



April 18, 2025

Mr. Jeff Killip
Executive Director and Secretary
Washington Utilities and Transportation Commission (WUTC)
621 Woodland Square Loop S.E.
Lacey, WA 98503

Responding to Notice of Opportunity to File Written Comments

Docket UE-160799: Commission-led workshop series to review and potentially revise the 2017 Policy and Interpretive Statement concerning Commission regulation of electric vehicle (EV) charging services

Comments of the Alliance for Transportation Electrification (ATE)

Background

The Alliance for Transportation Electrification (ATE) has been engaged in this Docket on the Policy Statement on EVSE, and possible revisions to the same, for some time. The market for EV adoption and EV charging infrastructure deployment is evolving rapidly, both nationally and in the state of Washington, and we appreciate the Commission's attention to these issues. Previously, we have offered verbal comments and analysis regarding Commission questions about issues like the federal transportation electrification (TE) policy landscape, rate design, interconnection processes, active and passive managed charging approaches, and best practices of utilities from other states. In this filing, we respond to the questions posed by the Commission in the March 17 Notice.

ATE is a 501(c)(6) non-profit corporation established in early 2018 with the goal of promoting policies and regulatory measures to accelerate the pace of EV adoption and infrastructure. We take a "big tent" approach to advance the industry and focus not just on

accelerating EV charging deployments—which necessarily requires a strong utility role—but also promoting public accessibility and open standards. We are presently involved in about 30 proceedings in the States before the PSCs, state energy offices, Legislatures, Governors, state DOTs and DEPs, and other agencies.

General Comments

As we have discussed previously, and despite narratives to the contrary, ATE remains convinced that the long-term trajectory for transportation electrification is clear. This is true both for light-duty vehicles (LDV) and for the medium- and heavy-duty vehicle (MHDV) sector, and we expect improved battery technology and lower costs to lead to higher adoption aligned with established forecasts. To support and energize these new vehicles, we advocate for more EV charging infrastructure.

For LDVs, Washington boasted the third-highest EV market penetrations of any state in 2024, with 21% of all new light-duty vehicle registrations being EVs.¹ Adoption of electric MHDVs trails that of the light-duty sector, but is expected to advance in accordance with policy and economics in states such as California, Texas, Colorado, and New York, where “hot spots” of EV charging may develop on frequently used freight corridors, impacting the distribution grid.

Due to the heavier penetration of electric MHDVs in California and the vital freight corridor of I-5, we expect the electrification of freight and other MHDVs to increase in Oregon and Washington as well, in the not-so-distant future. Since utility planning for adoption of new technologies and infrastructure takes time, and involves many complexities, we believe it will be prudent to begin a more proactive infrastructure planning and investment process soon.

As the Commission notes in its questions for utilities and other interested parties, New York provides an example of a state where proactive infrastructure planning and investment is underway. The utilities in New York have engaged in an extensive planning process for several years, including bottom-up load forecasting along major highway corridors and near major warehousing/distribution centers in metro areas, that identified discrete locations that currently, or will soon, face distribution grid constraints in the face of anticipated MHDV electrification.

As other states begin to explore following New York’s example, ATE recommends that Commissions begin by consulting with the major regulated utilities; large fleets;

¹ Alliance for Automotive Innovation, [Get Connected Electric Vehicle Quarterly Report, Q4 2024](#), March 26 2025

commercial MHDV charge point operators; truck manufacturers; and major stakeholders to understand the need for proactive planning and investment, and develop the components of a regulatory process to support such planning and investment.

Responses to Commission Questions

Question 1. *The New York Public Service Commission recently approved a long-term “Proactive Planning Framework” to support increased electrification, including electric vehicle loads. In essence, this framework allows utilities to submit a list of areas where clustered electrification is anticipated to rapidly develop. A similar “bottom up” planning framework may be useful for expediting review for distribution assets necessitated by projected electric vehicle charging demand, from substations to electric vehicle charging depots. Under this framework, utilities prioritize projects and evaluate potential projects using a list of specific criteria, including degree of certainty, consideration of project timelines, as well as plans for mitigation should the scope change and plans for phasing and potential expandability.*

c. What (if any) criteria should be included to evaluate the feasibility of large projects, such as a charging depot, and what additional data is required in order to provide certainty that the predicated costs reflect actual costs and that the project will be used and useful?

ATE notes that if a utility is in possession of a load letter from a customer identifying a specific load need at a specific location (such as a charging depot), the utility’s process for new service requests should be followed under the utility’s obligation to serve that new load. We do not think it is necessary currently to re-evaluate those established processes.

The proactive planning and investment process, on the other hand, arises when a utility is in possession of information—such as from an aggregated planning tool, or based on state policy goals—that indicate the need for future distribution grid upgrades in a certain location, but the utility is not yet in possession of a load letter from a specific customer to formally initiate the new service process. It is unlikely that this process would be triggered by something as specific as a charging depot, and more likely that it would be initiated to address grid constraints in areas that are prime for electrification by multiple customers. In these cases, utilities, customers, and ratepayers can all benefit from the utility proactively building the needed grid capacity in advance of receiving load letters from those customers. By proactively building out the distribution grid in that area, the utility can (a) more timely energize specific sites when load letters do arrive from customers, as lengthy major distribution upgrades will already have been made; (b) support state policy goals by enabling swift electrification by customers, avoiding the lock-in that can occur when customers turn to non-electric technologies because the energization timelines from the

utility do not meet their business needs; and (c) avoid building distribution capacity in a reactive and piecemeal way, ultimately saving costs for ratepayers.²

In evaluating utility proposals for proactive infrastructure investment, ATE supports³ the use of many of the criteria outlined in the New York Joint Utilities' proposed Long-Term Proactive Planning Framework.⁴ Key criteria for evaluation of these projects from the Joint Utilities' proposal include:

- Demonstration that the upgrade is required to support electrification
- Assessment of need to begin construction-related activities urgently
- Degree of certainty
- Consideration of risks and benefits (e.g., demonstration that the project is sized to address risks related to forecast uncertainty, or risks of delayed action)
- Alignment with state law objectives
- Qualitative and/or quantitative benefits
- Costs
- Availability of alternatives (e.g., advanced technologies or bridge-to-wires solutions)
- Locations or site types (leveraging stakeholder input on site types to prioritize)
- Project timelines and financials, including revenue requirement

Importantly, the New York Joint Utilities' proposal also established a set of principles that guide their proactive infrastructure investment proposals. While all states need not adopt these verbatim, we do support the establishment of guiding principles to help clarify for utilities, Commissioners and stakeholders the priorities that are meant to be balanced within the proactive investment proposal process. The New York Joint Utilities proposed the following guiding principles:

- Support customer needs in a timely manner without adverse impacts
- Support achievement of objective in policies, laws, and regulation
- Cost efficiency
- Flexible planning and authorization, and
- Complement other regulatory processes

² For more on cost savings from proactive infrastructure investment, see the Environmental Defense Fund's [Proactive Grid Investment Assessment: Medium- and Heavy-Duty Vehicle Transportation Electrification](#)

³ New York Docket 24-E-0364, ATE's [Comments in Response to the Joint Utilities' Long-Term Proactive Planning Framework](#), filed March 18, 2025

⁴ New York Docket 24-E-0364, [Joint Utilities' Long-Term Proactive Planning Framework](#), filed December 13, 2024

Finally, in terms of process, we advise that Commissions consider an ongoing stakeholder engagement process, similar to what the New York Joint Utilities have proposed, as projects are approved and constructed. This may include initial workshops to kick off the long-term planning process in which utilities, Commission staff and stakeholders can discuss common analytical procedures for matters like load forecasting, locational analysis, and scenario planning. Also, once the process is underway, a regular cadence of stakeholder workshops should be considered.

d. To the extent that “bottom-up” planning requires information from prospective commercial electric vehicle owners or other third parties, would the information be more forthcoming and accurate if third parties were assured of its confidentiality?

ATE views bottom-up load forecasting as an essential component of proactive planning, and an important supplement to traditional top-down load forecasting. Several excellent examples exist from other jurisdictions, including:

- Kevala’s 2023 study for the California Public Utilities Commission, which leveraged bottom-up load forecasting to estimate cost impacts for system-level electrification⁵
- The United States Department of Energy’s Multi-State Transportation Electrification Impact Study, which examined PEV charging infrastructure and distribution grid upgrade needs for five states: California, Illinois, New York, Oklahoma, and Pennsylvania⁶

To obtain customer data to support bottom-up load forecasting, ATE recommends several publicly available non-utility data sources such as EPRI’s eRoadMAP tool⁷, which aggregates confidentially submitted data from major fleet operators to estimate future grid capacity needs on a granular basis across the United States. Utilities can then map this anonymized data against their distribution system asset maps to determine future areas of constraint (helpfully, where utilities have provided publicly available hosting capacity maps, EPRI has already integrated some of this data). RMI’s GridUp tool⁸ offers something similar, with the additional advantage of estimating load shapes which can enhance utilities’ understanding of coincident peak impacts. ATE understands that fleet operators

⁵ Kevala, [CPUC Electrification Impacts Study Part 1: Bottom-Up Load Forecasting and System-Level Electrification Impacts Cost Estimates](#), 2023

⁶ National Renewable Energy Laboratory, Lawrence Berkeley National Laboratory, Kevala Inc., and U.S. Department of Energy. [Multi-State Transportation Electrification Impact Study: Preparing the Grid for Light-, Medium-, and Heavy-Duty Electric Vehicles](#). DOE/EE-2818, U.S. Department of Energy, 2024

⁷ [EPRI eRoadMAP](#)

⁸ [RMI GridUp](#)

and charge point operators have been forthcoming with information to these anonymized tools, given the importance of utility forecasting to their business models.

Utilities may also leverage their understanding of individual customers' long-term electrification plans, which might be confidentially obtained through fleet advisory services offerings. Such data can be presented in dockets under protective status.

Importantly, utilities should use scenario planning to mitigate the risks presented by incomplete or inaccurate data. Scenario planning allows utilities to identify the proactive distribution grid upgrades that are necessary under all or most scenarios, helping to ensure that investments made in those areas will be used and useful.

Question 2. During the 2nd EV workshop, LBNL discussed the various objectives that utilities and policymakers may have with respect to EV adoption. These objectives include: EV adoption, grid management, system economic efficiency, decarbonization, and equity, which policy makers and utilities may prioritize differently.

d. How should the Commission prioritize the five objectives referenced by LBNL? Are there other objectives that the Commission should consider?

ATE supports these five objectives as summarized at a high level by LBNL. We reference also the principles and criteria above from the New York proceeding, which are similar in some regards. But ATE does not believe that formally prioritizing these objectives or principles, or modeling them in scenario planning, are required.

Question 3: During the workshop, LBNL introduced the concept of a Demand Charge Discount based on the load factor of an EV charger. Under this framework, utilities would discount the demand charge in proportion to the load factor of a charger. This concept appears to address equitable impacts by not penalizing low use chargers in multi-unit dwelling units and allowing chargers to be installed while the market materializes and utilization increases.

This series of questions is directed at utilities, so we will not offer detailed responses. But we will note that at ATE we have been active in other states on rate design issues, and have published several white papers through our Rate Design Task Force. The Commission may find valuable our 2022 paper entitled [Rate Design for EV Fast Charging: Demand Charges](#),⁹ where we describe a number of utility demand charge mitigation measures, approved by Commissions in other jurisdictions, along with their context and method.

⁹ Alliance for Transportation Electrification, [Rate Design for EV Fast Charging: Demand Charges](#), 2022

Question 4: *Interconnection issues are increasingly prevalent with EV charging installation and can represent considerable delays with the proliferation of EV charging infrastructure. As electric vehicle adoption increases, interconnection can also facilitate vehicle-to-grid uses that can help shape peak loads.*

This series of questions is directed at utilities, so we will not offer detailed responses. But we will note that at ATE we have been active in other states on interconnection issues, and have published several white papers through our Interconnection Task Force. In particular, we refer you to our 2023 white paper, [Energizing EV Charging Stations](#),¹⁰ for a description of the process and challenges of interconnecting new EV loads.

Question 5. *During the second workshop, the IOUs presented information on their Clean Fuel Standard (CFS) programs and their general plans for the monetization and utilization of accumulated credits. Currently, there are no rules regarding when utilities must monetize their CFS credits. Should the Commission set a maximum amount of time that utilities can hold on to their credits before they must monetize them?*

No, ATE does not support the creation of strict rules regarding when utilities must monetize their Clean Fuel Standard credits. This would create an unnecessary restriction on utilities' ability to participate actively in the credit market and has the potential to distort the market in a way that reduces the utilities' credits' value. We do support the Commission issuing some guidance that utilities find an appropriate balance between the length of time that credits are held and the price at which credits are sold, acknowledging that these factors are not necessarily related to one another.

6. *Currently there are no set rules or guidelines for when utility TEPs must be updated or what should be included. The utilities have indicated they will update their plans on approximately five-year intervals with optional updates in the interim.*

a. *Should utility TEPs be updated on a more regular basis? If so, how frequently should TEPs be updated?*

ATE supports a 5-year cycle for TEP updates, as this gives ample time for utilities programs to be developed, launched, and implemented, and for program evaluation to begin before the next plan must be filed. In states with shorter TEP cycles (e.g., Oregon, Illinois), ATE finds that utilities sometimes must file their next TEPs before they have had time to incorporate the lessons and results from their prior plan's program evaluations, and this has been a source of frustration for stakeholders and Commissioners alike. States with

¹⁰ Alliance for Transportation Electrification, [Energizing EV Charging Stations](#), 2023

more tenured experience with utility TE program design (e.g., New York, California) tend to use a 5-year program cycle, and we believe this is also the right cadence for Washington. In the spirit of continuous improvement and transparency, we also support the filing of annual reports, as Washington's utilities do, which share achievements and lessons learned to date.

b. The Michigan PUC recently released Order U-21492 that specifies content requirements for TEPs. What are parties' opinions on the requirements laid out in that Order? What (if any) baseline data or information should be included in a TEP?

ATE is not opposed to the creation of content requirements for TEPs—an approach that has been successful in states like Oregon and Virginia and others. But each state has a different regulatory structure that has been created by statutes, rules, and Commission Orders and rules. In Washington, we believe that the substance for information and data for a TEP contained in RCW 80.28.365 provides a good framework for these purposes. This Policy Statement can supplement the requirements provided in this statute as well.

But since we have been involved in several proceedings of the Michigan PSC, we would like to make the following points on the Order which specified the information and analysis to be contained in a TEP in that state.

- The Michigan order requires utilities to include "relevant TEP information" from other states in which they operate. As some of Washington's utilities operate in other states (some of which require TEPs and some of which do not), ATE would want any similar such requirement in Washington to clarify what level of information utilities are required to provide about their non-Washington TE work within their Washington TEPs. We advise making this process as straightforward as possible for utilities (e.g., appending non-Washington TEPs to their Washington TEPs).
- The Michigan order specifies that TEPs are an input to the distribution system plan. ATE appreciates formalizing the tie between TE and distribution system planning, and recommends working across dockets to harmonize the timing and cadence of such planning cycles. We also see this approach as an opportunity to reduce the amount of TE-specific distribution system analysis that is required within a TEP. We prefer TEPs to discuss market trends and forecasts along with utility programs and activities, and find that granular distribution system analysis of a specific load source (TE) is of questionable value, absent the broader context of all loads.
- The Michigan order requires utilities to include, in their scenario planning, an EV and EVSE deployment scenario that is based on the state meeting its policy

goals. ATE supports this requirement, along with the creation of deployment scenarios that are based on market forecasts.

- In the past, Commissions, utilities and stakeholders have relied on robust federal tools to support TE planning (e.g., EVI Pro-Lite, Justice40 maps, the DOE’s Alternative Fuels Data Center, and tools developed by the Joint Office of Energy and Transportation). Given the posture of the current federal administration toward EVs, we no longer recommend that requirements refer directly to such tools. For example, the Michigan order requires that utilities use the Justice40 map, which is no longer available. We instead recommend that any documented requirements refer to state-level tools, or “available tools.”

Conclusion

We appreciate the Commission’s attention to these matters, and the initiative to explore revising the 2017 Policy Statement. The EV market is changing, and the role of utilities to plan for, build for and support that market can and should change over time. We are supportive of the substantial progress that Washington’s regulated utilities have made to support their customers who are shifting to electric transportation. We believe that these topics should continue to be discussed by utilities, the Commission and stakeholders so that Washington may continue to be a leader in this market.

Sincerely,

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