not for sale to others, *owning, operating, controlling or managing any electric plant except where electricity is generated or distributed by the producer solely on or through private property for railroad, light rail or street railroad purposes or for its own use or the use of its tenants and not for sale to others*.[3]

Third-party owners and operators of EV charging stations do not generate, transmit, distribute, or sell electricity to end users. Rather, they use electricity to provide EV charging service to their customers. As other commissions have found, the use of electricity is merely

[2] This does not mean that electric utilities should be prohibited from offering EV charging as a part of its regulated service and recovering the associated cost through regulated rates. In fact, EV charging is provided by utilities as a regulated service offering in many states.

[3] Emphasis added. The term "electric plant" is defined in Section 386.020(14) as "real estate, fixtures and personal property operated, controlled, owned, used or to be used for or in connection with or to facilitate the generation, transmission, distribution, sale or furnishing of electricity for light, heat or power; and any conduits, ducts or other devices, materials, apparatus or property for containing, holding or carrying conductors used or to be used for the transmission of electricity for light, heat or power."

incidental to the provision of EV charging service through a privately owned charging station. The charging service provided by the charging station owner or operator is not delivered by that owner or operator over distribution system wires or circuits, but rather by a cord and a connector.

The transaction between an EV service provider and an EV driver has nothing in common with a traditional sale of electricity by a utility to a consumer. Indeed, non-utility companies selling charging services are themselves retail customers that purchase electricity from a regulated utility in order to provide charging services, which will in most cases include providing the user access to the charging station, use of related metering and communications software, participation in a network, billing, and various other options. In this respect, a provider of EV charging services has more in common with an internet café that allows users to plug in to charge their computer batteries or a cell phone battery-charging kiosk at the airport than with a regulated public utility operating a grid and selling electricity to local businesses and households.

The Commission should determine that a third-party owner or operator of an EV charging station is not an electrical corporation or a public utility as defined by Missouri law. In light of this, the Commission does not have role in regulating the sale of EV charging equipment or services by non-utility providers. However, as discussed below, the Commission can play a very important role in ensuring that the regulated utilities support the expansion of EV charging infrastructure in a manner that is cost effective and supportive of competition, innovation and customer choice. The Commission also has an important role in guiding the development of tariffs that support and encourage use of electricity as fuel for electric vehicles.

b. Other states have consistently found that third-party owners and operators of EV charging facilities are not utilities, and EV charging is a service rather than the resale of electricity.

A finding by this Commission that it does not have regulatory authority over EV charging services provided by third parties would be consistent with the conclusion reached by commissions and legislators across the country. In order to remove regulatory uncertainty about the jurisdictional status of EV charging services, and to foster innovation, competition and private investment, numerous states have passed statutes explicitly exempting non-utility EV charging services from regulation under the statutes defining and prescribing rules applicable to public utilities and competitive suppliers of electricity.[4] In some jurisdictions, state commissions have addressed this question, and have likewise concluded that EV charging stations are not jurisdictional electric plant and that the service provided is not the resale of electricity.

For example, in California, one of the first states to take up this question, the public utilities commission ("California PUC") determined that:

> Facilities that are solely used to provide electricity as a transportation fuel do not constitute "electric plant" pursuant to Pub. Util. Code § 218. Thus, an entity owning, controlling, operating, or managing electric vehicle charging facilities is not an "electric corporation" pursuant to Pub. Util. Code § 218 and not a "public utility" pursuant to Pub. Util. Code § 216, unless an entity falls under § 216 and § 218 for other reasons. As such, the Commission would not have regulatory authority regarding the price that an electric vehicle charging facility operator charges for charging services or other aspects of the operation of such facilities unless the charging facility operator is a public utility by reason of its operations other than providing electric charging.[5]

[4] Cal. Pub. Util. Code, § 216(I); Colo. Rev. Stat. § 40-1-103.3(2); D.C. Code §§ 34-207, 34-214; Fla. Stat. § 366.94; Haw. Rev. Stat. § 261-1(2); Idaho Code § 61-119; 220 Ill. Comp. Stat. §§ 5/3-105(C), 5/16-102; Me. Rev. Stat. Ann. Tit. 35, §§ 313-A, 3201(5), 3201(8-B); Md. Code Pub. Utils. §§ 1-101(J)(3), 1-101(X)(2); Minn. Stat.§ 216B.02 (Subd. 4); Or. Rev. Stat. § 757.005(1)(B)(G); Utah Code §§ 54-2-1(7)(C), 54-2-1(19)(J); Va. Code Ann. § 56-1.2:1; Wash. Rev. Code § 80.28.310; W. Va. Code § 24-2D-3.

[5] *Order Instituting Rulemaking to Consider Alternative-Fueled Vehicle Tariffs, Infrastructure and Policies to Support California's Greenhouse Gas Emissions Reductions Goals,* Assigned Commissioner's Scoping Memo at 4-5 (P.U.C. Rulemaking No. 09-08-009, filed Aug. 20, 2009).

After investigation, the California PUC held that:

> Pursuant to §§ 216 and 218 the Commission regulates as public utilities corporations and persons owning, controlling, operating, or managing facilities used for the transmission, delivery, or furnishing of electricity to the public. However, the Commission does not have the legal jurisdiction to regulate vehicle service stations.[6]

More recently, the New York Public Service Commission ("New York PSC") held that EV charging stations are not utility plant, and charging services are not subject to its jurisdiction, by distinguishing between the sale of electricity and the sale of charging services:

> Charging Stations do not fall within the definition of "electric plant" because Charging Stations are not used for or in connection with or to facilitate the generation, transmission, distribution, sale or furnishing of electricity for light heat or power. Instead, and as urged by several commenters, Charging Stations are used to provide a service, specifically, charging services. This service requires the use of specialized equipment and allows the customer to do only one thing, charge a PEV's battery. The primary purpose of the transaction between Charging Station owners/operators and members of the public is the purchase of this service and the use of this specialized equipment. While the customer is using electricity, this is incidental to the transaction.[7]

The New York PSC further held that "the method of calculating the transaction fee, specifically, the use of a per kWh price, will not confer jurisdiction where none otherwise exists."[8]

The Massachusetts Department of Public Utilities ("Massachusetts DPU") followed the same rationale and found that EV charging equipment does not constitute a distribution facility, because the "equipment component of EVSE used to supply the electricity is in the nature of a

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[6] *Order Instituting Rulemaking to Consider Alternative-Fueled Vehicle Tariffs, Infrastructure and Policies to Support California's Greenhouse Gas Emissions Reductions Goals*, Decision in Phase 1 on Whether a Corporation or Person That Sells Electric Vehicle Charging Services to the Public Is a Public Utility, Cal. P.U.C. Decision 10-07-044 (Aug. 2, 2010) at 19. (P.U.C. Rulemaking No. 09-08-009, filed Aug. 20, 2009.) This determination was subsequently codified at California Public Utilities Code, § 216(i).

[7] *In the Matter of Electric Vehicle Policies*, Declaratory Ruling on Jurisdiction over Publicly Available Electric Vehicle Charging Stations at 4 (NYPSC Case No. 13-E-0199, issued Nov. 22, 2013).[7]

[8] *Id.*

connector or cord, not a line" and "ownership or operation of EVSE does not transform an entity that otherwise is not a distribution company into a distribution company."[9] The Massachusetts DPU also found that EVSE owners or operators are not "selling electricity" within the meaning of the Massachusetts public utility statute, because:

> an EVSE owner or operator is selling EV charging services, *i.e.*, the use of specialized equipment – EVSE – for the purpose of charging an EV battery. EVSE allows the customer do to only one thing, charge an EV battery. This result is true regardless of the business model the EVSE owner/operator uses to charge customers for charging services, even if the charge is by a per-kilowatt hour basis or other volumetric energy basis.[10]

The Massachusetts DPU also found that providing EV charging does not constitute submetering, because submetering involves a re-sale of electricity, not the sale of a service, *i.e.* EV charging service; and for the same reason, the Massachusetts DPU found that EVSE owners/operators are not competitive suppliers of electricity. *Id.* at 7–8.

As evidenced from the limited examples noted above, other states have examined issues very similar to the questions presented by Staff in this proceeding. ChargePoint encourages the Commission to examine the reasoning of other regulatory commissions, and similarly clarify that EV charging service providers are not utilities.

2. What is the Missouri Public Service Commission's role in regulation of electricity from a utility to a charging station? Please provide the legal justification for your response.

The Commission's role in regulation of electricity from a utility to a charging station is the same as in any sale of electricity to a retail customer. Whether the charging station is owned by an

[9] *Investigation by the Department of Public Utilities upon Its Own Motion into Electric Vehicles and Electric Vehicle Charging*, Order on Department Jurisdiction over Electric Vehicles, the Role of Distribution Companies in Electric Vehicle Charging and Other Matters (Mass. D.P.U. 13-182-A, issued Aug. 4, 2014). In common industry usage, the term Electric Vehicle Supply Equipment ("EVSE") is used to refer to EV charging equipment.

[10] *Id*. at 7.

individual residential customer, or by a commercial customer providing EV charging service to its employees, tenants or others, the transaction between utility and its customer of record is a retail sale of electricity, and thus is regulated by the Commission.

In the exercise of its regulatory authority over utilities providing service to the third-party owners and operators of EV charging stations, the Commission can encourage and support the expansion of EV charging. For example, the Commission can instruct utilities to offer tariffed rates that encourage charging during off-peak or grid-beneficial hours. The Commission can offer utility customers special rates, or other incentives (e.g. rebates) for purchasing "smart" chargers that enable them to maintain visibility into and effectively manage EV charging loads. This benefits EV drivers, encourages efficient use of EV chargers, and leverages private investment. And the Commission can take steps itself or initiate legislation enabling programs that authorize utilities to facilitate interconnection of EV chargers and/or subsidize the sometimes substantial up-front cost of utility infrastructure and upgrades needed to enable a customer to install EV charging stations. Any of these actions would be squarely within the Commission's regulatory authority, and all have been successfully undertaken in other states.

3. **Are Investor Owned Utilities ("IOU") the only entities that can provide electricity to electric vehicles via a charging station? What other entity(ies) can provide electricity to electric vehicles via charging stations? Is the answer dependent on whether the entity(ies) charges for the electricity? Please provide the legal justification for your response.**

No. For the reasons discussed above, IOUs are not the only entities that can provide electricity to electric vehicles via a charging station. Throughout this state and the rest of the country, a wide variety of non-utility owners and operators of EV charging stations are using electricity purchased from the local utility to provide EV charging to drivers. These include landlords, employers, universities, municipalities, state and local government agencies, operators

of shopping malls and other commercial businesses, hospitals, transit operators, national parks, non-profit organizations, fleets, car-share companies and commercial electric vehicle service providers.

a. Is there a legal restriction which would prevent any company other than the local IOU electric company from providing electricity to an EV charging station?
b. Is the local IOU electric company obligated by law to provide electricity to EV charging stations?
c. What impact do the responses provided above in sub-bullets a and b have on EV charging stations that are installed and operational as of this date?

4. Is each charging station a distinct electric utility?

No. As discussed above, a charging station is not an electric utility. A charging station is a piece of equipment that is used to charge an EV battery. Many charging stations are networked, which means they have software and cloud-based communication technology capable of performing a variety of tasks that benefit the driver or the operator of the charging station. Charging stations are owned by individual residential utility customers, and by a diverse spectrum of private and public entities.[11]

5. How will there be accessibility to electric vehicles for low-income ratepayers? At what point in time would accessibility to electric vehicles for low-income ratepayers occur?

As a provider of EV charging equipment and services, ChargePoint does not have particular expertise in this area, and we expect that other stakeholders will provide suggestions for expanding access to EVs and EV charging to low-income ratepayers. However, we note that in other states, efforts are underway to support and encourage the adoption of EVs in low-income communities. These efforts include:

- outreach and education regarding access to rebates for the purchase of EVs and EV charging equipment,

[11] As noted above, a finding that third party charging service is not regulated should not be read as precluding a utility from providing EV charging as a part of its regulated service offering.

- leadership by advocates from disadvantaged communities in suggesting programs and tariffs that will help make EVs and EV charging affordable for low-income customers,
- focused efforts to expand EV charging facilities in multi-unit residential dwellings, and
- innovative partnerships with car-sharing and fleet companies.

6. How many EV charging stations are there in your company's service territory?

Not applicable.

7. What are other states doing to fund the development and installation of EV charging stations? Is cost recovery allowed through a utility's rates? Please include a reference to any legal authority that explicitly authorizes the method of funding or cost recovery.

There are numerous and diverse state efforts underway across the country aimed at funding the development and installation of EV charging stations. Some efforts involve cost recovery through utility rates, and some are funded through other mechanisms, such as grants and tax incentives. We provide some examples below. However, it is important to note that the markets for EV deployment have varied across each of these states. Missouri should consider the status of EV adoption as it considers the current and future role of the utility.

California has supported the development of EV charging infrastructure through grant programs administered by the California Energy Commission.[12] Publicly owned utilities in California have offered rebates to support customer investment in EV charging.[13] Investor-owned utilities have proposed and implemented EV infrastructure and submetering pilots through the

[12] See, e.g., California Energy Commission, Electric Program Investment Charge 2015 Annual Report (February 2016).

[13] See, e.g., Los Angeles Department of Water and Power, Electric Vehicle Charger Rebate Program.

Electric Program Investment Charge ("EPIC") program funded through public benefit charges paid by utility customers.[14]

In 2014 the California PUC issued a decision authorizing investor-owned utilities to propose ratepayer-funded investments in EV infrastructure, subject to strict statutory and regulatory conditions ensuring that the utility investments are cost-effective and do not result in anticompetitive impacts on non-utility entities.[15] Under that authorization the California PUC has approved a Southern California Edison Company proposal to provide utility-side infrastructure and rebates for the deployment of 1500 EV chargers at workplace and multi-unit residential locations, and a San Diego Gas & Electric Company proposal for 5000 EV chargers that will test a novel "vehicle-grid integration" rate transmitted to EV drivers and site hosts.

With these initiatives underway, the California Legislature recently included further authorization for programs encouraging "transportation electrification" in Senate Bill 350. Again, this measure limited utility rate recovery to program costs that are demonstrably cost beneficial to ratepayers, and that "stimulate innovation and competition, enable consumer options in charging equipment and services, attract private capital investments, and create high-quality jobs for Californians, where technologically feasible."[16]

The Massachusetts Department of Public Utilities ("Massachusetts DPU") similarly opened a proceeding to address policy issues related to EV charging, and on August 4, 2014 issued an "Order on Department Jurisdiction over Electric Vehicles, the Role of Distribution

[14] For more information, see http://www.cpuc.ca.gov/RDD/.

[15] See, Cal. Pub. Util. Code § 740.3(c) ("The commission's policies authorizing utilities to development equipment or infrastructure needed for electric-powered and natural gas-fueled low-emission vehicles shall ensure that the costs and expenses of those programs are not passed through to electric or gas ratepayers unless the commission finds and determines that those programs are in the ratepayers' interest. The commission's policies shall also ensure that utilities do not unfairly compete with nonutility enterprises."); Decision 14-12-079.

[16] Cal. Pub. Util. Code § 740.12.

Companies in Electric Vehicle Charging and Other Matters, finding that "the primary responsibility of distribution companies is to provide safe and reliable distribution service; EVSE ownership and operation is not required to serve this obligation."[17] For this reason, the Massachusetts DPU stated that it generally will not allow recovery of costs for distribution company ownership or operation of EVSE, except for the utility's own vehicle fleet charging and employee vehicle charging. The Massachusetts DPU stated the conditions under which it could approve a cost recovery proposal, which must "be in the public interest; meet a need regarding the advancement of EVs in the Commonwealth that is not likely to be met by the competitive EV charging market; and not hinder the development of the competitive EV charging market."[18]

The Massachusetts test described above is similar to the approach adopted by the New York Public Service Commission ("New York PSC") with respect to distributed energy resources (including EV charging) generally. In the Order Adopting Regulatory Policy Framework and Implementation Plan, the New York PSC explained that:

> [W]e do not generally favor utility ownership of DER assets. We are persuaded that unrestricted utility participation in DER markets presents a risk of undermining markets more than a potential for accelerating market growth. The ability of utilities to increase the State's DER asset base is not definitive here. The strong level of interest in REV markets expressed by independent providers demonstrates that we are not dependent on utility investment to build asset base. When that factor is given less weight, the balancing becomes relatively simple. A basic tenet underlying REV is to use competitive markets and risk based capital as opposed to ratepayer funding as the source of asset development. On an *ex ante* basis, utility ownership of DER conflicts with this objective and for that reason alone is problematic. Our concerns are compounded by the observation made by Staff and others that, because of their incumbent advantages, even the potential for utility ownership risks discouraging potential

[17] *Investigation by the Department of Public Utilities upon Its Own Motion into Electric Vehicles and Electric Vehicle Charging*, Order on Department Jurisdiction over Electric Vehicles, the Role of Distribution Companies in Electric Vehicle Charging and Other Matters, Mass. D.P.U. 13-182-A (Aug. 4, 2014). *Id.* at 13.

[18] *Id.*

> investment from competitive providers. Markets will thrive best where there is both the perception and the reality of a level playing field, and that is best accomplished by restricting the ability of utilities to participate. Finally, REV provides utilities the opportunity to be both the "wires" company and the platform that enables a market for DER resources. The planning, investments, products and services required to develop this new capability will present a challenge both to the industry and the utilities. As a practical matter, we are concerned that development, investment and maintenance of DER resources will prove a distraction from what should be the main focus and value proposition for utilities.[19]

The New York PSC recognized that exceptions to this policy may be justified in limited circumstances, summarizing its policy as follows:

> To summarize, utility ownership of DER will only be allowed under the following circumstances:
>
> 1) Procurement of DER has been solicited to meet a system need, and a utility has demonstrated that competitive alternatives proposed by non-utility parties are clearly inadequate or more costly than a traditional utility infrastructure alternative.
> 2) A project consists of energy storage integrated into distribution system architecture;
> 3) A project will enable low or moderate income residential customers to benefit from DER where markets are not likely to satisfy the need; or
> 4) A project is being sponsored for demonstration purposes.[20]

The New York, Massachusetts and California examples provided above are a good starting point for the discussion of how best to develop policy on ratepayer funded EV infrastructure initiatives moving forward in Missouri. We can provide additional examples for discussion at the March 29, 2016 workshop.

8. Based on the current generation mix of your utility, will carbon emissions, NOx, or SOx increase or decrease if electric vehicle adoption increases? Please explain.

Not applicable.

[19] *Proceeding on Motion of the Commission in Regard to Reforming the Energy Vision,* Case 14-M-0101, Order Adopting Regulatory Policy Framework and Implementation Plan (February 26, 2015) at 67-68.

[20] *Id.* at 70.

9. Who should pay for the equipment installation and maintenance for the EV charging station networks?

For customer segments in which there is a clear customer benefit in hosting EV charging and evidence of willingness to contribute, the customer should pay for the EV charging station, maintenance and network services. This customer investment can be supported and encouraged by a program offering the utility-side make ready infrastructure, construction and installation at low or no cost. Since, on average, this amounts to at least half of the cost of the deployment, it can be a significant incentive for participation in the expansion of EV charging for many commercial and workplace customers.

In customer segments where there may be more resistance to paying for the customer-side infrastructure and services, as in the case of multi-unit residential buildings, low-income areas, and in other markets currently underserved by EV infrastructure, the Commission may consider a more significant role for the utility. Given the state of deployment of EV infrastructure in KCP&L's service territory and the potential benefits to be realized by increasing such deployment, ChargePoint believes that KCP&L should be permitted to recover the costs it has incurred for its CCN project through utility rates. ChargePoint strongly believes that in all cases, even if the utility is owning and operating charging equipment in underserved areas, the Commission must enable customer choice to ensure that competition and innovation are continuing in that market. The Commission should also consider limiting this utility role to a pilot phase followed by a review of market data. We can provide examples and successful models for discussion at the March 29, 2016 workshop.

10. How are other countries promoting public use of EV charging stations?

Global automakers are bringing cars to various markets, driving to scale for efficiency; however, utility structures vary greatly across the globe. In Europe and Asia alike, the state has taken a proactive approach on getting infrastructure in place to support the growing EV market. As many US companies are also global entities, employee workplace charging and fleet programs that support corporate sustainability objectives of reducing petroleum use and improving one's carbon footprint are being investigated. Policy, economics and social ethos all have impact as to the level of public and private investments abroad.

Perhaps the best reference point for international EV Adoption is the report published in September of 2015 by the International Council on Clean Transportation (ICCT) entitled "Transition to a Global Zero Emission Fleet: A Collaborative Agenda for Governments." The report outlines the electric vehicle promotion efforts across the world that are increasingly diverse, with many governments, automakers, and advocates pushing to promote awareness and sales of advanced electric-drive vehicles, as well as the necessary regulatory, charging infrastructure, and financial support. Yet there are key questions about which policy actions are working well, about how the various efforts around the world compare, and about whether best policy practices to promote electric vehicles are emerging. This report synthesizes recent information on global electric vehicle activity to help scope out an agenda for increased collaboration among governments around the world to promote the transition to a zero-emission vehicle fleet.

ChargePoint participated in the global discussion on EV adoption at the COP21 Climate Conference in Paris last December. As mentioned above, the United Nations honored ChargePoint, along with 15 other companies from around the world, with a Momentum for

Change award for The Express Corridor Project**,** a partnership program with BMW and Volkswagen to create express charging corridors for electric vehicles along both coasts of the United States. This type of public private partnership represents an important model of collaboration to address one of the world's most difficult challenges, climate change, and can be adapted for use internationally and here in the United States.

Date: March 1, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the following on this 1st day of March, 2016, by email transmission:

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Executed on March 1, 2016 at Sacramento, California

/s/

Eric Janssen