

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Written responses to the workshop and comments) A.17-01-020 et al
on the data collection and reporting templates) R.18-12-006

Comments of The Alliance for Transportation Electrification

The Alliance for Transportation Electrification (“the Alliance”) appreciates the opportunity to file comments in this proceeding, and to participate in any further proceedings or workshops that the Commission may wish to initiate. The Alliance appreciates the Commission’s decision to take a deliberate and transparent approach to study these complex issues.

The Alliance was established in November 2017 at the time of the NARUC meeting in Baltimore, Maryland, as a non-profit mutual benefit corporation (as a 501.c.6), and is led by utilities, EV infrastructure firms, auto OEMs (original equipment manufacturers), and affiliated trade associations. We started with 20 organizations at the launch just over a year ago and have grown rapidly to include about 45 members and affiliate organizations.

We advocate primarily before State Commissions and other state agencies, preferably prior to litigation, in which we promote policies that remove barriers to EV adoption and accelerate the deployment of EVSE (electrical vehicle supply equipment) in suitable locations in a state. We encourage a collaborative approach, not litigation at the outset in addressing these issues at Commissions through processes similar to the approach being followed in California.

COMMENTS

It is important to emphasize at the outset that the utilities in California are in different stages of development of EV programs – some have completed significant pilot programs and gained valuable “lessons learned” while other utilities are in earlier stages. While much data is already being collected, we have not had sufficient time to analyze and do a rigorous “lessons learned” yet for utility programs at various stages of development. We agree with the Commission staff that report and data collection templates, as well as cost benefit analysis, are valuable and necessary, but we are concerned that strict application of any defined set of metrics in the early years could be counter-productive until further experience is gained. Thus, the Commission should build in some flexibility around the “points of uncertainty” where we think that data may either not be sufficient or accurate, or where we may need more time. This will come over next several years.

The programs being undertaken by California's utilities are all part of a market transformation effort, and as per SB 350, the utilities have been tasked with playing a leading role in kick starting and helping to transform this market. This is not the time or place to discuss the relative merits, and pros and cons, of the market development model – namely, the role of the regulated utility, versus the role of the non-utility service provider. We recognize that some of these broader issues are within the scope of the broader rulemaking and addressed at a high level in the Assigned Commissioner's Scoping Memo and Ruling (Commissioner Rechtshaffen) dated May 2, 2019. In general, the Alliance believes there are strong arguments for utility involvement, particularly at this early stage of market development. In any event, SB 350 was clear in both legislative intent, and purpose. Thus, the Commission is right to focus at this time on the limited and more narrow issues of data collection, analysis, costs and benefits analysis, and addressing these issues for all actors in the EVSE ecosystem – utilities, EVSPs, vendors, NGOs, host sites, and so on.

While the Alliance for Transportation Electrification will defer to the regulated utilities and service providers in California, and other stakeholders to make specific comments on the reporting and data collection templates, we do have some general comments on these issues which we leave for the Commission's consideration.

First is the cost and complexity of data collection. Significant amounts of data will be generated, collected, and perhaps reported to the regulatory agencies – both the CPUC, CARB, and perhaps the CEC. This is potentially expensive and may be a significant administrative burden. Moreover, data security and vulnerability (cybersecurity threats) are issues as well – not just for the Commission if they hold and maintain the data, but also for the generators of data and the collecting company. Given the heightened awareness in California and nationally around cybersecurity and electric power sector issues, we believe that the Commission should give more careful deliberation to the issues of data security and retention since outside organizations may attempt to penetrate and misuse these rich sources of data in the future.

Therefore, the Commission should prioritize which data is especially important for its obligations under SB 350, the development of useful metrics, and so on (i.e., if "everything in data collection" cannot be done, what are the most important pieces for the Commission to regulate in the public interest? We urge the Commission to analyze whether all of the data they are suggesting be collected is indeed useful for public policy decisions. In other words, will the Commission do things differently as a result of analysis of the metric for which data is collected?

Another concern is data accuracy and consistency – a particularly hard problem to solve. It will be important to have adequate staffing to handle the data collection and reporting responsibilities required under the rulemaking and have expertise in the areas such as IT, communications protocols, site and project related issues, charging session data and so on. In general, the larger IOUs and larger EVSPs have comparatively greater capabilities, but even their resources will be stretched depending on the detailed requirements of data collection and reporting. But there is wide variation among EVSPs in their ability to collect

and maintain data, and consistent data with high accuracy may not be possible across all use cases. These “uncertainties” or “fudge factors” must be built into the analysis.

We also note that CARB is going to collect similar data under its proposed rulemaking in response to SB 454 implementation and oblige utilities, EVSPs, and others to maintain and collect this data. Despite different statutory and administrative responsibilities, can the agencies collaborate on this data collection, and perform these tasks more efficiently, more securely, and perhaps at lower cost? Perhaps the agencies should consider contracting with a third-party entity with a common web portal, with secure authentication and access privileges. Or perhaps agencies could rely on each other’s data collection.

A particular issue may arise with respect to competitive issues regarding utility programs targeting fleets, both private and governmental. Especially for private fleets, there is a great deal of competitively sensitive information that fleet owners may be reluctant to share with the utilities and/or the Commission, even if attempts to anonymize the data are made. The Commission should analyze ways in which fleet owner data can be collected and still protect competitively sensitive information. If it cannot be protected, the Commission may want to provide an exemption for data that is competitively sensitive.

And with respect to collecting data on site usage characteristics, we are unsure of how to develop metrics that have meaning given that again, especially for fleets, the data type needed, and usage characteristics will be quite site-specific. For example, use characteristics for EV delivery services (e.g. USPS, UPS) will be quite different than for medium duty EV restaurant or grocery store delivery services. The flexibility of different types of fleets for charging hours will be quite different. It is unclear to us how useful an “averaging” or common, all-site type of analysis and metric will be for this specific use case.

And some EVSPs that utilities contract with are certain to want to keep data proprietary. The Commission should consider whether requiring the sharing of data as part of a utility RFP will discourage responses from those entities who view the data collected as part of their business model and do not wish to share. The same is true for data collected by OEMs on-board vehicles including telematics. There is a considerable amount of data that will be generated, but OEMs generally consider this proprietary and are not likely going to be willing to share, even with NDAs in place. Even data on number of and type of vehicles sold is sometimes considered proprietary, yet that is a major focus in the data collection template.

We also caution about the use of metrics on costs. The Commission should be careful to apply only apples to apples comparisons. The type of charging, the use case, site specific geography, multi-family vs. single family, fleet vs. individual, home vs. workplace are all important variants determining cost.

The Commission does suggest collecting data on managed charging and load management. While we believe flexible load management is critical to the success of the programs, we do urge some caution. We are still at a very low level of EV penetration, and expectations for load management results therefore should not be set too high.

Finally, and most importantly, we have concerns in both the reporting and data collection templates about the attempts to attribute results solely or primarily due to programs funded by the utilities. Attributing things such as vehicles sold or emissions reductions to specific actions by the utilities or third parties is most difficult if not impossible. The market is nascent and in a very early stage of development, and there is a lot we don't know about consumer or business decisions to purchase EVs. Clearly, education and outreach, availability of charging, rebates and tax credits, environmental sensibilities, and the declining cost and increased variety of models of EVs are all important factors. But weighing the importance of any one metric simply cannot be done with today's knowledge. And even if attribution analysis could be done, it would not capture the long-term benefits of making investments today. It may take a decade or so for the EV market to reach maturation, but investments being made now will ensure consumers are comfortable in buying EVs further down the road.

It is thus simply premature to attribute sales or emission reductions to specific programs. After years of data collection some patterns may emerge which definitely should be studied, but even those will need to focus on general trends and not the results of specific actions. Other states have recognized this as well. For example, in both Oregon and Washington, the PUC Staffs and stakeholders looked at the possibility of attribution analysis and rejected its use for now. The PUC has either already or will be making determinations that approved utility programs are cost beneficial based on utility projections. Once those determinations are made, utilities should be allowed to proceed with their programs based on confidence that the intended results will be achieved. The Commission will be able to see, based on the reports filed, how individual programs are working without attribution analysis.

Respectfully submitted this 30th day of May 2019,



Philip B. Jones Executive Director
Alliance for Transportation Electrification

1402 Third Avenue, Ste. 1315
Seattle, WA 98101
206-335-5451
phil@evtransportationalliance.org