

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

Application of Southern California Edison
Company (U338E) for Approval of Its Charge
Ready and Market Education Programs

Application 14-10-014
(Filed October 30, 2014)

**SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) RESPONSE TO
ASSIGNED COMMISSIONER AND ADMINISTRATIVE LAW JUDGE'S RULING
FOR COMMENTS**

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Dated: **September 28, 2015**

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I.

INTRODUCTION

Pursuant to the Rules of Practice and Procedure of the California Public Utilities Commission (CPUC or Commission), and in compliance with the *Assigned Commissioner and Administrative Law Judge's Ruling for Comments*, filed September 14, 2015 (Ruling), Southern California Edison Company (SCE) hereby submits this response on behalf of itself and all Settling Parties.¹ SCE confirms that it has conferred with the Settling Parties and that the Settling Parties have authorized SCE to file this response to the Ruling on their behalf.²

¹ The Settling Parties include: SCE; American Honda Motor Co., Inc. (Honda); CALSTART; the California Energy Storage Alliance (CESA); ChargePoint, Inc.; the Coalition of California Utility Employees (CCUE); the Environmental Defense Fund (EDF); General Motors, LLC; the Greenlining Institute; the Natural Resources Defense Council (NRDC); NRG Energy, Inc. (NRG); the Office of Ratepayer Advocates (ORA); Plug In America; Sierra Club; the Utility Reform Network (TURN); and Vote Solar (collectively referred to as "Settling Parties").

² The Ruling recommends that SCE confer with the Settling Parties regarding the response to the Ruling. Ruling, p. 11.

II.

RESPONSES TO QUESTIONS

As discussed in SCE's Motion for Approval of Phase 1 Settlement Agreement, filed July 9, 2015, the Settlement Agreement is reasonable in light of the whole record, consistent with law, and in the public interest pursuant to Rule 12.1(d) of the Commission's Rules of Practice and Procedure, and should be adopted without modification. The Settlement Agreement embodies compromises of the Settling Parties' positions, and no individual term or provision is assented to by any Settling Party, except in consideration of the other Settling Parties' assents to all other terms and provisions. As such, the Settlement Agreement is indivisible and each part is interdependent on each and all other parts. Any changes to any portion would alter the balance of interests and mutually agreed-upon compromises and outcomes contained therein. Therefore, the Commission should not seek to judge the reasonableness of any individual term or provision of the Settlement Agreement, but rather must judge the Settlement Agreement as a whole, taking into consideration the overall record in this proceeding.

With the foregoing in mind, the Settling Parties have strived to supplement the record to clarify certain aspects of the Settlement Agreement as sought in the Ruling. The responses provided below, along with the existing record, including parties' written and oral testimonies and other evidence, the Motion for Approval of Phase 1 Settlement Agreement, and the Settlement Agreement itself, provide sufficient bases for the Commission to find the Settlement Agreement reasonable, lawful, and in the public interest, and to promptly issue a proposed decision approving the Settlement Agreement.

A. What is the rationale behind the proposed percentage rebate amounts for various market segments? Specifically, what justification was used to determine a 100% rebate level for multi-unit dwellings?

The percentage rebate amounts identified in the Settlement Agreement resulted from a negotiation and a good faith agreement among the Settling Parties, the details of which are confidential pursuant to Rule 12.6 of the Commission's Rules of Practice and Procedure. The Settling Parties submit that the proposed percentages are reasonable based on their understanding of the state of the current electric vehicle (EV) charging market, penetration of EVs in certain market segments, and the proposed objectives of the Charge Ready Pilot, including to accelerate the deployment of EV charging stations to support EV adoption and increase EV miles traveled. For instance, multi-unit dwellings are thought to be a more expensive and complex market segment due to the typically lower-income makeup of residents and the logistics of implementation (both as compared to single-family dwellings). Sites located in disadvantaged communities may also face similar obstacles that could hinder deployment of charging infrastructure. Yet, they are also thought to be a very significant part of the market and could contribute to increase EV adoption. Testing these and other assumptions will be key objectives of the pilot.

B. Explain the following aspects of the Advisory Board:

1. Who will determine entry into the Advisory Board, and what factors will be used to make that determination?

The Settling Parties contemplate that members of the Advisory Board will be determined by SCE. All Settling Parties will have the opportunity to join. The Advisory Board will, additionally, consider other interested parties and organizations. As the intent of the Board is to solicit recommendations from a diversity of stakeholders, the Settling Parties anticipate that the Board will seek to include representatives from an array of key constituents, including

consumer advocates, environmental advocates, EV drivers, the automotive industry, disadvantaged communities, labor, and EV charging providers, focusing on diverse sector representation and expertise.

- 2. Will any market participants, as members of the Advisory Board, be allowed to participate in procurement decisions? If so, how will SCE mitigate any conflicts of interest in Advisory Board decision making? How will SCE allow for entry and feedback from new market participants and also ensure that the size of the Advisory Board does not become unwieldy?**

The Advisory Board will not make any decisions, including procurement decisions. The Advisory Board will provide advice. As detailed in the Settlement Agreement, SCE will consider input from the Advisory Board to determine appropriate areas for data collection, analysis, and reporting. Information will be provided to the Advisory Board to facilitate understanding of the Pilot's progress and encourage effective dialogue on potential modifications in advance of Phase 2.³

To achieve a diverse, yet manageable, Advisory Board, the Settling Parties recommend that SCE target no more than twenty participants, while maintaining discretion to adjust the number of members to achieve appropriate diversity and expertise, and to facilitate successful functioning of the group. Each organization should be encouraged to have only one representative participate per meeting. Participants are expected to participate in meetings where they can actively contribute, discuss, comment on, and make recommendations regarding information presented by SCE. Interested parties will be able to listen in to meetings. Meeting minutes will be made available on SCE's website.

³ See Motion for Approval of Phase 1 Settlement Agreement, Attachment A Settlement Agreement, p. 8.

3. What is the process for the Advisory Board to make recommendations for program implementation?

The Advisory Board will review the Pilot's progress, and make and discuss any recommendations during regularly held Board meetings, anticipated to be quarterly or more often as needed.

4. What is the process for the Commission to consider and/or approve recommendations made by the Advisory Board?

The Settling Parties do not anticipate a need to seek Commission approval of Advisory Board recommendations, and the Board is not expected to make recommendations that alter the Pilot in a way that would deviate from the Commission's approval and authorization in its final decision. Instead, the Advisory Board will make recommendations on the implementation of the Pilot in accordance with overall guiding principles and objectives of the Pilot. The Energy Division and ORA are anticipated to participate on the Advisory Board.

After the Pilot's completion, stakeholders will also have the opportunity to make recommendations on Phase 2 implementation during Phase 2 of the Charge Ready proceeding.

C. The Proposed Settlement states, "If SCE reaches the \$22 million Phase 1 budget cap without installing at least 1,000 charging stations, SCE must suspend program activities as soon as feasible and file a report with the Commission to reexamine the Pilot's underlying assumptions."

1. Explain the rationale for suspending program activities if the budget cap is reached without installing at least 1,000 stations, rather than providing for an off-ramp before that point?

While nothing precludes SCE or the Commission from seeking early termination of the Pilot if customer participation is grossly inadequate to justify continuation, the Settling

Parties anticipate sufficient customer interest and wish to maximize learning during the Pilot, particularly as the Pilot will inform the Commission's consideration of SCE's Phase 2 program.

As eligible SCE customers go through the Pilot's application process and are qualified, SCE will earmark funding for each participating site on a first-come, first-served basis using detailed deployment estimates prepared by SCE's service planners and electrical contractors, and later refined based on construction design plans. In addition, actual expenses will be recorded against the Pilot's approved budget as they occur. This process results from the complexity of deploying charging stations and prevents the need for off-ramps during the short Pilot period.

One of the objectives of the Phase 1 Pilot is to inform and refine the design and cost estimates in preparation for the Commission's consideration of the broader Phase 2 of the Program. The cost estimates identified in SCE's Phase 1 Testimony,⁴ which are incorporated into the Settlement Agreement,⁵ were developed to the best of SCE's knowledge based on SCE's experience deploying charging stations at SCE facilities, along with additional primary and secondary research conducted in preparation for SCE's proposal. However, actual deployment costs will likely vary significantly from site to site. For example, sites that require extensive trenching will be more expensive to deploy on a per-charging-station basis than those sites where conduits can be deployed along walls. Thus, the mix of participating sites is expected to be a key driver of the overall costs incurred during the Pilot. More eligible customers with "expensive" sites may drive costs up and reduce the number of installations while the opposite may hold true as well. While under the Settlement Agreement SCE is expected to identify reasonably cost-effective deployment locations within a participating site, the mix of participating sites and its impact on the overall Pilot costs will result from the Pilot's attractiveness to certain or all segments of eligible customers, as opposed to any arbitrary selection.

⁴ See Exhibit SCE-01, Vol. 2, pp. 20-24.

⁵ See Motion for Approval of Phase 1 Settlement Agreement, Attachment A Settlement Agreement, p. 9.

The Phase 1 Pilot will permit the collection of robust data regarding design elements that impact site selection and utilization, identify reasons for any observed difference between actual and estimated costs, and enable SCE, other parties, and the Commission to make an informed determination about launching Phase 2 of the program. If the Phase 1 budget cap of \$22 million is reached before installing 1,000 charging stations, then SCE will examine the underlying cost estimates and the assumptions utilized to determine them. This structure will allow SCE to install as many charging stations as the budget will allow during the Phase 1 Pilot, which should provide sufficient information to analyze installation costs, site selection, and utilization, including information on how actual costs exceed the estimates and the reasons behind it. The purpose of conducting the Pilot prior to consideration of a broader Phase 2 program is to test the initial deployment cost assumptions developed by SCE and modify the Phase 2 proposal as necessary. As such, the use of a pilot before launching a full program will help protect ratepayer funds.

D. The Proposed Settlement states, “Any costs in excess of the budget cap shall be considered as part of the Phase 2 budget.”

1. Explain any anticipated excess costs, and why such costs are anticipated given the large contingencies already built into cost estimates.

The Settling Parties do not anticipate SCE exceeding the cost cap of \$22 million for the Phase 1 Pilot. SCE will closely manage the Pilot budget, as described in response C.1, through regular updating of cost forecasts and actual expenditures to strictly protect against cost overruns. The Settlement Agreement’s statement to consider excess Phase 1 costs as part of Phase 2 was provided in the unlikely event that SCE exceeds the cost cap. If the Commission approves the Settlement Agreement as written, that approval will authorize SCE to record any reasonably incurred Pilot costs in excess of the cap. SCE intends to include in its advice filing establishing the Charge Ready Balancing Account a provision to record Phase 1 cost overruns,

which will be included in, and offset from, the revenue requirement set forth in SCE's pending Phase 2 application. If the Commission prefers SCE to track these costs in a memorandum account, the Commission's final decision should order SCE to establish a memorandum account for the unlikely event that SCE reasonably incurs costs in excess of the Phase 1 cap. Notwithstanding the foregoing, SCE will diligently manage the Pilot to ensure costs stay within the cost cap.

- 2. How can the Proposed Settlement provide for any excess costs to be part of a Phase 2 budget, when Phase 2 is not authorized and the scope of this proceeding is currently limited to Phase 1?**

Please see the response to Question D. 1 above.

- 3. How will SCE seek the authority to recover any excess costs?**

Please see the response to Question D. 1 above.

- E. The Proposed Settlement states, "Phase 1 may continue until the Commission issues a final decision on Phase 2."**

- 1. Does SCE intend to continue Phase 1 after authorized funds are depleted? If so, how and under what authority?**

Absent authority to do so, such as described in response D. 1 above, SCE will not continue Phase 1 once authorized funds are depleted.

- 2. What happens if the Commission does not approve Phase 2?**

Completion of the Pilot is not contingent on approval of Phase 2. Rather, the Commission's consideration of Phase 2 will be informed by the Pilot.

F. Who is responsible for load management (e.g., the site host, the third party EV service provider, SCE, some other entity, or a combination thereof)?

As stated in Section 4.B.8. of the Settlement Agreement, the Settling Parties submit that EV load should be effectively managed to allow the State to meet both its renewable energy and zero-emission vehicle deployment goals. Although SCE, Customer Participants, and the Customer Participants' selected EV service providers all play a role in the charging stations' load management in various capacities, the Customer Participant will be solely responsible for load management.

As stated in SCE's Phase 1 Testimony, "[s]ubject to the Pilot's terms and conditions, policies regarding access and use of charging stations will be decided by Customer Participants, at their discretion."⁶ Customer Participants are responsible for the cost of energy used by the charging stations based on the time of use (TOU) rate they select. The rate design of these plans provides Customer Participants strong financial incentives to encourage off-peak EV charging and discourage on-peak EV charging by end-users. As such, Customer Participants should be incentivized to manage the charging station load.

In addition, the Settlement Agreement requires that all Customer Participants with Level 2 charging stations participate in demand response programs. SCE has committed "to create or have identified and adopted a Demand Response Program...within three years of this agreement being adopted by the Commission, subject to any necessary regulatory approvals including cost recovery."⁷ While this Demand Response Program is being developed by SCE, SCE has already included requirements that EV service providers qualified by SCE in preparation for the potential launch of the Pilot must be capable of receiving DR signals sent by SCE and must bridge or translate such signals to modify charging (turn off or reduce current) of the charging stations.

⁶ Exhibit SCE-01, Vol. 2, p. 15, lines 12-13.

⁷ Motion for Approval of Phase 1 Settlement Agreement, Attachment A Settlement Agreement, Section 4.B.8., at p. 10.

Pursuant to Section 4.B.8. of the Settlement Agreement, SCE will monitor EV charging behaviors and consider program modifications “if there is evidence that load is not being adequately managed to avoid adverse grid impacts from EV charging by Customer Participants, or [if] EV drivers who charge in a manner that avoids adverse grid impacts are not provided with the opportunity to realize fuel cost savings, or if charging is not leveraging available opportunities to integrate renewable energy.”⁸

G. Describe how SCE will “educate site hosts about time-of use rates” and other load management strategies, including a description of, frequency, duration, and vehicle for such education.

SCE plans to “educate site hosts about time-of-use rates” and other load management strategies, including a description of, frequency, duration, and vehicle for such education as follows:

Description	Vehicle	Frequency	Duration	Recipient
Information regarding time-of-use rates	<ul style="list-style-type: none"> • Email • Direct Mail/brochures • Account Manager 	Available on website 24x7, and through Account Management interactions throughout the process	Ongoing	<ul style="list-style-type: none"> • Site hosts • SCE Account Management • 3Rd party vendors • End users
Charge Ready fact sheet with information regarding estimated usage and cost impact, including demand charge impacts.	<ul style="list-style-type: none"> • Email • Direct Mail/brochures • Account Manager 	Available on website 24x7, and through Account Management interactions throughout the process	Ongoing	<ul style="list-style-type: none"> • Site hosts • SCE Account Management • 3Rd party vendors • End users
Required DR programs for Level 2 charging including specific	<ul style="list-style-type: none"> • Email • Direct Mail/brochures 	Available on website 24x7, and through Account Management	Ongoing	<ul style="list-style-type: none"> • Site hosts • SCE Account Management

⁸ *Ibid.*

DR program, tariff, and eligibility requirements	<ul style="list-style-type: none"> • Account Manager 	interactions throughout the process		<ul style="list-style-type: none"> • 3Rd party vendors • End users
Information regarding load management strategies	<ul style="list-style-type: none"> • Account Manager 	As they become available	Ongoing	<ul style="list-style-type: none"> • Site hosts • SCE Account Management • 3Rd party vendors • End users

H. How will SCE monitor and determine whether there is “evidence that load is not being adequately managed? What data will be collected, by whom, and how often? How will SCE analyze this data and share its findings with the Commission and interested parties?

All charging stations will be deployed on a separately metered circuit. SCE will retrieve smart meter usage data to prepare load profiles for each long-dwell time segment in-scope for the Pilot and identify how each usage sector’s charging behavior correlates to TOU rates and/or other load management signals. In addition, the Pilot will require Customer Participants and their selected EV service providers to communicate transactional data to SCE for Level 2 charging stations. EV service providers will provide SCE detailed transactional data on a monthly basis. Finally, Appendix A to the Settlement Agreement identifies data collection and reporting that SCE has agreed to provide to the Commission and stakeholders, including quarterly reports, a Pilot report (after nine months and 1,000 charging stations have been deployed), and a final report following the conclusion of the Pilot.

I. Describe the process SCE will use to determine whether “program” modifications are needed based on load management information? How will this analysis and findings be shared with the Commission? What vehicle will SCE use to seek any proposed program modifications prior to any Phase 2 approval?

SCE will determine whether program modifications are needed based on load management information analyzed and reported to the Commission and stakeholders pursuant to Section 4.b.4. and Appendix A to the Settlement Agreement. Based on such findings, SCE may serve amended testimony to propose program modifications as part of Phase 2 of the proceeding.

J. How will SCE pre-qualify vendors and third party service providers?

SCE provided its Request for Information to the Energy Division on a confidential basis in response to an Energy Division data request. The Request for Information provides SCE’s requirements to qualify vendors and charging stations for the Pilot. The terms of the Request for Information are consistent with the description provided in Section II.C.3. of SCE’s testimony.

K. How will SCE monitor ongoing operations and maintenance, and what action will SCE take if EV service equipment is not being properly maintained or is out-of-service?

As indicated in response H above, SCE will receive transactional data for Level 2 charging stations deployed under the Pilot. SCE intends to develop an algorithm to monitor charging stations and identify those with no usage. SCE may investigate these situations by engaging with the relevant Customer Participants. If SCE establishes that the lack of usage is caused by charging stations that are not maintained in working order, SCE may require the Customer Participants to return the Rebate Payment as provided in Special Condition 7 of the proposed Schedule Charge Ready Pilot Program (CRPP) and take other appropriate actions consistent with the contractual terms and conditions accepted by the Customer Participant for participation in the Pilot.

L. How does requiring all construction, installation, and maintenance of customer participant site infrastructure not performed by SCE employees to be performed by a contractor's signatory to the IBEW who holds a valid California C-10 contractor's license fulfill safety requirements? What safety requirements are required of SCE employees? Are there any other safety considerations that SCE has considered or put in place?

Using IBEW signatory contractors who hold valid California C-10 licenses fulfills safety requirements in two ways: certification and training. With regards to certification, California law requires that all electricians working for a contractor with a class C-10 license must meet the certification standards established by the California Department of Industrial Relations Division of Labor Standards Enforcement.⁹ These standards require that the electrician has either passed the California test to become a Certified Electrician or is enrolled in an approved training program and supervised by a Certified Electrician. By requiring SCE to use a California C-10 IBEW contractor, the Commission will ensure that highly qualified California Certified Electricians install the charging infrastructure.

With regards to training, under their contracts with the IBEW, signatory contractors will draw their workforce from the IBEW hiring hall, which will dispatch journeyman and apprentice electricians. The journeyman electricians have received training in programs authorized by the California Department of Industrial Relations Division of Apprenticeship Standards.¹⁰ These programs generally require five years of classroom work along with on the job training. The curricula include the full range of knowledge required to become a California Certified Electrician, and specifically includes the following safety knowledge:

- OSHA rules and regulations

⁹ See Cal. Labor Code §§ 108, et. seq.

¹⁰ See the Division of Apprenticeship Standards website, *available at* <http://www.dir.ca.gov/das/das.html> [as of September 25, 2015].

- National Electrical Code
- NFPA 70E
- Protection from electric shock
- Arc-flash protection
- Safely using electrical test equipment
- Testing grounding systems
- Meter safety
- Lock-out/tag-out protocols for energized equipment
- Personnel protective equipment
- OSHA Excavation Policies and Procedures
- Trench Support and Failures
- OSHA Soil Type Classifications
- Hazard planning and prevention
- Competent person designation for trenching, confined space, fall protection, lockout/tagout, scaffolding, aerial/scissor lifts
- Preparation for OSHA30 and EM-385 certifications

SCE provides its employees with training that is aimed at top quartile safety performance. SCE employees are required to follow safety rules and policies that meet the requirements set forth by the Commission. Detailed information on SCE's safety requirements can be found in Phase 1 of SCE's 2015 General Rate Case.¹¹

In addition to SCE's general transmission and distribution safety requirements, SCE requires that all charging stations meet a number of safety standards and requirements. For instance, Qualified Charging Stations must be certified by the U.S. Department of Labor's Nationally Recognized Testing Laboratory Program and meet a number of other Society of

¹¹ See generally A.13-11-003, SCE 2015 General Rate Case, Exhibit SCE-03, Vol. 9, and Workpapers for Exhibit SCE-03, Vol. 9, pp. 69-100. SCE's Workpapers for Exhibit SCE-03, Vol. 9, are *available at* [http://www3.sce.com/sscc/law/dis/dbattach5e.nsf/0/5C96AF5B390E14D688257C220075437E/\\$FILE/APP%20SCE-03%20Vol.%2009.pdf](http://www3.sce.com/sscc/law/dis/dbattach5e.nsf/0/5C96AF5B390E14D688257C220075437E/$FILE/APP%20SCE-03%20Vol.%2009.pdf) [as of September 28, 2015].

Automotive Engineers (SAE) International technical standards.¹² SCE will also evaluate such requirements and qualify charging stations through a Request for Information process.¹³ More information on these requirements and processes are provided in SCE's testimony in this proceeding.¹⁴

III.

CONCLUSION

The Settling Parties appreciate the opportunity to respond to these questions. The Settling Parties respectfully request that the Commission promptly issue a proposed decision approving the Settlement Agreement without modification.

¹² See Exhibit SCE-01, Vol. 2, p. 8.

¹³ See Exhibit SCE-01, Vol. 2, p. 9.

¹⁴ See Exhibit SCE-01, Vol. 2, pp. 8-10. Additional detail is also provided in SCE's Request for Information (issued to vendors in February 2015), which was submitted to the Energy Division on a confidential basis in response to data request ED-SCE-003, Question 02.

Respectfully submitted,

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DATE: September 28, 2015

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CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of **SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) RESPONSE TO ASSIGNED COMMISSIONER AND ADMINISTRATIVE LAW JUDGE'S RULING FOR COMMENTS** on all parties identified on the attached service list(s) **A.14-10-014**. Service was effected by one or more means indicated below:

- Transmitting the copies via e-mail to all parties who have provided an e-mail address.
- Placing the copies in sealed envelopes and causing such envelopes to be delivered by hand or by overnight courier to the offices of the Assigned ALJ(s) or other addressee(s).

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Executed **September 28, 2015**, at Rosemead, California.

/s/ Gina Leisure

Gina Leisure

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Public Utilities
Commission



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CALIFORNIA PUBLIC UTILITIES COMMISSION

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