

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

BPU DOCKET NO. EO20110730

IN THE MATTER OF THE PETITION OF ROCKLAND ELECTRIC COMPANY FOR APPROVAL OF AN ELECTRIC VEHICLE PROGRAM, ESTABLISHMENT OF AN ELECTRIC VEHICLE SURCHARGE, AND FOR OTHER RELIEF (RECO EV)

**MOTION FOR LEAVE TO INTERVENE
OF CHARGEPOINT, INC.**

ChargePoint, Inc. (ChargePoint), by and through its undersigned counsel, Keyes & Fox LLP and pursuant to N.J.A.C. 1:1-16.1 *et seq.* and Board Order issued February 6, 2021 in this docket, respectfully moves the New Jersey Board of Public Utilities (Board) to permit ChargePoint to intervene in this docket with all rights and obligations typically afforded an intervenor in such proceedings. In support of this motion, ChargePoint respectfully states as follows:

1. ChargePoint is one of the world's largest electric vehicle (EV) charging networks, with scalable solutions for charging at home, work, around town, and on the road. With customers that include workplaces, cities, retailers, apartments, utilities, hospitals, and fleets, ChargePoint provides an integrated experience enabling consistent performance, efficiency and reliability at every touchpoint whether one is using a mobile app, plugging into a charger, managing the station or analyzing charging data.

2. ChargePoint delivers scalable solutions that enable businesses to support more drivers, add the latest software features, and expand their electric vehicle and fleet needs with minimal disruption to overall business. Hardware offerings include Level 2 (L2) and DC fast charging (DCFC) products, and ChargePoint provides a range of options across those charging levels for specific use cases including light and medium duty and transit fleets, multi-unit

dwellings, residential (multi-family and single family), destination, workplace, and more. ChargePoint's software and cloud services enable site hosts to manage charging onsite with features like Waitlist, access control, charging analytics, and real-time availability. ChargePoint products are UL-listed, ENERGY STAR® and CE (EU) certified, and the modular design minimizes downtime and makes maintenance and repair more seamless.

3. ChargePoint's primary business model consists of selling its smart charging solutions directly to businesses and organizations while offering tools that empower site hosts and station owners to deploy charging designed for their individual application and use case. ChargePoint provides charging network services and data-driven and cloud-enabled capabilities that enable site hosts to better manage their charging assets and optimize services. For example, with those network capabilities, site hosts can view data on charging station utilization, frequency and duration of charging sessions, set access controls to the stations, and set pricing for charging services. These features are designed to maximize utilization and align the EV driver experience with the specific use case associated with the specific site host. Additionally, ChargePoint has designed its network to allow other parties, such as electric utilities, the ability to access charging data and conduct load management to enable efficient EV load integration onto the electric grid.

4. In the Petition that initiated this proceeding Rockland Electric Company (RECO or the Company) requests the Board approve an investment of approximately \$6.7 million over a five year period for a comprehensive electric vehicle (EV) program, including six EV subprograms, including: the Charger Ready Program, a Voluntary Time-of-Day Rate, the Direct Current Fast Charging Incentive Program, the Smart Charge Program, the EVolved REcharge Program, and Outreach and Education.

5. N.J.A.C. 1:1-16.1(a) provides the standard for intervention in a proceeding before this Board. The party seeking to intervene must show that it will be substantially, specifically and directly affected by the proceeding in question. In granting a motion to intervene, the Board must consider the nature and extent of the movant's interest in the outcome of the case; whether the movant's interest is sufficiently different from that of any party so as to add constructively to the scope of the case; and whether there is the prospect of confusion or undue delay arising from the movant's inclusion. N.J.A.C. 1:1-16.3(a).

6. As a provider of Level 2 EV chargers, DCFCs, and EV charging network services in New Jersey, who has existing customers as well as prospective customers seeking to install EV charging stations in RECO's service territory, ChargePoint will be substantially, specifically, and directly affected by the outcome of this proceeding. This proceeding will impact ChargePoint in the following ways:

- RECO's proposal to provide incentives to offset the costs of EV charging infrastructure through the Charger Ready Program and the DCFC Incentive Program will directly impact the cost of installing ChargePoint's products and services.
- ChargePoint's ability to qualify its products for eligibility for RECO's proposed incentives will directly impact ChargePoint's ability to sell its products and services in RECO's service territory.
- RECO's proposed Voluntary Time-of-Day Rate and proposed Smart Charge Program will directly impact the total cost and value of ChargePoint's products and services to customers.

- ChargePoint's ability to qualify its products for participation in RECO's proposed EVolved REcharge Program will directly impact ChargePoint's ability to sell its products and services in RECO's service territory.

7. For these reasons, the Commission's approval, denial, or modification of RECO's proposed programs will directly impact ChargePoint's ability to sell its products and services to prospective customers in RECO's service territory. The outcome of this proceeding will therefore substantially affect ChargePoint's pecuniary and tangible interests.

8. ChargePoint's interests would not be adequately represented by other potential parties to the proceeding. ChargePoint's interests in this proceeding are specific to its business models, operations, customers, and prospective customers in RECO's service territory. The manner in which RECO's program proposals, including potential modifications to the proposals, will affect ChargePoint's products and services is unique to ChargePoint's business model. Addressing the manner in which RECO's proposals will impact ChargePoint's products and services requires direct knowledge of ChargePoint's products and services. ChargePoint's interests in this proceeding would therefore not be adequately represented if ChargePoint were denied party status. ChargePoint is the only entity that can represent its interests in this proceeding. ChargePoint's interests are also sufficiently different from any other party that its participation will add constructively to the record of this case.

9. As a leading provider of EV charging infrastructure and network services that participates frequently in utility regulatory proceedings across North America, ChargePoint will bring its experience and expertise to bear in this proceeding in a manner that will advance the just resolution of the proceeding. ChargePoint's participation in this proceeding will not unduly broaden the issues in the proceeding, create confusion, or result in undue delay.

10. ChargePoint requests that all pleadings, correspondence, discovery, and other documents be served on ChargePoint at the following addresses (electronic service preferred):

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11. Concurrently with this Motion for Leave to Intervene, ChargePoint is filing a motion for admission of counsel *pro hac vice* for Mr. Scott Dunbar.

WHEREFORE, ChargePoint respectfully requests that the Commission grant its Motion for Leave to Intervene in the above-captioned proceeding so that ChargePoint may participate with full rights as a party. ChargePoint's intervention will advance a just resolution of the proceeding and should be granted.

Respectfully submitted on March 1, 2021,

BY: /s/ David Wooley

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Certification of Matthew Deal

In Support of Motion for Leave to Intervene of ChargePoint, Inc.

Matthew Deal, of full age and upon oath, deposes and says:

1. I am Matthew Deal, Public Policy Manager – Regulatory at ChargePoint, Inc.
2. I am authorized to make this statement on behalf of ChargePoint, Inc.
3. I have reviewed the attached Motion to Intervene and certify that the facts set forth therein are true and accurate to the best of my knowledge and belief.


Matthew Deal

Date: February 26, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing documents upon each person designated on the official service list for Docket No. EO20110730.

Dated this 1st day of March, 2021.

/s/ Alicia Zaloga _____
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