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BOARD OF PUBLIC UTILITIES  
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**Re: BPU Docket No. EO18101111  
IN THE MATTER OF THE PETITION OF PUBLIC  
SERVICE ELECTRIC AND GAS COMPANY FOR  
APPROVAL OF ITS CLEAN ENERGY FUTURE-  
ELECTRIC VEHICLE AND ENERGY STORAGE ("CEF-  
EVES") PROGRAM ON A REGULATED BASIS**

February 5, 2020

Aida Camacho-Welch, Secretary  
Boardd of Public Utilities  
44 South Clinton Avenue, 9th Floor Trenton,  
New Jersey 08625

Dear Secretary Camacho-Welch:

On behalf of the EVgo Services LLC, enclosed please find eleven copies of the **MOTION TO INTERVENE OF EVGO SERVICES LLC** for filing.

Sincerely,

Martin C. Rothfelder

Cc: Service list (e-mail)  
Office of Rate Counsel (2 hard copies)  
Matthew Weissman (hard copy)



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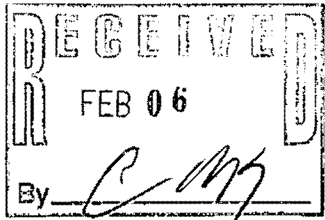
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BEFORE THE  
STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES

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FEB 03 2020

MAIL RECEIVED

IN THE MATTER OF THE PETITION OF PUBLIC :  
SERVICE ELECTRIC GAS COMPANY FOR :  
APPROVAL OF ITS CLEAN ENERGY FUTURE- : BPU Docket No. EO18101111  
ELECTRIC VEHICLE AND ENERGY STORAGE :  
("CEF-EVES") PROGRAM ON A REGULAR :  
BASIS :

**MOTION TO INTERVENE OF  
EVGO SERVICES LLC**

EVgo Services LLC ("EVgo") hereby moves before the New Jersey Board of Public Utilities ("Board"), pursuant to N.J.S.A. 1:1-16.1 et seq., to grant EVgo status as an intervenor party in the above-captioned proceeding with full rights and obligations of intervention. In support of its motion, EVgo states as follows.

**BACKGROUND**

1. On October 11, 2018, Public Service Electric and Gas Company ("PSE&G") initiated the above-captioned proceeding by filing a Petition seeking approval for the Clean Energy Future – Electric Vehicle and Energy Storage Program ("CEF-EVES Program"). The Petition requests approval for a \$261 million investment over approximately a six-year period for four electric vehicle ("EV") subprograms to accelerate the growth of the EV market in New Jersey through the expansion of New Jersey's EV charging infrastructure.

2. EVgo is an electric vehicle service provider ("EVSP"), which owns and operates America's largest and most reliable public EV fast charging<sup>1</sup> network, with more than more 750 publicly accessible fast charging locations installed in 34 states and 66 metropolitan markets. In New Jersey, EVgo

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<sup>1</sup> A direct current ("DC") "fast charging" station is a unit with a capacity of 50 kW and above, which provides a typical EV with an estimated 90 miles of range within 30 minutes



currently owns and operates 40 chargers, almost all of which are in PSE&G service territory, and currently has another four chargers under construction in PSE&G territory. EVgo is a commercial customer of PSE&G purchasing power currently to supply its chargers under “Rate Schedule GLP (General Lighting and Power Service)” or “Rate Schedule LPL (Large Power and Lighting Service)” depending on the number of chargers at a given location.<sup>2</sup>

3. EVgo has collaborated with PSE&G<sup>3</sup> on five fast charging station locations on the New Jersey Turnpike and Garden State Parkway. In addition, EVgo plans to seek support as may be available from New Jersey’s share of the Volkswagen Environmental Mitigation Trust administered by the New Jersey Department of Environmental Protection (“NJDEP”), as well as support from the Partnership to Plug In established by the Memorandum of Understanding dated June 3, 2019 among the Board, NJDEP and the New Jersey Economic Development Authority.<sup>4</sup> EVgo is also evaluating additional investments in New Jersey, including opportunities with automaker partners.

4. PSE&G’s CEF-EVES Program proposes a Public DC Fast Charging subprogram with an initial investment of \$62 million for targeted deployment of 450 new public DC fast chargers across 150 charging locations in its service territory. Petition, Attachment 1 at 25. EVgo enthusiastically supports PSE&G’s effort to catalyze investments in DC fast charging infrastructure across its service territory and has a policy and pecuniary interest in the Public DC Fast Charging subprogram.

5. PSE&G’s DC Fast Charging subprogram proposes two ownership models. Under the “Third-Party Ownership Model” PSE&G will deploy make-ready infrastructure, which includes all electrical infrastructure up to the utility meter, while a third-party partner will install, own, maintain, and operate the DC fast charging station equipment. PSE&G plans to use a competitive solicitation to identify qualifying EVSPs and locations for chargers. EVgo strongly supports a collaborative approach to make-

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<sup>2</sup> For more information on EVgo, please see its website: <https://www.evgo.com/> ..

<sup>3</sup> See <https://www.psegpoweringprogress.com/electric-vehicles/>

<sup>4</sup> The Partnership to Plug-In will dedicate \$7 million provided to the State from the Volkswagen Environmental Mitigation Trust for fast-charging infrastructure technology. See <https://nj.gov/governor/news/news/562019/approved/20190603b.shtml>.



ready, which will catalyze private sector investments and enable a vibrant competitive charging market in its territory. It is EVgo's intent to participate in the planned solicitation and ensure effective program design through EVgo's intervention. Alternatively, under the "Utility Ownership Model" PSE&G will deploy the make-ready infrastructure and may possibly own, maintain, and operate the chargers if the "competitive market is unable to support DC Fast Charging station development using the Third-Party Ownership Model." *Id.*, at 19. PSE&G also proposes to provide "off-bill, ongoing rebates" for a period of five years to participating third-party station owners to mitigate current financial disincentives to deploying public DC fast charging stations. *Id.*, at 20 to 23.

6. EVgo intends to lend its experience and expertise resulting from its participation in DC fast charging station programs across the country, including Pacific Gas & Electric's Fast Charge Make Ready Program<sup>5</sup>, to provide suggestions to optimize program design to ensure a vibrant, competitive EV charging market in New Jersey. Moreover, EVgo is interested in exploring PSE&G's methodology and terms under which PSE&G may own and operate fast charging infrastructure if third-party ownership and operation falls short of subprogram goals.

7. EVgo agrees with PSE&G that there currently are significant barriers to DC fast charging infrastructure growth and notes that rate design plays a critical role in the development of a robust competitive market for DC fast charging infrastructure. Effective rate designs will in turn aid in the deployment of fast charging infrastructure to enable New Jersey's stated goals for EV adoption. In its filing, PSE&G proposes to use off-bill, ongoing rebates to offset electricity bill expenses. EVgo intends to explore whether this is an appropriate mechanism or if properly designed rates, as have been approved

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<sup>5</sup> See California Public Utilities Commission, 17-01-020 *et al.*



throughout the country in places such as but not limited to Pennsylvania<sup>6</sup>, Connecticut<sup>7</sup>, Rhode Island<sup>8</sup>, Colorado<sup>9</sup> and California<sup>10</sup> would be appropriate in lieu of or in conjunction with off-bill rebates that PSE&G intends to utilize to defray operating costs for DC fast chargers.

8. EVgo also applauds New Jersey for its very recent enactment of P.L. 2019, c.362 establishing goals and incentives for increased use of plug-in EVs in the State and looks forward to contributing to the attainment of the goals as a competitive EVSP and through participation in utility-filed proceedings such as this proceeding and other agency-sponsored forums for EV policy and program development.

#### **EVgo MEETS THE STANDARDS FOR INTERVENTION**

9. N.J.A.C. 1:1-16.1 provides that “any person or entity not initially a party . . . who will be substantially, specifically and directly affected by the outcome” of a case may move to intervene. N.J.A.C. 1:1-16.3(a) further requires that the decision-maker consider:

- the nature and extent of the moving party's interest in the outcome of the case;
- whether that interest is sufficiently different from that of any other party so as to add

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<sup>6</sup> Pennsylvania Electric Company (“PECO”) received regulatory approval in late 2018 for a new DCFC rider that offers commercial EV charging facilities a credit against the applicable distribution demand charge for up to 36 months.

<sup>7</sup> Connecticut Light & Power (“Eversource”) has offered an Electric Vehicle Rate Rider Pilot (EVRRP) since July 1, 2014. By an order issued March 6, 2019, the Connecticut utility regulator has extended this pilot program for another three years. Existing stations were allowed to switch onto this tariff.

<sup>8</sup> Rhode Island Public Utilities Commission, Docket Nos. 4770 and 4780.

<sup>9</sup> Public Utilities Commission of Colorado Proceeding No. 19AL-0290E. *In the matter of advice letter No. 1798-Electric filed by Public Service Company of Colorado to Revise its PUC No. 8-Electric Tariff to Implement Rate Changes Effective on Thirty Days Notice.*

<sup>10</sup> Southern California Edison’s (“SCE”) commercial EV rate schedules are all-volumetric TOU rates with strong price signals to consume energy in off-peak and super-off-peak periods and to limit usage during on-peak or mid-peak period. One key feature is a five-year holiday from all demand charges, with the expectation that EV penetration will be higher after the holiday. In years six to ten, most of the demand charges applicable standard commercial rates will be phased back into the EV rates. Existing stations were allowed to switch onto this tariff. For more information, see: See CPUC Decision 18-05-040, Ordering Paragraph 45, and SCE Advice Letter 3853-E (filed August 29, 2018) to implement the new commercial EV rates approved in that order.

In addition to SCE, commercial EV rates have been approved in PG&E territory and introduced in San Diego Gas & Electric territory.



measurably and constructively to the scope of the case;

- the prospect for confusion and delay arising from inclusion of the party; and
- other appropriate matters.

10. The outcome of this proceeding will have a substantial impact on the nature, growth and economics of the competitive market for DC fast charging stations in the PSE&G service territory, a market in which EVgo is currently an active participant with plans for expansion. Thus, EVgo has demonstrated that it has a substantial, specific, and direct interest in this proceeding and will be directly affected by its outcome.

11. As described above, EVgo is the nation's largest owner-operator of public DC fast charging stations and has substantial policy and market experience and expertise in the design, deployment, and impact of utility-sponsored DC fast charging infrastructure programs. Because of its unique position in the EV marketplace both nationally and in New Jersey, no other party can adequately represent its interests in this proceeding. EVgo's national market presence, experience and expertise will prove to be valuable in assisting PSE&G and the Board in the design and ultimate success of PSE&G's DC Fast Charging subprogram. EVgo's expertise and perspective will support the Board in assessing the various approaches for implementation to most effectively grow and support New Jersey's EV charging infrastructure and EV adoption. Indeed, EVgo has demonstrated its ability to contribute uniquely and constructively to utility proceedings across the nation involving EV charging infrastructure to achieve mutually beneficial outcomes for utilities, ratepayers, and EV drivers. Thus, EVgo's interest is "sufficiently different" from any other participant in this proceeding and EVgo will add "measurably and constructively" to scope of this proceeding and its successful outcome.

12. Intervention by EVgo will not cause confusion in or delay the conclusion of this proceeding. This proceeding is in its early stages and a substantive record has yet to be developed. No substantive or procedural Board orders have yet been issued in this proceeding to the best of EVgo's knowledge. EVgo does not seek a delay in this proceeding; on the contrary, EVgo desires to see a robust



EVSP market develop in PSE&G's service territory and the rest of the State as fast as reasonably can be accomplished.

13. In addition to the foregoing demonstration that it meets the rule requirements of intervention, EVgo respectfully submits that fundamental fairness and due process require that the Board grant EVgo full status as an intervenor in this proceeding.

#### **VERIFICATION**

14. The Verification of Sara Rafalson, Director of Market Development for EVgo, is attached hereto certifying that the statements and facts herein with respect to EVgo are accurate and true to the best of her knowledge and belief.

#### **CORRESPONDENCE**

15. All correspondence and communication concerning this motion should be addressed to the following persons on behalf of EVgo:

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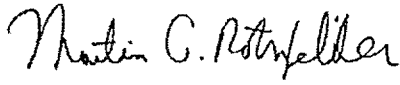


**CONCLUSION**

Having demonstrated that it meets the standards for intervention pursuant to N.J.A.C. 1:1-16 .1 *et seq.*, EVgo respectfully requests that the Board fully grant it status as an intervenor in this proceeding with all rights and obligations attendant thereto, and to grant such further relief as the Board deems reasonable and just.

Respectfully submitted,

Rothfelder Stern, L.L.C.  
Attorneys for the Movant

By:   
Martin C. Rothfelder

Date: February 5, 2020



**BEFORE THE  
STATE OF NEW JERSEY  
BOARD OF PUBLIC UTILITIES**

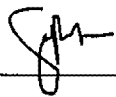
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SERVICE ELECTRIC GAS COMPANY FOR :  
APPROVAL OF ITS CLEAN ENERGY FUTURE- : BPU Docket No. EO18101111  
ELECTRIC VEHICLE AND ENERGY STORAGE :  
("CEF-EVES") PROGRAM ON A REGULAR :  
BASIS :

**MOTION TO INTERVENE OF  
EVGO SERVICES LLC**

**VERIFICATION OF SARA RAFALSON**

I, Sara Rafalson, of full age and upon my oath, depose and say:

1. I am the Director of Market Development of EVgo Services, LLC, and am authorized to make this statement on behalf of EVgo Services, LLC
2. I have reviewed the attached Motion to Intervene and certify that the facts set forth therein with respect to EVgo Services, LLC are true and accurate to the best of my knowledge and belief.

  
\_\_\_\_\_

Date: \_\_\_\_\_