

Control Number: 49125



Item Number: 40

Addendum StartPage: 0



PROJECT NO. 49125

**REVIEW OF ISSUES RELATING § PUBLIC UTILITY COMMISSION
TO ELECTRIC VEHICLES § OF TEXAS**

COMMENTS OF ENTERGY TEXAS, INC.

I. Introduction

On July 31, 2020, the staff of the Public Utility Commission of Texas (“PUCT” or “Commission”) requested comments on questions in the aforementioned project. Entergy Texas, Inc. (“ETI” or “The Company”) provides the responses below as an overview of the general data available to the Company concerning electric vehicles.

II. Responses to PUCT Questions

1. As a matter of policy, which entity or entities should be permitted to own or operate an electric vehicle charging station in the Texas competitive electric market? Is a different ownership structure appropriate for service areas not open to retail competition?

In areas not open to retail competition, both the electric utility and third parties should be permitted to own and/or operate electric vehicle charging stations for public use and compensation, provided that any third-party owning and/or operating electric vehicle charging stations is required to purchase from the electric utility holding the certificate of convenience and necessity (or other right to serve the specific area in which the electric vehicle charging station is located) one hundred percent (100%) of the electric power supplied by the electric vehicle charging station.

2. Is the operation of an electric vehicle charging station a retail sale of electricity?

If the owner of the electric vehicle charging station is an electric utility, then the exchange of power (for compensation) between the electric vehicle charging station and the owner/operator of the electric vehicle is a retail sale of electricity. If, instead, the owner of the electric vehicle charging station is not an electric utility, then the provision of electric vehicle charging services to the public (for compensation) should not be deemed a retail sale of electricity, provided that the entity providing charging services to the public for compensation purchases 100% of the electric power supplied by the electric vehicle charging station from the electric utility holding

the certificate of convenience and necessity (or other right to serve the specific area in which the electric vehicle charging station is located).¹

- 3. As a matter of policy, how should the cost of the distribution system infrastructure associated with an electric vehicle charging station be recovered in the Texas competitive electric market?**

ETI does not have a comment at this time.

- 4. Is the answer to Question 3 different for an electric vehicle charging station located in a remote area, primarily for use by long-distance rather than local motorists?**

ETI does not have a comment at this time.

III. Conclusion


ETI appreciates the opportunity to provide comments for the PUCT's consideration in this project. The Company looks forward to further participation as this matter progresses.

¹ At least 24 state regulatory bodies (plus DC) in the United States have issued rulings regarding the treatment of sales from EV charging stations, and all ruled that charging stations should not be regulated in the same manner as utilities. Nat'l Ass'n of Regulatory Util. Comm'rs, *Electric Vehicles. Key Trends, Issues, and Considerations for State Regulators*, at 11-12 (October 2019), <https://pubs.naruc.org/pub/32857459-0005-B8C5-95C6-1920829CABFE> (last visited Aug. 28, 2020).

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Respectfully Submitted,

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