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# **PUC DOCKET NO. 53719 SOAH DOCKET NO. 473-22-04394**

APPLICATION OF ENTERGY TEXAS, \$ PUBLIC UTLITY COMMISSION INC. FOR AUTHORITY TO CHANGE \$ OF RATES \$ TEXAS

#### FLASHPARKING INC MOTION TO INVERVENE

Pursuant to P.U.C. PROC. R. §§ 22.101, 22.102(a)(3), 22.103, and 22.104, FlashParking, Inc files this Motion to Intervene in the above-styled case.

### I. AUTHORIZED REPRESENTATIVE

The following individual is the authorized representative for the above-named individual for the purpose of this proceeding:

Shannon K. M<sup>c</sup>Clendon Attorney & Counselor at Law 1302 Overland Stage Road, Suite 200 Dripping Springs, Texas 78620 Telephone: (512) 297-7770 Facsimile: (512) 852-4633

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All correspondence, pleadings, discovery, discovery responses, and any other documents should be served on the above-named representatives. Service by electronic mail is the preferred method.

#### II. STANDING TO INTERVENE

On July 1, 2022, Entergy Texas, Inc. (Entergy) filed its application and statement of intent to change rates based on a test year of calendar year 2021.

In the Public Utility Commission of Texas' (PUC's or Commission's) Preliminary Order issued August 4, 2022, it included two issues in the Entergy "Rate Design and Tariff" section of

concern to FlashParking, which will be decided on as a case of first impression. Specifically, issues numbered 68 and 69 will be the sole focus of FlashParking's intervention:

- 68. Is it appropriate for an electric utility in a vertically integrated area to own vehicle-charging facilities or other transportation electrification and charging infrastructure, or should the ownership of such facilities be left to competitive providers?
- 69. Should Entergy be allowed to own transportation electrification and charging infrastructure including vehicle-charging facilities in the manner it has proposed in its application, or should such ownership be wholly left to customers or third parties?

FlashParking, a company, headquartered at 3801 S. Capitol of Texas Highway, Suite 250, Austin, Texas 78704, is a leader in the management and logistics of vehicle parking and increasingly, therefore, in the business of electric vehicle (EV) charging, nationally, and is concerned that utility investment in EV charging equipment, particularly on commercial properties, could have negative effects on competition and the deployment of critical charging infrastructure. Vehicle charging is already expanding very rapidly in a purely competitive environment. At the same time, utility involvement and investment in building-out infrastructure to support the electrification of transportation is absolutely critical to the success of this transition of a major sector of the economy. Therefore, FlashParking hopes by its intervention to help establish the appropriate relationship between the private sector and regulated utility participants in this generational undertaking, and to facilitate an efficient and timely partnership or collaboration, benefiting all involved, particularly our mutual customers.

#### III. CONCLUSION

WHEREFORE, PREMISES CONSIDERED, FlashParking, a company in a business regarding electric vehicle charging stations is an affected entity as established herein, respectfully requests intervention in the above-styled proceeding and respectfully requests the Administrative Law Judge grant its motion to intervene in this proceeding and any and all other relief for which it is entitled.

Respectfully submitted,

Shannon K. McClendon State Bar No. 13412500

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ATTORNEY FOR FLASHPARKING, LLC

Shannon J. M. Clandon

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been submitted for filing at the Public Utility Commission of Texas on the 15<sup>th</sup> day of August 2022 and served as provided for in the Public Utility Commission of Texas' Procedural Rules and the State Office of Administrative Hearings .