

Exhibit No. 551

ChargePoint – Exhibit 551
Justin D. Wilson
Surrebuttal Testimony
File Nos. ER-2022-0129 & ER-2022-0130

Exhibit:
Issues: Transportation Electrification Rates
and Programs
Witness: Justin D. Wilson
Type of Exhibit: Surrebuttal Testimony
Sponsoring Party: ChargePoint, Inc.
Case Nos.: ER-2022-0129 and ER-2022-0130
Date Testimony Prepared: August 16, 2022

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Evergy Metro, Inc. d/b/a
Evergy Missouri Metro's Request for
Authority to Implement a General Rate
Increase for Electric Service

Case No. ER-2022-0129

In the Matter of Evergy Missouri West, Inc.
d/b/a Evergy Missouri West's Request for
Authority to Implement a General Rate
Increase for Electric Service

Case No. ER-2022-0130

SURREBUTTAL TESTIMONY OF JUSTIN D. WILSON
ON BEHALF OF CHARGEPOINT, INC.

August 16, 2022

1 **I. Introduction and Summary of Recommendations.**

2 **Q: Please state your name.**

3 A: My name is Justin D. Wilson.

4 **Q: Are you the same Justin Wilson who filed Direct Testimony on behalf of ChargePoint,**
5 **Inc. (ChargePoint) in this proceeding on June 22, 2022?**

6 A: Yes, I am.

7 **Q: What is the purpose of your Surrebuttal Testimony?**

8 A: The purpose of my Surrebuttal Testimony is to provide ChargePoint's responses to several
9 witnesses who addressed Evergy Missouri Metro's and Evergy Missouri West's
10 (collectively, Evergy or the Company) transportation electrification proposals in their
11 rebuttal testimonies. Specifically, my testimony responds to Evergy witness Ms. Kimberly
12 Winslow, Staff witness Ms. Sarah Lange, Office of the Public Counsel (OPC) witness Dr.
13 Geoff Marke, and Renew Missouri witness Mr. James Owen.

14 While all of the issues addressed in my Surrebuttal Testimony are important, I wish
15 to highlight my response to a particularly concerning recommendation from Staff to impose
16 reporting requirements on Schedule BEVCS that would require EV charging station site
17 hosts to report data to Evergy about their operations. As I will explain, while ChargePoint
18 has no concerns about requiring Evergy to report data that it collects from its own meters
19 (as the Commission required for Schedule ETS in Case No. ET-2021-0151), it is highly
20 inappropriate to require utility customers to report data about their operations as a condition
21 of taking service on a cost-based rate.

1 **Q: Please summarize your recommendations to the Commission.**

2 A: I continue to make the same recommendations as I made in my Direct Testimony, which
3 are as follows:

- 4 • Approve Schedule RTOU-3 as proposed.
- 5 • Approve Schedule RTOU-EV with the following modifications:
 - 6 ○ Direct Evergy not to require a separate meter for Schedule RTOU-EV;
 - 7 ○ Reject Evergy's proposed monthly customer charge for this rate schedule;
 - 8 ○ Direct Evergy to work with qualified vendors of smart chargers with embedded
9 metering technology to submeter customers' EV charging load for billing
10 purposes for Schedule RTOU-EV.
- 11 • Direct Evergy to include information through its Customer Education efforts to
12 encourage customers to ensure they have the ability to program their charging behavior
13 – either with a smart charger or with their vehicle – before signing up for Schedule
14 RTOU-3 or Schedule RTOU-EV.
- 15 • Approve the Commercial Rebate Program (CRP) with the following modifications:
 - 16 ○ Direct Evergy to require that chargers be network-capable, ENERGY STAR
17 certified for Level 2, safety certified, and managed charging capable (Evergy
18 has agreed to this recommendation in rebuttal);
 - 19 ○ Direct Evergy to collect only the following data from site hosts (on a monthly
20 basis): number of charging events, total energy (kWh) dispensed, average
21 energy consumption (kWh) per charging event, and average duration of
22 charging events;

- 1 ○ Direct Evergy not to impose any demand response requirements on DCFCs
- 2 supported by the CRP (Evergy has agreed to this recommendation in rebuttal);
- 3 ○ Direct Evergy to allow CRP participants to opt out of particular demand
- 4 response events as needed (Evergy has agreed to this recommendation in
- 5 rebuttal);
- 6 ○ Direct Evergy to subject its Clean Charge Network (CCN) chargers to the same
- 7 demand response requirements that would apply to participants in the CRP
- 8 (Evergy has agreed to this recommendation in rebuttal).

- 9 • Approve Schedule BEVCS as proposed.

10 In addition to these recommendations, my Rebuttal Testimony also makes the following
11 recommendations:

- 12 • Approve Evergy's revised proposal with respect to the demand response requirements
13 that will apply to CRP recipients, including the revisions it made in response to
14 ChargePoint and its proposal to only throttle charging speed by 50 percent during
15 demand response events.
- 16 • Find that Evergy has failed to meet its burden to demonstrate that it is necessary or in
17 the public interest for it to collect any utilization data from CRP recipients other than
18 the following: number of charging events, total energy (kWh) dispensed, average
19 energy consumption (kWh) per charging event, and average duration of charging
20 events.
- 21 • Reject Staff's recommendation to deny Evergy's CRP proposal and find that Evergy
22 has satisfactorily addressed the Commission's stated concerns with the CRP in Case
23 No. ET-2021-0151.

- 1 • Reject Items 1-5 and 7 of Staff’s proposed reporting requirements for Schedule BEVCS,
2 which would require Evergy to collect data from site hosts as a condition of taking
3 service on a cost-based rate. The Commission should only impose reporting
4 requirements for Schedule BEVCS that Evergy can meet with its own meter data.
- 5 ○ Revenue data from meters on Schedule BEVCS should be reported with a
6 highly confidential designation and only be available to the Commission, Staff,
7 and OPC.
- 8 • Reject Staff’s recommendation for a critical peak component for Schedule BEVCS as
9 unclear and unsupported.
- 10 • Reject Staff’s recommendation to require CRP incentive recipients to take service on
11 Schedule BEVCS.
- 12 • Reject Staff’s suggestion that Schedule BEVCS is unnecessary if the Commission
13 denies the CRP.
- 14 • Reject Staff’s recommendation to apply demand response requirements on DCFCs that
15 receive an incentive through the CRP.
- 16 • If the Commission finds merit in OPC’s recommendation regarding “interoperable
17 universal charging,” it should find that Evergy’s proposal to require J1772 connectors
18 for Level 2 and CCS Combo and/or CHAdeMO connectors for the CRP will satisfy Dr.
19 Marke’s concerns.
- 20 • If the Commission finds merit in OPC’s recommendations regarding “open-source”
21 charging networks, it should avoid the term “open source,” which has no clear
22 definition, and instead adopt a requirement similar to the draft NEVI rules on this issue.

- 1 • Reject OCP’s argument that the CRP should be rejected to avoid competitive charging
2 providers “cannibalizing” the CCN.
- 3 • Approve Renew Missouri’s recommendations to 1) direct Evergy to conduct a
4 comprehensive study to determine how to integrate its time-of-use rates with customers
5 that operate distributed generation, and 2) direct Evergy to deliver the results of the
6 study by its next rate case or its next triennial IRP.
- 7

8 **II. Response to Evergy witness Ms. Winslow.**

9 **Q: What will you address in this section of your testimony?**

10 A: In this section of my testimony, I will respond to the rebuttal testimony of Evergy witness
11 Ms. Winslow.

12 **Q: How did Evergy respond to ChargePoint’s recommendations regarding the proposed
13 Schedule RTOU-EV?**

14 A: Evergy disagreed with ChargePoint’s recommendation not to require a separate meter for
15 Schedule RTOU-EV and to instead work with qualified vendors of smart chargers with
16 embedded metering technology to submeter customers’ EV charging load for billing
17 purposes for Schedule RTOU-EV. Ms. Winslow states: “While it is true that some utilities
18 utilize network-capable smart chargers for submetering, Evergy does not wish to introduce
19 this complexity into either its operations or its customers, many of whom have charged for
20 years without a networked smart charger.”¹ Ms. Winslow further argued that requiring a
21 second meter and associated monthly customer charge for Schedule RTOU-EV customers

¹ Winslow Rebuttal, p. 13, ll. 12-15.

1 is necessary “until charge management solutions that leverage vehicle telematics become
2 more viable and standardized.”²

3 **Q: How do you respond?**

4 A: First, I believe Ms. Winslow’s reference to charge management solutions and vehicle
5 telematics are separate issues from the issue I raised in my Direct Testimony when I
6 explained why a separate meter and associated monthly customer charge are unnecessary.
7 Schedule RTOU-EV is simply a time-varying rate and it will be up to customers to
8 determine how to respond to the time-varying price signals, whether by programming their
9 smart charger, manually initiating charging at the start of off-peak hours, or programming
10 their vehicle if it has such capabilities. This is a separate issue from the issue of how Evergy
11 should meter a customer’s consumption. As I explained in my Direct Testimony, the
12 embedded meters in smart chargers can accurately measure EV charging consumption and
13 relying on embedded meters can provide savings compared to installing separate meters.³
14 While I cited to several examples of utilities using smart chargers for customer billing for
15 EV-specific rates, I am unaware of any proposals to use vehicle telematics for billing
16 purposes.

17 I agree with Ms. Winslow that there are likely existing EV drivers who do not have
18 smart chargers and who will want to sign up for a time-varying rate to charge their vehicle.
19 However, Schedule RTOU-EV is not the only time varying rate Evergy has proposed; if
20 approved, these customers would be able sign up for RTOU-3. Further, Evergy has

² *Id.*, p. 13, ll. 18-19.

³ Wilson Direct, p. 11, ll. 11-12.

1 presented no evidence demonstrating that any existing EV driver who does not currently
2 have a smart charger would prefer to pay an additional monthly customer charge to take
3 service on Schedule RTOU-3 rather than install a smart charger.

4 I also disagree with Ms. Winslow's characterization that relying on embedded
5 meters in smart chargers introduces complexity. Installing a separate utility meter on a
6 dedicated circuit for EV charging as Evergy has proposed comes with its own complexity
7 and challenges, not to mention the added expense of the truck rolls to install the separate
8 meters. Given that ChargePoint and other vendors have substantial experience with
9 providing embedded meter data to utilities for billing purposes, there is no reason to think
10 that ChargePoint's proposal introduces unnecessary complexity or more complexity than
11 Evergy's proposal.

12 Finally, it is frustrating that Evergy recognizes the value of smart chargers for the
13 CRP but dismisses their value for residential customers. Just as requiring smart chargers in
14 the CRP "facilitates data sharing and enables load management" for commercial customers
15 that participate in the CRP, smart chargers will provide this value and functionality for
16 residential customers, while also facilitating customer billing without a separate meter.

17 **Q: What do you recommend?**

18 A: I continue to recommend that the Commission approve Schedule RTOU-EV with the
19 following modifications:

- 20 • Direct Evergy not to require a separate meter for Schedule RTOU-EV;
- 21 • Reject Evergy's proposed monthly customer charge for this rate schedule;

- 1 • Direct Evergy to work with qualified vendors of smart chargers with embedded
2 metering technology to submeter customers' EV charging load for billing purposes for
3 Schedule RTOU-EV.

4 **Q: Ms. Winslow's rebuttal testimony discusses the relationship between the federal**
5 **National Electric Vehicle Infrastructure (NEVI) formula program and the CRP.⁴**
6 **How do you respond?**

7 A: I agree with Ms. Winslow that the CRP will complement and not duplicate the CRP.

8 **Q: How did Evergy respond to ChargePoint's recommendation to require chargers in**
9 **the CRP to be network-capable, ENERGY STAR certified for Level 2, safety certified,**
10 **and managed charging capable?**

11 A: Ms. Winslow states that Evergy will impose these requirements on CRP rebate recipients.⁵
12 I appreciate Evergy's agreement on this issue and recommend that the Commission
13 approve these technical requirements for the CRP.

14 **Q: How did Evergy respond to ChargePoint's recommendations regarding its proposal**
15 **to require CRP rebate recipients to participate in demand response events?**

16 A: Evergy agreed with each of my recommendations. Specifically, Ms. Winslow agreed that
17 Evergy would not impose any demand response requirements on DCFCs supported by the
18 CRP, would allow CRP participants to opt out of particular demand response events as
19 needed, and would subject its CCN chargers to the same demand response requirements
20 that would apply to participants in the CRP.⁶ I appreciate Evergy's agreement on these

⁴ Winslow Rebuttal, pp. 14-16.

⁵ *Id.*, p. 16, ll. 17-20.

⁶ *Id.*, p. 16, l. 21 – p. 17, l. 13.

1 issues and recommend that the Commission approve Evergy’s revised demand response
2 requirements. I also appreciate Evergy’s proposal to throttle charging speed by 50 percent
3 rather than shutting down chargers completely during demand response events and
4 recommend that the Commission approve this proposal.

5 **Q: How did Evergy respond to ChargePoint’s recommendations regarding what charger
6 utilization data it would collect from CRP rebate recipients?**

7 A: Evergy opposed my recommendation to limit data collection from CRP rebate recipients
8 to the following: number of charging events, total energy (kWh) dispensed, average energy
9 consumption (kWh) per charging event, and average duration of charging events. However,
10 the extent of Ms. Winslow’s response is the following statement: “Evergy has fully defined
11 a set of data reporting requirements for our ongoing commercial rebate program in Kansas
12 and sees no reason to modify these requirements on ChargePoint’s behalf.”⁷

13 I take exception to Ms. Winslow’s suggestion that ChargePoint seeks modifications
14 “on ChargePoint’s behalf.” ChargePoint’s recommendations in this proceeding are
15 designed to ensure a robust competitive EV charging market. In my Direct Testimony, I
16 explained Evergy had not explained why it needed all utilization data and that many site
17 hosts consider EV charger data to be competitively sensitive and could be discouraged
18 from participating in the CRP by a requirement that they share all utilization data.⁸ I also
19 explained that it was not clear exactly what type of data Evergy considers to be “utilization
20 data.”⁹ ChargePoint is concerned that Evergy’s overly broad proposal to collect any and all

⁷ *Id.*, p. 17, ll. 16-18.

⁸ Wilson Direct, p. 15, l. 12 – p. 16, l. 22.

⁹ *Id.*

1 utilization data threatens the success of the CRP and does not seek changes to this proposed
2 requirement solely “on ChargePoint’s behalf.” The fact that Evergy also collects charger
3 utilization data in Kansas does nothing to alleviate these concerns.

4 Notably, despite my Direct Testimony pointing out that Evergy has not explained
5 why it needs all utilization data without restriction, Evergy did not take the opportunity in
6 rebuttal to explain why it needs more than the data I recommend it be permitted to collect
7 from CRP rebate recipients. I recommend that the Commission find that Evergy has failed
8 to meet its burden to demonstrate that it is necessary or in the public interest for it to collect
9 any utilization data from CRP recipients other than the following: number of charging
10 events, total energy (kWh) dispensed, average energy consumption (kWh) per charging
11 event, and average duration of charging events.

12
13 **III. Response to Staff witness Ms. Lange.**

14 **Q: What will you address in this section of your testimony?**

15 A: In this section of my testimony, I will respond to the Rebuttal Testimony of Staff witness
16 Ms. Sarah Lange.

17 **Q: How do you respond to Staff’s recommendation that the Commission deny the**
18 **CRP?¹⁰**

19 A: Ms. Lange’s arguments opposing the CRP consist simply of a list of Staff’s conclusions
20 from Case No. ET-2021-0151, which was Evergy’s Transportation Electrification Plan. Ms.
21 Lange does not explain why Staff reached these conclusions or why they apply to Evergy’s

¹⁰ Lange Rebuttal, p. 11, l. 19 -p. 12, l. 2.

1 revised proposal in this proceeding, and does not provide any citations to Staff's analysis
2 from Case No. ET-2021-0151. I recommend that the Commission reject Staff's
3 recommendation to deny the CRP as conclusory and unsupported.

4 Moreover, despite quoting the Commission's decision in Case No. ET-2021-0151,
5 Ms. Lange does not actually address the Commission's stated reasons for denying the CRP
6 in that proceeding. Specifically, the Commission stated:

7 The Commission is not opposed to the concept of a commercial EV charger
8 rebate program, but Evergy has failed to demonstrate that such a program
9 is needed in its service territories. The existing Clean Charging Network
10 appears to be sufficient to meet charging needs at this time, and in the near
11 future Missouri expects to receive a large infusion of federal funding to
12 support expansion of an EV charging network.

13
14 Ms. Lange does not argue that Evergy has failed to address these concerns that the
15 Commission expressed when it denied the CRP in Case No. ET-2021-0151. In fact, I
16 believe Evergy has addressed both of these concerns.

17 First, as Evergy witness Ms. Winslow points out in her Direct Testimony, federal
18 funding will be available for DCFCs along highway corridors and Evergy has proposed to
19 remove the highway DCFC category from its CRP in this proceeding to avoid overlapping
20 with federal funding opportunities.¹¹ Accordingly, the future availability of federal funding
21 does not obviate the need for the CRP in this proceeding.

22 Second, the ICF study that Evergy commissioned demonstrates that increased EV
23 adoption in Evergy's service territories will benefit all customers, even under the extremely
24 conservative and unrealistic assumption that all public charging infrastructure would be

¹¹ Winslow Direct, p. 62, l. 18 – p. 63, l. 2.

1 funded by Evergy customers.¹² As Evergy witness Ms. Winslow points out in her Direct
2 Testimony, in reality much of these costs will be borne by third parties, not Evergy
3 customers.¹³ Based on this, ChargePoint submits that asking whether the Clean Charging
4 Network is “sufficient to meet charging needs at this time” is the wrong question to ask.
5 Rather, I recommend that the Commission focus on how Evergy can encourage EV
6 adoption to ensure that Evergy’s customers receive the benefits of increased EV adoption
7 found by the ICF study. The CRP strikes the appropriate balance of incentivizing third
8 parties to deploy EV charging stations while ensuring that Evergy customers do not bear
9 100 percent of the costs of chargers owned and operated by third parties. I recommend that
10 the Commission reject Staff’s arguments and approve the CRP with the modifications I
11 have recommended.

12 **Q: What does Ms. Lange recommend with respect to the Business EV Charging Service**
13 **rate (Schedule BEVCS)?**

14 A: Ms. Lange states that Staff does not object to this rate proposal, which I appreciate (though
15 she later argues it should be rejected if the CRP is rejected, which I will address later).
16 However, Ms. Lange recommends imposing the following detailed and onerous reporting
17 requirements if the Commission approves Schedule BEVCS:

- 18 1. Number of unique vehicles charged per station,
- 19 2. Number of unique vehicles charged in aggregate,
- 20 3. Charges per station,
- 21 4. kWh consumption by hour, by station,
- 22 5. kW consumption by 15 minute interval, by station,
- 23 6. Amount of power (kWh) consumed from carbon free resources,
- 24 7. Revenue by charger,

¹² *Id.*, p. 61, ll. 11-23; Schedule KHW-4.

¹³ *Id.*

1 8. Any infrastructure investment incurred by Evergy related to the BEVCS Rate,
2 9. All incremental costs associated with serving the BEVCS rate, including fuel and
3 purchase power costs.¹⁴
4

5 **Q: Ms. Lange states that these recommended reporting requirements “are similar to**
6 **those imposed in ET-2021-0151 for Schedule ETS,” Evergy’s Electric Transit Service**
7 **rate schedule.¹⁵ Do you agree with this characterization?**

8 A: No. There is a key difference between the reporting requirements Ms. Lange recommends
9 for Schedule BEVCS and the reporting requirements the Commission imposed for
10 Schedule ETS in Case No. ET-2021-0151, which I will explain. For reference, the reporting
11 requirements for Schedule ETS are listed below:

- 12 1. Number of buses being charged or charging stations being used,
- 13 2. kWh consumption by on-peak and off-peak periods. During off-peak periods,
- 14 kWh consumption should be broken down into two periods – (1) 6:00 p.m. to 8:00
- 15 p.m.; and (2) 8:00 p.m. to 6:00 a.m.,
- 16 3. kW consumption,
- 17 4. Amount of power (kWh) consumed from carbon free resources,
- 18 5. Revenue,
- 19 6. Any infrastructure investment incurred by Evergy related to the Electric Transit
- 20 Service Rate,
- 21 7. All incremental costs associated with serving the bus transit pilot, including fuel
- 22 and purchase power costs.¹⁶
23

24 Critically, Evergy can comply with these reporting requirements for Schedule ETS *using*
25 *its own meter data* and other data it already possesses about its operations (including
26 interconnection data, which would include data on the number of charging stations
27 installed). By contrast, for Items 1, 2, 3, 4, 5, and 7 in Ms. Lange’s proposed reporting

¹⁴ Lange Rebuttal, p. 13, ll. 3-16.

¹⁵ *Id.*, p. 13, ll. 3-6.

¹⁶ Case No. ET-2021-0151, Report and Order, p. 26.

1 requirements for Schedule BEVCS, Evergy would not have access to the data needed to
2 report this information *unless it required site hosts to provide the necessary data.*

3 **Q: Please explain why Evergy would need to require site hosts to provide the data to**
4 **respond to Items 1-5 and 7 in Staff's proposed list of reporting requirements for**
5 **Schedule BEVCS.**

6 A: It is important to remember that there is very often more than one EV charging station at a
7 particular site connected behind a single utility meter. Except in the case of the CCN, EV
8 charging stations are owned and operated by site hosts. Just as Evergy has no insight into
9 the individual loads of other types of commercial customers, Evergy has no insight into the
10 operation of individual charging stations. Evergy could use its meter data to report the total
11 kWh consumption by hour (Item 4) and total kW demand by 15-minute interval (Item 5)
12 for a single *site* with multiple EV charging stations. However, Evergy would need the
13 charging station site host to provide this data for each *station* at the site.

14 Further, Evergy would not be able to determine from meter data the number of
15 charging sessions at each individual charging station (Item 3) or the number of unique
16 vehicles charged at a particular charging station (Item 1) unless it required the site host to
17 report this data. For the same reason, Evergy could not use meter data to determine the
18 number of unique vehicles charged in aggregate (Item 2).

19 Finally, while Evergy could report the amount of revenue *Evergy* receives under
20 Schedule BEVCS from each customer that takes service on that rate, it could not report the
21 revenue that a site host receives from EV drivers at each charger (Item 7) unless it requires
22 sites hosts to provide this data.

1 **Q: Did Ms. Lange explain why she recommended that the Schedule BEVCS reporting**
2 **requirements should apply at the station or charger level, even though the Schedule**
3 **ETS reporting requirements apply only at the meter level?**

4 A: In response to ChargePoint’s discovery requests, Staff stated as follows:

5 To evaluate the reasonableness of this deviation from cost-based rate design,
6 particularly in an early stage of potential deployment, representative load
7 data is necessary. To the extent that furtherance of an announced public
8 policy goal of additional EV use in the Evergy service territories (if ordered)
9 then it is necessary to obtain information to study the extent to which any
10 such goals are advanced by the discounted rate, or to which the discounted
11 rate fails to advance any such stated goals.¹⁷
12

13 My understanding of this statement is that Staff believes that Schedule BEVCS customers
14 would be receiving a discount and so it is reasonable to require them to provide information
15 about their operations.

16 **Q: Would Schedule BEVCS customers be receiving a discount?**

17 A: It is my understanding that Schedule BEVCS is a cost-based rate, not a discounted rate.
18 Though Staff argues in its discovery response that Schedule BEVCS is not a cost-based
19 rate, it bases this argument on the fact that it would result in “lower average per-kWh
20 revenue.”¹⁸ However, determining whether a rate is cost-based requires an analysis of both
21 the revenue the rate produces and the cost the utility incurs to serve customers on that rate
22 schedule. A rate with a lower average per-kWh revenue is not a discount if the utility’s cost
23 of serving customers on that rate is below average. I am not aware of any analysis Staff has

¹⁷ Staff Response to Data Request No. 0552 for ER-2022-0130 and No. 0556 for ER-2022-0129, subpart (f).

¹⁸ *Id.* at subpart (g).

1 performed to demonstrate that the revenue Schedule BEVCS would produce would be less
2 than Evergy's cost of serving customers on the rate schedule.

3 I do not believe Staff or any other party has argued in testimony that Schedule
4 BEVCS is a discounted rate. The Commission should disregard Staff's attempts to make
5 such arguments through discovery responses.

6 **Q: Please explain ChargePoint's position with respect to Staff's proposed reporting**
7 **requirements.**

8 A: ChargePoint has no concerns with the Commission requiring Evergy to report data that
9 Evergy collects from customer meters, including the meters of site hosts that take service
10 on Schedule BEVCS. Accordingly, ChargePoint would not oppose the Commission
11 imposing the Schedule ETS reporting requirements it adopted in Case No. ET-2021-0151
12 on Schedule BEVCS. However, it is highly inappropriate to impose detailed and onerous
13 reporting requirements on site hosts as a condition of taking service on a cost-based rate,
14 as Ms. Lange recommends.

15 As I discussed in my Direct Testimony, it is reasonable for the Commission to direct
16 Evergy to collect some data (specifically, the number of charging events, total energy
17 dispensed, average energy consumption per charging event, and average duration of
18 charging event) as *a condition of receiving an incentive* through the CRP. It is reasonable
19 to impose such conditions because one of the purposes of the CRP is for Evergy to gain
20 insight into EV charging and because customers are receiving an incentive.

21 However, Schedule BEVCS is not an incentive – it is a cost-based rate (or at least
22 no party has argued in testimony of which I am aware that it is a discounted rate). I am not
23 aware of Evergy requiring other commercial customers to provide detailed reports to

1 Evergy on their operations as a condition of taking service on a cost-based commercial rate.
2 For example, an ice-cream shop is not required to report to Evergy the number of unique
3 customers it has served in a month as a condition of taking service on Evergy's standard
4 small commercial rates and a factory is not required to report to Evergy on the number of
5 widgets it produced in a month as a condition of taking service on Evergy's standard large
6 commercial rates. It would be highly inappropriate for the Commission to direct Evergy to
7 require EV charging station site hosts to report on their operations as a condition of taking
8 service on the cost-based Schedule BEVCS. For these reasons, the Commission should
9 reject Items 1-5 and 7 of Staff's proposed reporting requirements. The Commission should
10 only impose reporting requirements for Schedule BEVCS that Evergy can meet with its
11 own meter data.

12 **Q: Do you have any particular concerns with Staff's proposed Item 7, revenue by**
13 **charger?**

14 A: Yes. First, Staff made an important clarification in its response to discovery that it was
15 referring to revenue collected by Evergy from Schedule BEVCS customers and not to
16 revenue that site hosts collect from EV drivers (unless the site host is an Evergy
17 subsidiary).¹⁹ I appreciate this clarification because it would be very concerning to require
18 site hosts to provide competitively sensitive business information such as revenue as a
19 condition of taking service on Schedule BEVCS. Returning to the examples above, it would
20 be highly inappropriate for Evergy to require an ice cream shop or a factory to report their
21 revenues as a condition of taking service on Evergy's commercial rates. Even more

¹⁹ *Id.* at subpart (e).

1 concerning is the fact that Evergy operates its own network of EV charging stations, the
2 CCN. Most site hosts would rightfully object to reporting their revenue to Evergy, which
3 they may see as a competitor.

4 However, even with this clarification, I am still concerned that Staff proposes to
5 require Evergy to report revenue that it collects from customers on Schedule BEVCS.

6 **Q: Please explain why you would be concerned with requiring Evergy to report revenue**
7 **from each meter that takes service on Schedule BEVCS?**

8 A: Although this revenue data is in Evergy's possession and would not require site host
9 reporting, it would still be concerning for Evergy to report this information publicly. It
10 would be fairly simple for someone to look at revenue data from a particular meter on
11 Schedule BEVCS and use that data to estimate the amount of EV charging occurring at a
12 particular site. Using this data, the site host's competitors could gain an unfair competitive
13 advantage over the site host. Accordingly, I recommend that revenue data from meters on
14 Schedule BEVCS be reported with a highly confidential designation and only be available
15 to the Commission, Staff, and OPC.

16 **Q: What do you expect would happen if the Commission imposed Staff's proposed**
17 **reporting requirements on Schedule BEVCS?**

18 A: Each site host would need to determine for itself whether it is worth it to them to provide
19 a significant amount of data to Evergy, including data they may consider competitively
20 sensitive, simply to take service on Schedule BEVCS, which is a cost-based rate. I believe
21 Staff's proposed reporting requirements, if imposed on Evergy and by extension on site
22 hosts, would discourage many site hosts from taking service on the rate.

1 **Q: How do you respond to Staff's recommendation that Schedule BEVCS be revised to**
2 **include a critical peak component?**²⁰

3 A: Staff's witness Ms. Lange does not explain why she makes this recommendation, how it
4 would work, or why it is unnecessary. Accordingly, I recommend that the Commission
5 reject the recommendation for a critical peak component for Schedule BEVCS as unclear
6 and unsupported.

7 Further, Ms. Lange provides no analysis as to whether a critical peak pricing
8 component would actually encourage site hosts to shed load during a critical peak pricing
9 event. It is important to remember that Schedule BEVCS is a rate paid by site hosts, not by
10 EV drivers. Accordingly, it would be up to site hosts to determine whether they want to
11 alert EV drivers to a critical peak pricing event and how to do so. I expect most site hosts
12 would be reluctant to charge EV drivers a higher price during critical peak events or reduce
13 charging power during critical peak events because doing so would result in a negative
14 customer experience for the EV driver. In Colorado, Xcel Energy recently reported that
15 EV charging station site hosts that took service on a rate with a critical peak pricing
16 component typically did not respond to a \$1.50/kWh price signal during critical peak
17 events.²¹

18 In short, there is no evidence or reason to think that imposing a critical peak charge
19 in Schedule BEVCS would incentivize any changes in behavior. Rather, I expect such a

²⁰ Lange Rebuttal, p. 13, ll.23-25.

²¹ Colorado Public Utilities Commission Proceeding No. 21AL-0494E, Hearing Exhibit 101, Direct Testimony of Steven W. Wishart, p. 15, ll. 7-12 (available at: https://www.dora.state.co.us/pls/efi/efi.show_document?p_dms_document_id=957618&p_session_id=478616).

1 charge would simply serve to randomly penalize any site host whose charging stations were
2 in use during a critical peak event.

3 **Q: Ms. Lange concludes her discussion of Schedule BEVCS with the following two**
4 **recommendations: “Schedule BEVCS should be required for participants in the**
5 **Commercial EV Charger Rebate program. In the absence of approval of the EV**
6 **Charger Rebate program, Schedule BEVCS is unnecessary.”²² How do you respond?**

7 **A:** Ms. Lange provides no analysis or arguments to explain why she makes these
8 recommendations. Accordingly, I recommend that the Commission reject both
9 recommendations as unsupported.

10 As to the first recommendation, Evergy’s proposed CRP appropriately does not
11 require customers to install a separate meter. This is important because many site hosts will
12 want to install EV charging stations behind their existing meter. For example, a coffee shop
13 that wants to install two Level 2 ports (the minimum required by the CRP) should not be
14 required to install a separate meter for the charging stations in order to receive an incentive
15 through the CRP. However, because Schedule BEVCS only applies to EV charging load,
16 a site host can only take service on Schedule BEVCS if they separately meter their EV
17 charging stations. Accordingly, Ms. Lange’s proposal to require CRP participants to take
18 service on Schedule BEVCS would also require them to install a separate meter and pay
19 an associated additional monthly customer charge, which is unreasonably burdensome and
20 would discourage participation in the CRP.

²² Lange Rebuttal, p. 14, ll. 3-5.

1 As to the second suggestion that Schedule BEVCS is unnecessary if the CRP is not
2 approved, there will likely be plenty of EV charging station site hosts that will want to take
3 service on Schedule BEVCS regardless of whether they participate in the CRP (and
4 regardless of whether the CRP is approved). For example, as noted earlier, highway DCFCs
5 will not be eligible for the CRP but they will be eligible for federal funding. Due to its
6 reduced demand charge (while remaining cost based), I expect many DCFC site hosts will
7 want to take service on Schedule BEVCS. Moreover, the availability of Schedule BEVCS
8 will likely encourage more DCFC deployment, regardless of whether a CRP incentive is
9 available to a particular DCFC site host. Since Schedule BEVCS is a cost-based rate, there
10 is simply no reason to reject it. ChargePoint recommends that the Commission approve the
11 CRP with ChargePoint’s recommended modifications, but even if it does not, it should still
12 approve Schedule BEVCS.

13 **Q: Ms. Lange opposes ChargePoint’s recommendations regarding the data that Evergy**
14 **be permitted to collect from site hosts, stating that under ChargePoint’s**
15 **recommendations, “Evergy would be unable to provide hourly usage information or**
16 **demand information.”²³ How do you respond?**

17 **A:** Consistent with the discussion above, ChargePoint does not oppose Evergy collecting or
18 reporting any information that it collects from its own meters. For separately metered
19 charging stations that receive a CRP incentive, Evergy can collect and report hourly usage

²³ *Id.*, p. 16, ll. 1-2.

1 information and demand information. I agree that such information could be useful in
2 evaluating rate designs and developing future rate designs, as Ms. Lange states.²⁴

3 For charging stations that are installed behind an existing meter on a standard
4 commercial rate schedule, however, charger-level data on hourly usage and demand is not
5 particularly relevant to evaluating or developing new rate designs. Meter data is sufficient
6 to evaluate and develop new commercial EV charging rates, and given the downsides of
7 requiring site hosts to provide this information that I have discussed, there is no reason to
8 require site hosts to do so. Accordingly, I recommend that the Commission reject Staff's
9 recommendation to require site hosts to provide hourly usage data or demand data.

10 **Q: Ms. Lange opposes ChargePoint's recommendation not to impose demand response**
11 **requirements on DCFCs supported by the CRP.²⁵ How do you respond?**

12 A: As discussed earlier, I appreciate that Evergy agreed with this recommendation and I
13 recommend that the Commission approve it. I disagree with Ms. Lange's statement that
14 "[o]ne of the few justifications for utility-supported EV charging infrastructure deployment
15 is load management."²⁶ To the contrary, the ICF study that Evergy commissioned
16 demonstrates that increased EV adoption in Evergy's service territories will benefit all
17 customers. Notably, ICF's analysis did not include benefits associated with load
18 management or managed charging, meaning that increasing EV adoption benefits
19 customers even without load management.²⁷ For the reasons discussed in my Direct

²⁴ *Id.*, p. 16, ll. 2-4.

²⁵ *Id.*, p. 16, ll. 6-12.

²⁶ *Id.*

²⁷ Winslow Direct, Schedule KHW-4, p. 19.

1 Testimony and as agreed by Evergy, the Commission should direct Evergy not to impose
2 demand response requirements on DCFC site hosts.

3 Further, I take exception to Ms. Lange's comment that "it borders on
4 unconscionable to cut power to customers' homes and businesses due to system conditions
5 without first limiting the capacity made available to utility-funded DCFC devices."²⁸ This
6 comment describes a *system emergency* resulting in rolling blackouts or brownouts, not a
7 demand response event. I never suggested that the Commission should direct Evergy to cut
8 power to homes and businesses before cutting power to DCFCs, as Ms. Lange implies.

9 **Q: Please summarize your recommendations with respect to Staff's rebuttal.**

10 A: With respect to Staff's rebuttal testimony, I recommend that the Commission:

- 11 • Reject Staff's recommendation to deny Evergy's CRP proposal and find that Evergy
12 has satisfactorily addressed the Commission's stated concerns with the CRP in Case
13 No. ET-2021-0151.
- 14 • Reject Items 1-5 and 7 of Staff's proposed reporting requirements for Schedule BEVCS,
15 which would require Evergy to collect data from site hosts as a condition of taking
16 service on a cost-based rate. The Commission should only impose reporting
17 requirements for Schedule BEVCS that Evergy can meet with its own meter data.
 - 18 ○ If the Commission does not reject Items 1-5, it should at the very least reject
19 Item 7 in Staff's list of proposed reporting requirements, which would require
20 site hosts to report charger-level revenue data.

²⁸ Lange Rebuttal, p. 16, ll. 10-12.

- 1 • Reject Staff’s recommendation for a critical peak component for Schedule BEVCS as
2 unclear and unsupported.
- 3 • Reject Staff’s recommendation to require CRP incentive recipients to take service on
4 Schedule BEVCS.
- 5 • Reject Staff’s suggestion that Schedule BEVCS is unnecessary if the Commission
6 denies the CRP.
- 7 • Reject Staff’s recommendation to apply demand response requirements on DCFCs that
8 receive an incentive through the CRP.

9
10 **IV. Response to OPC witness Dr. Marke.**

11 **Q: What will you address in this section of your testimony?**

12 A: In this section of my testimony, I will respond to the Rebuttal Testimony of OPC witness
13 Dr. Marke.

14 **Q: What issues does Dr. Marke address in his Rebuttal Testimony relevant to EV**
15 **charging?**

16 A: Dr. Marke’s testimony specifically refers to Evergy’s CCN but then discusses Evergy’s
17 proposal to provide “rebates to third-party electric vehicle (‘EV’) charge [sic] station
18 providers for infrastructure and EV charger equipment costs.”²⁹ Since Evergy has proposed
19 to provide rebates through its CRP and not the CCN program, I believe references to the
20 CCN in this section of Dr. Marke’s testimony were intended to refer to the CRP.

²⁹ Marke Rebuttal, p. 41, ll. 7-11.

1 Accordingly, I respond to Dr. Marke’s testimony assuming his recommendations in this
2 section of his testimony were intended to be directed to the CRP and not the CCN.

3 **Q: What does Dr. Marke recommend if the Commission approves EV charging rebates?**

4 A: Dr. Marke recommends that “any subsidized EV charging station be required to have
5 interoperable universal charging and operate under an open-source network which allow
6 participants to just use their credit card to pay for their charging.”³⁰ Dr. Marke further states
7 that similar requirements are being discussed for federal funds and cites to the Federal
8 Highway Administration’s (FHWA) notice of proposed rulemaking for the NEVI
9 program.³¹

10 **Q: Do you agree that Dr. Marke’s recommended requirements are similar to the**
11 **requirements under consideration for the NEVI program?**

12 A: Partially. I believe Dr. Marke’s recommended requirements are directionally consistent
13 with FHWA’s proposed NEVI rules,³² but additional details are needed to fully understand
14 these complex issues.

15 First, while Dr. Marke does not specify what he means by “interoperable universal
16 charging,” I believe Evergy’s proposal to require J1772 connectors for Level 2 chargers
17 and CCS Combo and/or CHAdeMO connectors for the CRP will ensure that chargers
18 supported by the CRP are “interoperable” because these are the standard, non-proprietary
19 connector types.³³ The draft NEVI rules similarly require J1772 connectors for Level 2

³⁰ *Id.*, p. 42, ll. 4-14.

³¹ *Id.*

³² <https://www.federalregister.gov/documents/2022/06/22/2022-12704/national-electric-vehicle-infrastructure-formula-program>.

³³ Sheet Nos. 55 and 55A.

1 chargers and CCS connectors for DCFCs.³⁴ CHAdeMO connectors are optional under the
2 draft NEVI rules.³⁵ Accordingly, if the Commission finds merit in Dr. Marke’s
3 recommendation regarding “interoperable universal charging,” it should find that Evergy’s
4 proposal to require J1772 connectors for Level 2 and CCS Combo and/or CHAdeMO
5 connectors for the CRP will satisfy Dr. Marke’s concerns.

6 Second, Dr. Marke does not explain what he means by “open-source network.”
7 However, the draft NEVI rules require: “Charging station operators must not require a
8 membership for use.”³⁶ To the extent Dr. Marke’s concern is that some EV drivers would
9 be unable to use a particular charging station, I believe such a requirement would address
10 any such concerns. This draft requirement would also address Dr. Marke’s
11 recommendation that EV drivers be able to “just use their credit card to pay for their
12 charging.” If the Commission finds merit in Dr. Marke’s recommendations, I recommend
13 that it avoid the term “open source,” which has no clear definition, and instead adopt a
14 requirement similar to the draft NEVI rules on this issue and not require a membership for
15 use.

³⁴ Federal Highway Administration (FHA), Notice of Proposed Rulemaking (NPR), Draft § 680.106(c).

³⁵ *Id.*

³⁶ FHA NPR, Draft § 680.106(f)(2).

1 **V. Response to Renew Missouri witness Mr. Owen.**

2 **Q: What will you address in this section of your testimony?**

3 A: In this section of my testimony, I will address Mr. Owen's response to Evergy's proposal
4 not to allow residential customers with distributed generation (DG) to take service on its
5 proposed time-of-use rates, Schedule RTOU-3 and Schedule RTOU-EV.

6 **Q: Did you address this issue in your Direct Testimony?**

7 A: Yes. In my Direct Testimony, I observed that many early adopters of EVs have also
8 installed solar at their homes and that it is unfortunate that any such person would not have
9 access to the super off-peak charging rates proposed for Schedules RTOU-3 and RTOU-
10 EV.³⁷ I also stated that ChargePoint did not take a position on Evergy's proposal to restrict
11 customers with onsite DG from taking service on Schedule RTOU-3 or Schedule RTOU-
12 EV but that ChargePoint may take a position if other parties proposed solutions to the
13 obstacles Evergy believes prevents it from allowing onsite DG customers from taking
14 service on these rate schedules.³⁸

15 **Q: Did Renew Missouri propose such a solution?**

16 A: Yes. Mr. Owen persuasively argues that Evergy's proposal is unreasonable and
17 recommends that the Commission: 1) direct Evergy to conduct a comprehensive study to
18 determine how to integrate its TOU rates with customers that operate DG, 2) direct Evergy
19 to deliver the results of the study by its next rate case or its next triennial IRP, and 3) set a
20 consistent policy pathway for all DG resources.³⁹

³⁷ Wilson Direct, p. 8, ll. 1-9.

³⁸ *Id.*, p. 9, ll. 1-5.

³⁹ Owen Rebuttal, p. 11, ll. 4-15.

1 **Q: How do you respond?**

2 A: I appreciate Mr. Owen's thorough analysis of this issue. While ChargePoint takes no
3 position on a policy pathway for DG resources, I support Mr. Owen's recommendations to
4 direct Evergy to conduct a study of this issue and deliver the results of the study by the
5 next rate case or IRP. I recommend that the Commission approve these recommendations.

6

7 **VI. Conclusion and Recommendations.**

8 **Q: Please summarize your recommendations for the Commission.**

9 A: As stated at the beginning of my testimony, I continue to make the same recommendations
10 as I made in my Direct Testimony, which are as follows:

- 11
- Approve Schedule RTOU-3 as proposed.
 - Approve Schedule RTOU-EV with the following modifications:
 - Direct Evergy not to require a separate meter for Schedule RTOU-EV;
 - Reject Evergy's proposed monthly customer charge for this rate schedule;
 - Direct Evergy to work with qualified vendors of smart chargers with embedded metering technology to submeter customers' EV charging load for billing purposes for Schedule RTOU-EV.
 - Direct Evergy to include information through its Customer Education efforts to encourage customers to ensure they have the ability to program their charging behavior – either with a smart charger or with their vehicle – before signing up for Schedule RTOU-3 or Schedule RTOU-EV.
 - Approve the CRP with the following modifications:
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- 1 ○ Direct Evergy to require that chargers be network-capable, ENERGY STAR
2 certified for Level 2, safety certified, and managed charging capable (Evergy
3 has agreed to this recommendation in rebuttal);
- 4 ○ Direct Evergy to collect only the following data from site hosts (on a monthly
5 basis): number of charging events, total energy (kWh) dispensed, average
6 energy consumption (kWh) per charging event, and average duration of
7 charging events;
- 8 ○ Direct Evergy not to impose any demand response requirements on DCFCs
9 supported by the CRP (Evergy has agreed to this recommendation in rebuttal);
- 10 ○ Direct Evergy to allow CRP participants to opt out of particular demand
11 response events as needed (Evergy has agreed to this recommendation in
12 rebuttal);
- 13 ○ Direct Evergy to subject its CCN chargers to the same demand response
14 requirements that would apply to participants in the CRP (Evergy has agreed to
15 this recommendation in rebuttal).

- 16 • Approve Schedule BEVCS as proposed.

17 In addition to these recommendations, my Rebuttal Testimony also makes the following
18 recommendations:

- 19 • Approve Evergy's revised proposal with respect to the demand response requirements
20 that will apply to CRP recipients, including the revisions it made in response to
21 ChargePoint and its proposal to only throttle charging speed by 50 percent during
22 demand response events.

- 1 • Find that Evergy has failed to meet its burden to demonstrate that it is necessary or in
2 the public interest for it to collect any utilization data from CRP recipients other than
3 the following: number of charging events, total energy (kWh) dispensed, average
4 energy consumption (kWh) per charging event, and average duration of charging
5 events.
- 6 • Reject Staff’s recommendation to deny Evergy’s CRP proposal and find that Evergy
7 has satisfactorily addressed the Commission’s stated concerns with the CRP in Case
8 No. ET-2021-0151.
- 9 • Reject Items 1-5 and 7 of Staff’s proposed reporting requirements for Schedule BEVCS,
10 which would require Evergy to collect data from site hosts as a condition of taking
11 service on a cost-based rate. The Commission should only impose reporting
12 requirements for Schedule BEVCS that Evergy can meet with its own meter data.
- 13 ○ Revenue data from meters on Schedule BEVCS should be reported with a
14 highly confidential designation and only be available to the Commission, Staff,
15 and OPC.
- 16 • Reject Staff’s recommendation for a critical peak component for Schedule BEVCS as
17 unclear and unsupported.
- 18 • Reject Staff’s recommendation to require CRP incentive recipients to take service on
19 Schedule BEVCS.
- 20 • Reject Staff’s suggestion that Schedule BEVCS is unnecessary if the Commission
21 denies the CRP.
- 22 • Reject Staff’s recommendation to apply demand response requirements on DCFCs that
23 receive an incentive through the CRP.

- 1 • If the Commission finds merit in OPC’s recommendation regarding “interoperable
2 universal charging,” it should find that Evergy’s proposal to require J1772 connectors
3 for Level 2 and CCS Combo and/or CHAdeMO connectors for the CRP will satisfy Dr.
4 Marke’s concerns.
- 5 • If the Commission finds merit in OPC’s recommendations regarding “open-source”
6 charging networks, it should avoid the term “open source,” which has no clear
7 definition, and instead adopt a requirement similar to the draft NEVI rules on this issue.
- 8 • Reject OCP’s argument that the CRP should be rejected to avoid competitive charging
9 providers “cannibalizing” the CCN.
- 10 • Approve Renew Missouri’s recommendations to 1) direct Evergy to conduct a
11 comprehensive study to determine how to integrate its time-of-use rates with customers
12 that operate distributed generation, and 2) direct Evergy to deliver the results of the
13 study by its next rate case or its next triennial IRP.

14 **Q: Does this conclude your testimony at this time?**

15 A: Yes.

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Evergy Metro, Inc. d/b/a
Evergy Missouri Metro's Request for
Authority to Implement a General Rate
Increase for Electric Service

Case No. ER-2022-0129

In the Matter of Evergy Missouri West, Inc.
d/b/a Evergy Missouri West's Request for
Authority to Implement a General Rate
Increase for Electric Service

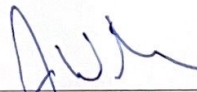
Case No. ER-2022-0130

DECLARATION OF JUSTIN D. WILSON

County of Denver)
)
State of Colorado) ss

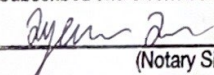
Justin D. Wilson, being duly sworn, deposes and says that the information contained in the attached Surrebuttal Testimony of Justin D. Wilson on behalf of ChargePoint, Inc. was prepared by him or under his direction and direct supervision.

Under penalty of perjury, I declare that the foregoing is true and correct to the best of my knowledge and belief.



Justin D. Wilson
ChargePoint, Inc. (ChargePoint)

State of Colorado County of Denver
Subscribed and sworn before me on 06/16/2022

(Date)

(Notary Signature)

DYLAN SCOTT DUNN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20214029135
MY COMMISSION EXPIRES JULY 21, 2025