

1 BEFORE THE  
2 FLORIDA PUBLIC SERVICE COMMISSION  
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In the Matter of:

DOCKET NO. 20200220-EI

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

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA  
ITEM NO. 3

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

14

DATE: Thursday, April 1, 2021

15

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

16

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 Doebling 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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## 1 CERTIFICATE OF REPORTER

2 STATE OF FLORIDA )  
3 COUNTY OF LEON )

4

5 I, DEBRA KRICK, Court Reporter, do hereby  
6 certify that the foregoing proceeding was heard at the  
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