



## **Filing Receipt**

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**Item Number - 39**

**DOCKET NO. 55338**

<b>PROCEEDING TO RESOLVE ISSUES IN</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>DOCKET NO. 53719 RELATED TO</b>	<b>§</b>	
<b>TRANSPORTATION ELECTRIFICATION</b>	<b>§</b>	<b>OF TEXAS</b>
<b>AND CHARGING INFRASTRUCTURE</b>	<b>§</b>	

**COMMISSION STAFF'S LIST OF ISSUES**

On July 1, 2022, Energy Texas, Inc. (ETI) filed an application in Docket No. 53719,<sup>1</sup> relevantly requesting for approval of new Transportation Electrification and Charging Infrastructure and Transportation Electrification and Charging Demand Adjustment riders. In the On August 16, 2023, the Public Utility Commission of Texas (Commission) filed an order severing the two issues related to transportation electrification and charging infrastructure from Docket No. 53719 into this proceeding.

On October 17, 2023, Commission Counsel filed an order requesting list of issues requiring ETI and allowing Commission Staff (Staff) and any other interested party, to file a list of issues by November 6, 2023. Therefore, this pleading is timely filed.

**I. PROPOSED LIST OF ISSUES**

Staff has identified the following issues to be addressed in this docket.

**TECI-1 Rider**

1. Will ETI provide electric vehicle charging service to the public as defined PURA § 42.0102(4)?
2. Will ETI own or operate any public electric vehicle charging stations as defined in PURA § 42.0102(7)?
3. Will customers who participate to use the TECI-1 Rider own the electric vehicle charging stations or other equipment on the customer side of the meter?
4. Does the TECI-1 Rider comply with the requirements of PURA § 42.0103(o) regarding site hosting requirements?

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<sup>1</sup> *Application of Entergy Texas, Inc. for Authority to Change Rates*, Docket No. 53719 (Aug. 24, 2023).

- a. Will a person who is not an electric utility or an affiliate be able to enter an agreement with ETI to own or operate a public electric vehicle charging station on the person's property?
  - b. Will ETI not be providing electric vehicle charging service to the public?
  - c. Will ETI not brand or market the public electric vehicle charging station as owned or operated by the utility, including by presenting the utility's name, logo, or any other distinguishing mark to indicate that the utility owns or operates the public electric vehicle charging station?
  - d. Will the person solely determine the physical access to and use of the public electric vehicle charging station necessary to carry out responsibilities associated with ownership and operation of the public electric vehicle charging station; and prices for the electric vehicle charging service?
  - e. Will the person pay for all electric utility-related costs under the proposed TECI-1 Rider, and will the TECI-1 Rider provide for full recovery of the costs of the public electric vehicle charging station from the person, including incremental revenues paid by the person to the utility associated with the electric vehicle charging service?
5. Will ETI offer service under the terms of the TECI-1 Rider to other persons seeking agreements in ETI's service area on a nondiscriminatory basis under PURA § 42.0103(p)(1)?
6. Will the revenue collected by ETI under each agreement with a participating person allow the utility to recover the costs of owning, constructing, financing, operating, and maintaining the public electric vehicle charging station from the person and not the utility's other customers under PURA § 42.0103(p)(2)?
  - a. What impacts will there be on customers participating in the TECI-1 Rider?
  - b. What impacts will there be on non-participating customers?
  - c. What, if any, conditions should be placed on approval to ensure that non-participating Texas customers are not unreasonably affected by approval of ETI's application?
7. Is ETI proposing to subsidize the costs of make-ready infrastructure through rates or charges for services provided by the electric utility's regulated services as permitted under PURA § 42.0103(d)?

- a. If so, does the TECI-1 Rider clearly differentiate between infrastructure that is make-ready and infrastructure that is not make-ready?
8. Do the proposed rates for the TECI-1 Rider comply with the requirements of PURA § 36.003?
  - a. Is the rate just and reasonable?
  - b. Is the rate not unreasonably preferential, prejudicial, or discriminatory?
  - c. Is the rate sufficient, equitable, and consisted in application to each class of consumer?

**TECDA-1 Rider**

9. Do the proposed rates for the TECDA-1 Rider comply with the requirements of PURA § 36.003?
  - a. Is the rate just and reasonable?
  - b. Is the rate not unreasonably preferential, prejudicial, or discriminatory?
  - c. Is the rate sufficient, equitable, and consisted in application to each class of consumer?
10. Is the proposed rate, with a billing demand adjustment, a discounted rate under PURA § 36.007?
11. What impacts will there be on customers participating in the TECDA-1 Rider?
12. What impacts will there be on non-participating customers?
13. What, if any, conditions should be placed on approval to ensure that non-participating Texas customers are not unreasonably affected by approval of ETI's application?

**II. ISSUES NOT TO BE ADDRESSED**

Staff has not identified any issues not to be addressed.

**III. CONCLUSION**

Staff respectfully requests that its list of issues be among the issues considered by the Commission in this proceeding.

Dated: November 6, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**DOCKET NO. 55338**

**CERTIFICATE OF SERVICE**

I certify that unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on November 6, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Scott Miles  
Scott Miles