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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20200220-EI

Petition for approval of
electric vehicle charging
pilot program, by Tampa
Electric Company.

_____ /

PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 3

COMMISSIONERS
PARTICIPATING: CHAIRMAN GARY F. CLARK
COMMISSIONER ART GRAHAM
COMMISSIONER ANDREW GILES FAY
COMMISSIONER MIKE LA ROSA

DATE: Thursday, April 1, 2021

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: DEBRA R. KRICK
Court Reporter and
Notary Public in and for
the State of Florida at Large

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1 P R O C E E D I N G S

2 CHAIRMAN CLARK: Next up Item No. 3, petition
3 for approval of electric vehicle charging pilot
4 program by TECO.

5 Mr. Futrell.

6 MR. FUTRELL: Item 3 is staff's recommendation
7 on Tampa Electric Company's electric vehicle
8 charging pilot program.

9 TECO proposes to purchase, install, own and
10 main approximately 200 EV charging ports within its
11 service territory at commercial or industrial
12 commercial premises. The pilot program is
13 estimated to cost \$2.3 million, including capital
14 and operational and maintenance expenses, and will
15 last for four years.

16 TECO states the title pilot will provide the
17 utility with experience with public EV charging
18 infrastructure development and EV charging load
19 profile data.

20 Staff is recommending that capital
21 expenditures be capped at \$2 million for the life
22 of the program, and O&M costs be limited to
23 \$100,000 annually for years two through four.

24 If the Commission approves TECO's petition,
25 the pilot should commence the date of the

1 Commission's vote and terminate four years from the
2 date the final order is issued approving the pilot
3 unless TECO files a petition to extend, modify or
4 permanently implement the pilot.

5 In addition, staff recommends that TECO file
6 annual reports for the duration of the pilot.

7 ChargePoint filed written comments in this
8 docket and would like to address the Commission.
9 Representatives of TECO and Walmart are available
10 to answer questions, as is staff.

11 CHAIRMAN CLARK: Thank you, Mr. Futrell.

12 Mr. Wilson, are you on the line?

13 MR. WILSON: I am.

14 CHAIRMAN CLARK: All right. You are
15 recognized.

16 MR. WILSON: Thank you so much.

17 Good morning, Commissioners. For the record,
18 again, my name is Justin Wilson, and I direct
19 public policy in the Gulf South and the Western
20 U.S. for ChargePoint. Thank you for the
21 opportunity to speak here about electric vehicle
22 charging and how it's developing in Florida.

23 Briefly, for your background, ChargePoint is
24 one of the world's largest electric vehicle
25 charging networks. We provide hardware and

1 software solutions to customers who wish to install
2 electric vehicle charging stations on their
3 property.

4 In the last legislative session, Senate Bill
5 7018 was passed by the Legislature --

6 CHAIRMAN CLARK: Mr. Wilson -- Mr. Wilson, let
7 me interrupt you a second. We are having a little
8 bit of difficulty understanding you. If you don't
9 mind, slow down. If you are on a speakerphone, it
10 would probably help if you went directly to a mic
11 or something as well.

12 MR. WILSON: Chair, is this any better?

13 CHAIRMAN CLARK: Yes, a little bit.

14 MR. WILSON: Okay. I will try to speak slower
15 and clearer as we move through the technology.
16 Please let me know if you continue to have any
17 issues and I can relocate myself.

18 CHAIRMAN CLARK: It does sound a little bit
19 better. Let's try it again.

20 MR. WILSON: Okay. Thank you.

21 In the last legislative session, Senate Bill
22 7018 was passed by the Legislature and signed by
23 the Governor. Included in that legislation was
24 direction to the Public Service Commission to work
25 with the Department of Transportation and the

1 Office of Energy to develop an EV master plan. As
2 part of that, the Public Service Commission was
3 explicitly tasked with two very similar outputs for
4 that master plan, ensuring an adequate supply of
5 reliable electric vehicle charging stations to
6 support and encourage the growth in a manner
7 supported in a competitive market with ample
8 consumer choice.

9 Similarly, it passed tasked the Commission
10 with identifying the types of regulatory structures
11 necessary for the delivery of electricity to
12 electric vehicle charging stations and
13 infrastructure, including competitive neutral
14 policy and the participation of public utilities in
15 the marketplace.

16 We thank the staff for its memo from earlier
17 in the month, however, are concerned that despite
18 issuing questions to the public in the proceeding
19 to help develop the Public Service Commission's
20 inputs to the EV master plan and holding a
21 workshop, there is no discussion in the staff
22 recommendation memo talking about the impacts of
23 TECO's proposal on the competitive market for EV
24 charging services.

25 We think that this is an important component

1 and believe that that is explicitly why it was
2 included in Senate Bill 7018, and we would
3 respectfully request that the Commission direct the
4 staff to analyze those competitive issues before it
5 approved TECO's pilot.

6 Thank you very much. I am happy to stand for
7 any questions the Commission or others may have.

8 CHAIRMAN CLARK: Thank you, Mr. Wilson.

9 Commissioners, any questions for Mr. Wilson?
10 Commissioner La Rosa.

11 COMMISSIONER LA ROSA: Thank you, Chairman.

12 And, Mr. Wilson, do you believe that if this
13 pilot program was approved that your company would
14 have any additional challenges than what maybe
15 currently exists in adding more charging stations
16 at destinations that give choice to you guys?

17 THE WITNESS: I think that needs to be
18 explored. I would note that in staff's memo, they
19 do indicate that there are approximately 340 ports
20 within the TECO service territory. This particular
21 proposal would add an additional 200, nearly
22 doubling the size of the market. And so I think
23 there is definitely going to be an impact on the
24 competitive marketplace there, and it needs to be
25 explored.

1 I think a lot of times in analogies, if there
2 were -- if a regulated utility were tomorrow to
3 decide to go into the service of providing laundry,
4 a primary component of laundry service for the
5 drying is electricity, and were to -- going to
6 nearly double the number of laundry mats within
7 their service territory, we would think that that
8 could have an impact on the other providers of
9 laundry service.

10 I think that's the same sort of analysis that
11 needs to be undertaken in order to, again, you
12 know, ensure that proposals, whether they be pilots
13 or ongoing programs, are done in that competitively
14 neutral way.

15 CHAIRMAN CLARK: Commissioner Fay.

16 COMMISSIONER FAY: Thank you, Mr. Chairman.

17 And I appreciate the comments submitted. I do have
18 a quick question for you, and maybe a comment of my
19 own.

20 I think, you know, this docket had been opened
21 for a while, and I noticed your comments showed up
22 in the docket yesterday. If, in the future, you
23 know, you do like to weigh into these types of
24 dockets, please do your best to try to get us those
25 comments as early as possible so we have the most

1 time to review them. And of course, always feel
2 free to reach out to your offices to let us know
3 you are going to do that.

4 With that said, I did review those comments,
5 and I think you make a valid point in that Senate
6 Bill 7018 is directing what these entities, the
7 various entities should be doing as it relates to
8 charging stations. And I think the statute does
9 talk a lot about the Commission aggregating some
10 data to help make better and more informed
11 decisions.

12 I do want to be cautious about interpreting
13 what 366.287 says -- 336.287. It basically says
14 that we need to look at all of this aggregation of
15 data and consider the competitiveness of the
16 market. I think that's significant and valid to
17 look at. It should not be at the cost of not doing
18 anything as it relates to this, especially when the
19 Legislature directs us specifically to move forward
20 with these types of aggregation projects, to get
21 that data.

22 So I think it's -- I think it's a valid point,
23 and I think Commissioner La Rosa makes -- asked a
24 valid question in that we do want to know how it's
25 going to impact the competitiveness and the

1 consumer choice, but from where I am coming from
2 and looking at this industry for a while, my belief
3 is one charger is better than no chargers, and so I
4 think we need to be very thoughtful about how we
5 either support or discourage these types of
6 decisions.

7 And, Mr. Chairman, I have some other comments
8 following the speakers, but I will wait for those.

9 CHAIRMAN CLARK: All right. Thank you,
10 Commissioner Fay.

11 Anyone else to address the Commission?

12 So TECO and Walmart are available here.

13 Either of you have any comments?

14 All right. Then we will move into the
15 Commissioners' discussion.

16 I would add a comment or two as well. I
17 certainly am supportive of the additional
18 enhancement in EV infrastructure. However, I do
19 have concerns with such a pilot program that is
20 going to spread the cost over a lot -- a bulk of
21 nonparticipants.

22 If you look at the percentage of participants
23 in the TECO area that would actually utilize an EV
24 charger as opposed to the percentage that are going
25 to be paying for this additional infrastructure, I

1 do not see this as a fair distribution.

2 I think that this market is becoming more and
3 more competitive. I do tend to agree that this
4 will curb some of the competitive free market
5 placement that's going on here, and I just think
6 that we really need to look at how, even in a pilot
7 program, how we are spreading cost around, and for
8 that reason, I just can't support this pilot
9 program at this time.

10 Commissioners, any other comments or
11 questions?

12 Commissioner La Rosa.

13 COMMISSIONER LA ROSA: Thank you, Chairman.

14 And, no, I -- I have kind of grappled back and
15 forth with this issue before us, and I had a great
16 discussion with staff, and actually part of my
17 questioning was, you know, what the Legislature had
18 done last year and wanting to understand, you know,
19 what's the best approach for the state and how we
20 incorporate this.

21 If this wasn't a pilot program, I might think
22 slightly different, but I do recognize that this is
23 new technology and new habits by consumers as the
24 purchase of electric vehicles has been increasing
25 year-over-year and understanding what auto

1 manufacturers are doing and what their plans are,
2 it seems that we are going to be surrounded by more
3 and more electric vehicles.

4 So I think from the perspective of the state,
5 I think this is, in my opinion, the right move to
6 approve this today. Again, if this was not a pilot
7 program, you know, maybe I would have second
8 thoughts. But I do agree with what Commissioner
9 Fay is saying, one charging station is better than
10 no charging station, and I tend to support staff's
11 recommendation.

12 CHAIRMAN CLARK: Thank you, Commissioner La
13 Rosa.

14 Commissioner Fay.

15 COMMISSIONER FAY: Thank you.

16 And thank you for your comments, Mr. Chairman.
17 I was going to ask for you to give me some rebuttal
18 time before I made my comments knowing that you
19 might come after me. But I think that those are
20 valid points, and I think we do have to take them
21 into consideration.

22 I do think, you know, the intent of trying to
23 aggregate some of this data and get some better
24 decisions is really what drives me as it relates to
25 this being consistent with what the statute is

1 saying, but I will say -- and I guess, Mr.
2 Chairman, I have one question of staff before
3 moving forward with motioning on the item.

4 But I will say that ensuring that the right
5 data is brought forward is really key, and, you
6 know, part of the -- The Wall Street Journal had a
7 piece this morning talking about data breach and
8 the information that is being put out there by
9 different entities, and how we should be mindful in
10 government agencies retain that data, and can we
11 ensure the safety of that data and protect it like
12 some of the private entities are able to do?

13 And for this, I am all about us getting data
14 to see what's being used, where it's being used,
15 and maybe where the investments are better served
16 in the future, but I do just want to get clarity
17 with staff real quick that the data that's being
18 aggregated through this process would not include
19 any consumer specific information that the
20 Commission would then either be passing on to the
21 Department of Transportation or retaining in our
22 own records that we couldn't necessarily ensure
23 would be protected the same way it is in the
24 private sector. So maybe if I could get that
25 answer really quickly, Mr. Chairman.

1 CHAIRMAN CLARK: Mr. Futrell.

2 MR. FUTRELL: I would like to see if Mr.
3 Doehling or Mr. Ballinger would care to respond to
4 that before I say anything.

5 MR. DOEHLING: Hi, Commissioner, this is Jeff
6 with staff.

7 From my understanding of the pilot, I don't
8 believe there would be any consumer specific data
9 reported. Perhaps if TECO could follow up with
10 that, but from my understanding, I don't believe
11 that is the case.

12 (Multiple speakers.)

13 MR. ASHBURN: I was just going to enter into
14 here that what we are going to producing to the
15 Commission is a report, and it's going to
16 aggregate. It's not going to include, you know,
17 consumer related data about names and purchase. It
18 will be aggregated so it should protect consumers
19 from having their data -- their names being
20 provided.

21 CHAIRMAN CLARK: Could you identify yourself?
22 Who was that making the last comment, please?

23 MR. ASHBURN: This is Bill Ashburn at Tampa
24 Electric. I'm sorry.

25 CHAIRMAN CLARK: Okay. Thank you, Mr.

1 Ashburn.

2 And let me see if I can make sure I understood
3 you correctly. You said that you the report you
4 were going to issue should protect that data, that
5 was kind of a --

6 MR. ASHBURN: Yeah, it will.

7 CHAIRMAN CLARK: Will.

8 MR. ASHBURN: Remember that the interaction
9 between the customer and the charging is going to
10 be through a vendor who does this sort of thing,
11 and so we will be gathering the data from them, not
12 the specific customer who made the purchase, you
13 know, comprehensive data like how many -- how many
14 connections occurred, the charger, that kind of
15 thing, but not with detail about their names or
16 their -- their charging -- their credit cards and
17 those kind of things.

18 COMMISSIONER FAY: Mr. Chairman, that answers
19 my question. I appreciate you allowing them to
20 weigh in. I think it's important.

21 And I do think -- I know the Department of
22 Transportation is going to have their comprehensive
23 report coming out before July 1 that is going to be
24 submitted to the Governor and the Legislature, and
25 I think that helps us ensure, as an agency, we can

1 pass on that information for these pilot programs
2 to the Department of Transportation and hopefully
3 help them as they continue to evaluate where it
4 makes sense to invest it, because I think -- I
5 think you had a very valid point, Mr. Chairman,
6 that if we got -- if we are going to spend money on
7 this and decide it's the right policy, we need to
8 do it in the most cost-efficient and best way that
9 we can, so I appreciate that.

10 And with that, Mr. Chairman, I am going to
11 move for approval on all issues of this item.

12 CHAIRMAN CLARK: All right. We have a motion.
13 Do I have a second?

14 COMMISSIONER LA ROSA: Second.

15 CHAIRMAN CLARK: Any further discussion? Any
16 comments?

17 On the motion, all in favor say aye.

18 (Chorus of ayes.)

19 CHAIRMAN CLARK: All opposed?

20 Nay. The Chair votes nay.

21 The motion passes.

22 All right. Any other items that need to come
23 before the Commission?

24 All right. There is one item I do want to
25 mention real quick, and I had made a note to do

1 this at the beginning of agenda and looked over it
2 completely.

3 I believe that our new head of OPC is on the
4 line with us. Mr. Gentry, are you here today?
5 Okay, I may have been wrong about that. I wanted
6 to welcome Mr. Gentry and just give him a moment to
7 make a couple of comments if he would like, I will
8 put that on the top of the agenda --

9 MR. GENTRY: Yes, Mr. Chairman, I am here. I
10 regret I couldn't get off of mute fast enough.

11 CHAIRMAN CLARK: No problem.

12 Welcome, Mr. Gentry. We are glad to have you
13 on board, and just wanted to give you an
14 opportunity to make a comment if you would like.

15 MR. GENTRY: Well, my only comment would be
16 that I look forward to working with the Commission
17 very much. I have -- as you can imagine, I have
18 been drinking out of a firehose here for the first
19 month, but I am impressed with the things that you
20 take on and how you arrive at your results, and I
21 look forward to working through these processes
22 with you in the future.

23 CHAIRMAN CLARK: Thank you very much.

24 Again, we are glad to have you with us, and
25 look forward to working with you as well in the

1 future.

2 Any other comments?

3 MR. GENTRY: Thank you for that, Mr. Chair.

4 CHAIRMAN CLARK: All right. If none, we stand
5 adjourned.

6 Thank you.

7 (Agenda item concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA KRICK, Court Reporter, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 12th day of April, 2021.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #HH31926
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