

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

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

**COMMENTS OF UNITED FOR MISSOURI, INC.**

COMES NOW United for Missouri, Inc. (“UFM”) and in response to the Missouri Public Service Commission’s Staff (“Staff”) *Request for Written Legal and Policy Positions*, states as follows:

On March 1, 2016, UFM filed comments in this docket. UFM’s position as expressed in those comments remains unchanged as a result of the workshop held on May 25. UFM refers Staff to its comments previously filed for UFM’s legal and policy position.

During the May 25 workshop, some participants made comments that it would be “good” for the development of electric vehicles and electric vehicle infrastructure for the Missouri Public Service Commission to take an active role in regulating the provision of services to charging stations and in regulating the charging stations themselves. UFM remains unconvinced that the mere prediction of something “good” resulting from regulation justifies that regulation. The Commission is a creation of statute and has only such authority as has been conferred on it by the Legislature. *State ex rel. City of St. Louis v. Pub. Serv. Comm’n.*, 73 S.W.2d 393, 399 (Mo. banc 1934). There is no quantum of public opinion however strongly held that grants the Commission authority to act. Its actions must be authorized by law.

Some suggested that there is no intent to stifle or preclude other entities from entering into the market. Notwithstanding these encouragements and admonitions toward regulation, regulation inherently results in market distortions advantaging some and disadvantaging others. For example, a regulated electric rate subsidized by ratepayers to foster electric vehicle charging

stations provides an advantage in the marketplace. It engenders an artificially low charging rate that other competitors are not able to meet because such competitors do not have a captive customer base from which to subsidize service. The manifestation of that advantage permanently impacts how the market operates. It discourages competition. And when the subsidy is removed, if the subsidy is removed, customers experience rate shock. A new marketplace should not be initiated with such distortions.

Rather, if the marketplace is to develop, it should develop on viable, sustainable laws of supply and demand. There are sufficient indications of demand forces to conclude that a market can develop naturally without regulatory intervention. Automobile manufacturers have a natural incentive to foster charging stations. Employers, apartment complexes, retail merchants, and other investors have a motivation to attract electric vehicle owners and provide a desired service if the service is indeed so desirable. The risks of this developing marketplace should remain with private investors and not imposed on utility ratepayers. Utility ratepayers should not be made to insure the success of this infant market no matter how many groups say it is a “good” thing. Let the market prove it is a “good” thing.

Respectfully submitted,

By: /s/ David C. Linton

David C. Linton, MBE #32198

314 Romaine Spring View

Fenton, MO 63026

314-341-5769

[jdinton@reagan.com](mailto:jdinton@reagan.com)

Attorney for United for Missouri, Inc.

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