ERRATA FILING OF APRIL 1, 2025

IN THE MATTER OF THE PETITION OF	*	
THE ELECTRIC VEHICLE WORK GROUP	*	Case No. 9478
FOR IMPLEMENTATION OF A STATEWIDE	*	
ELECTRIC VEHICLE PORTIFOLIO	*	

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COMMENTS OF THE MARYLAND OFFICE OF PEOPLE'S COUNSEL

The Office of People's Counsel submits these comments pursuant to the Public Service Commission's Notice for Opportunity to Comment on the Electric Vehicle (EV) Phase II proposals of Baltimore Gas and Electric Company ("BGE")[1], The Potomac Edison Company ("PE")[2], Delmarva Power & Light Company ("Delmarva") and Potomac Electric Power Company ("Pepco") (together the "PHI Utilities")[3], and Southern Maryland Electric Cooperative, Inc. ("SMECO").[4]

INTRODUCTION

Mayland utilities participating in the electric vehicle pilot program seek to spend more than $230 million in Phase II of the pilot proceeding, leaving Maryland's residential ratepayers among those on the hook for transportation electrification policies and speculative utility investment. The ambitious spending in the utilities' Phase II pilot proposals promises to inflate utility profits while threatening to further erode the affordability of utility bills for Maryland residents, many of whom have faced dramatic

[1] Case No. 9478, ML# 314420 (Dec. 20, 2024).
[2] Case No. 9478, ML #314457 (Dec. 20, 2024).
[3] Case No. 9478, ML #314356 (Dec. 18, 2024).
[4] Case No. 9478 ML# 314463 (Dec. 20, 2024).

rate increases in over the last 10 to 15 years.[5] For these reasons, the Office of People's Counsel recommends that the Maryland Public Service Commission reject or limit many of the proposed Phase II costs.

Part I of these comments provides cross-cutting recommendations that apply to all utility EV proposals. OPC recommends that (1) the Commission continue, with enhancements, the evaluation and reporting requirements that it established for the electric companies' Phase I EV programs; (2) deny all proposed utility incentives for "customer-side make-ready costs",[6] with the limited exception of customer-side make-ready costs in multifamily sites in underserved communities (3) require the utilities to adopt a common incentive-tier framework for authorized make-ready incentives; (4) require utilities to track and report the time they take to energize third-party charging stations; and (5) direct the electric companies to significantly reduce the unjustifiably high administrative costs they have proposed. OPC also recommends that the Commission decide that the return the electric companies may recover on non-capital expenditures deferred to their Phase II regulatory assets may not exceed their respective costs of debt, as established in applicable rate cases and informed by legislative policy.

Part II of OPC's comments offer specific analysis and recommendations regarding each utility's Phase II plans. Among other things, OPC recommends that the

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[5] *See* Maryland Office of People's Counsel, *Maryland's Utility Rates and Charges: Explanation and data on utility bills, rates, and charges, and how—and why—they have changed over time*, (June 2024), https://opc.maryland.gov/Portals/0/Files/Publications/Reports/Utility%20Rates%20PowerPoint%202025%20updated%203-11-25.pdf?ver=WE3Jb5lAWghiYWH_u9RLrA%3d%3d.

[6] The utilities' Phase II proposals generally refer to customer-side make-ready costs as "load-side" make-ready costs. *See, e.g.,* BGE Phase II Proposal, Appendix A: Make-Ready Definition Framework.

Commission deny in full BGE's Charge Anywhere proposal and expansion of multifamily utility owned chargers; deny in full PE's make-ready site assessment proposal and grant writing proposal; and deny in full PHI's make ready site assessment services proposal; and significantly alter PHI's make-ready incentive proposals.

BACKGROUND

On August 23, 2024, the Commission issued Order No. 91297, authorizing a second phase of the Commission's EV Pilot and directing all utilities participating in Phase I to submit Phase II applications within 120 days that satisfied certain requirements[7]. Specifically, the Commission directed utilities in their Phase II applications to:

1. Avoid presenting new residential data-sharing incentives in Phase II.[8]
2. Address plans for marketing EV-only Time of Use Rates ("EV-only TOU") plans to customers, including an explanation of marketing budgets for each program.[9]
3. Address possible alternative incentive structures as part of any managed charging program.[10]
4. Include in Phase II managed charging programs whether the utility is capable of integrating net energy metering ("NEM") customers into their managed charging programs, identify any barriers or concerns, and estimate the additional costs.[11]

[7] Case No. 9478, Order No. 91297 at 21, ML# 311881 (Aug. 23, 2024).
[8] *Id*. at 4
[9] *Id*. at 7
[10] *Id*. at12
[11] *Id*. at 12

5. Limit ownership of multifamily charging stations to only those locations with a demonstrated market gap.[12]
6. Include proposals for multifamily rebate and make-ready programs.[13]
7. Potentially include proposals regarding Charger-as-a-Service programs.[14]
8. Potentially include proposals for fleet and other workplace and fleet charging programs that provide incentives and technical assistance.[15]
9. Include an update on how they are preparing for future medium- and heavy-duty EV load.[16]
10. Consult with the Maryland Department of Transportation ("MDOT") and the Maryland Zero Emission Electric Vehicle Infrastructure Council ("ZEEVIC") in developing their EV fleet and workplace programs.[17]
11. Maintain the cost recovery structure from Phase I.[18]

The utilities generally followed the Commission's directives for Phase II. However, in Part II of these comments OPC addresses specific instances where utilities Phase II applications have not fully adhered to the Commission's directives and provides recommendations for improvement.

[12] *Id*. at16
[13] *Id*. at16
[14] *Id*. at16.
[15] *Id*. at 18
[16] *Id*. at 19.
[17] *Id*. at 19.
[18] *Id*. at 20-21.

COMMENTS

I. ANALYSIS AND RECOMMENDATIONS APPLICABLE TO ALL UTILITIES' PHASE II PROPOSALS.

Utilities should play two roles in EV markets.[19] First, utilities should support rate design and managed charging programs to mitigate the load impact of increased EV deployment. Second, utilities should support front-of-meter make-ready investments that support electric vehicle charger expansion. These roles are both necessary and appropriate for utilities because they encompass work that can be performed only by a utility, they limit captive ratepayer investments to monopoly services, and they will not have a significant negative impact on the development of the competitive marketplace for electric vehicle charging stations.

OPC supports the shift away from utility ownership of charging stations within the Phase II proposals toward a greater focus on load management and front-of-meter make-ready incentives. In light of this shift, OPC is supportive of numerous aspects of the utilities' Phase II proposals, However, we offer several recommendations on the overall framework for Phase II to improve transparency, evaluation, and program design and better align the utilities' proposals with their unique roles in transportation electrification.

[19] Case No. 9478, OPC Comments on the Semi-Annual and Final EV Pilot Reports at 2, ML# 309145, (May 1, 2024).

A. The Commission should maintain—with enhancements—the evaluation and reporting requirements it established in Phase I of the pilot.

1. Reporting Requirements.

OPC first recommends that the Commission direct the utilities to continue the following Phase I reporting requirements:[20]

- Semi-annual progress reports, with a Q1/Q2 report due on August 1st and Q3/Q4 report due on February 1st of the following year;
- A mid-course EV program evaluation report;
- A final EV program report; and,
- The use of consistent reporting metrics through the Phase I standardized semi-annual reporting template for the semi-annual, mid-course, and final program reviews.

The utilities do not include proposals to continue these reporting requirements in Phase II. Therefore, the Commission should direct the utilities to continue the Phase I reporting requirements to ensure transparency, monitor spending, and track progress toward the purported goals set forth in the Phase II Plans.

Second, the Commission should require more detailed reporting on participation rates in time-of-use ("TOU") rates to provide a more comprehensive understanding of the percentage of EVs in a utility's service territory enrolled in a load shifting program and how that enrollment changes over time.

[20] Case No. 9478, Order No. 88997 at 74-75, ML# 223588 (Jan. 14, 2019).

To achieve this outcome, OPC recommends that the Commission direct the utilities to develop a consistent reporting template for load management program participation that contains the following information in table format to be included in the semi-annual, mid-term, and final reports:

- Enrollment targets by year for each year of the Phase II plan.
- The projected number of EVs in a service territory for each year of the Phase II plan. There should be consistency across the utilities whether the baseline is held constant over the Phase II plan or updated in each report to reflect updated forecasts of the number of EVs in a service territory.
- Number of new customers enrolled during each reporting period.
- Total customers enrolled, as a number and percentage of EVs in the service territory.

OPC recommends that the utilities include the above data in a table for the TOU and managed charging programs separately and also provide a third table that combines these offerings (removing duplicates for customers that participate in both programs to the extent possible) to provide information on the total number of EVs that participate in load shifting programs.

These improvements are needed because the utilities currently provide only a snapshot of the total customers enrolled in the program as of the date of the semi-annual or mid-term report. In addition, data is reported separately for TOU rates and managed charging programs. It is therefore not possible to understand what percentage of EV

customers are enrolled in some type of load shifting program or the overlap of participants between programs. OPC's recommended reporting format addresses these shortcomings and also provides a way to track progress toward the TOU rate participation targets included by BGE, PE, and the PHI utilities in their Phase II proposals, and for managed charging participation targets either included in the Phase II proposals or within previously approved filings.

2. Evaluation

The utilities do not include proposals for an evaluation, measurement, and verification ("EM&V") process or budget for an independent, third-party evaluator in their Phase II proposals. OPC recommends that the Commission direct the utilities to hire an independent, third-party EM&V contractor to conduct a mid-term and final evaluation of the EV programs, as was completed in Phase I, and that direct the utilities to build several improvements into their agreement with the contractor to ensure a more robust evaluation process.

First, OPC recommends that the Commission require the utilities to present a draft evaluation plan to the PC 44 EV Work Group and provide the opportunity for parties to submit comments on evaluation plans.

During Phase I, parties were not able to review and comment on the evaluation plan. As a result the Phase I evaluation suffered from data gaps, such as the amount of charging that occurred on the utilities' respective system peaks, baseline data, carbon

reductions, grid impacts, and 8760 data by load shifting program.[21] Conversely, over the past several months as part of the EV Work Group, OPC has had productive conversations with the utilities regarding the provision of 8760 load shape data[22] as part of a Phase II evaluation.

Second, OPC recommends that the Commission direct the utilities to conduct a net-to-gross ("NTG") analysis of Phase II programs to aid in the determination of which programs have the greatest impacts, the appropriate financial incentive levels, and to improve benefit cost analysis ("BCA").

NTG analyses determine the ratio of net savings[23] to gross savings[24] by accounting for factors like free-ridership and spillover. Free ridership refers to situations whereby participants in a utility program would have adopted an efficiency measure or changed behavior even without the existence of the program or incentive, whereas spillover reflects individuals who are influenced by a utility program to adopt energy efficiency measures but did not actually participate in the program or receive incentives. Historically, NTG analyses have most commonly been applied to utility energy efficiency programs, but states like California are now using them to assess the impact of utility EV programs. For example, the Cadmus Group recently conducted a NTG analysis for fleet

[21] Case No. 9478, OPC Comments on Semi-Annual and Final EV Pilot Reports at 11-12, ML# 309415 (May 1, 2024).
[22] "8760 load shape data" refers to the aggregate EV charging load for each hour in the year for each utility EV-only rate and program.
[23] The total change in energy savings attributable to an energy efficiency program that includes the effects of free ridership and spillover.
[24] The change in energy savings resulting from customers participating in an efficiency program, regardless of why they participated in the program.

electrification programs offered by Southern California Edison, Pacific Gas & Electric, and San Diego Gas & Electric.[25] These studies provide an important tool for understanding whether customers would have invested in EV supply equipment ("EVSE") or purchased an EV absent the utility EV program.

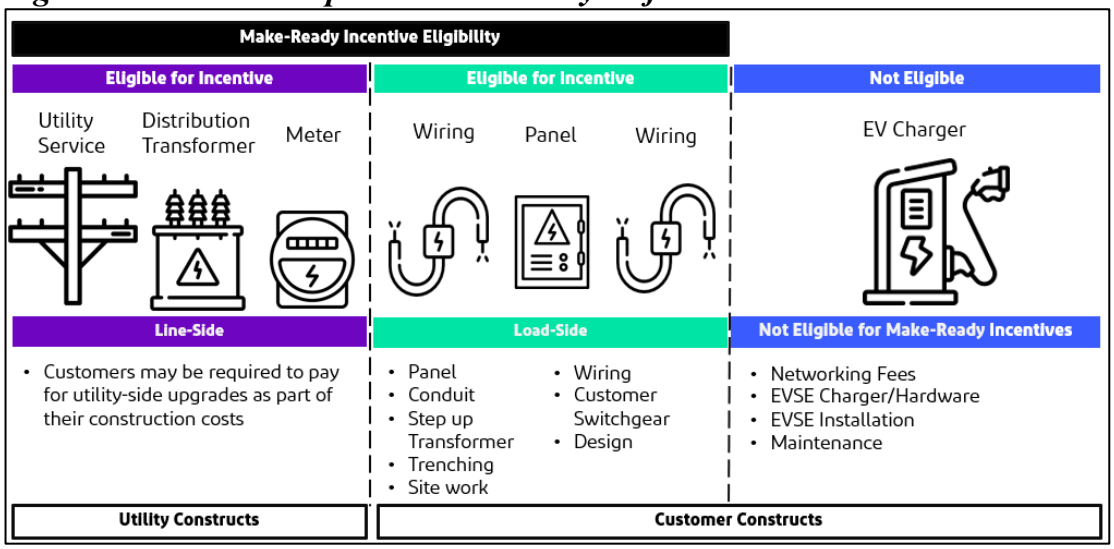
B. The Commission should exclude customer-side costs as ineligible for "make-ready" incentives, with one limited exception, and direct the utilities to refile their make-ready programs to reflect budgets in alignment with OPC's proposed make-ready definition.

BGE, PE, and the PHI utilities all propose make-ready programs to help offset a portion of the make-ready infrastructure costs needed to enable the installation and operation of EV chargers. In developing these programs, the utilities coordinated amongst themselves to develop a common categorization[26] of make-ready work, as shown in Figure 1 below.

[25] Cadmus Group and Energetics Incorporated (2024), *Standard Review Projects and AB 1082/1083 Pilots Evaluation Year 2023 (Year 3) Third Party Evaluation Report* at 46, *available at* https://cadmusgroup.com/articles/evaluation-of-california-transportation-electrification-programs/.

[26] PE does not include a similar image in its Phase II proposal. However, in response to Staff 1-38 and 1-39, PE identifies line-side and load-side components that align with Figure 1.

Figure 1. Utilities' Proposed Make-Ready Definition Framework



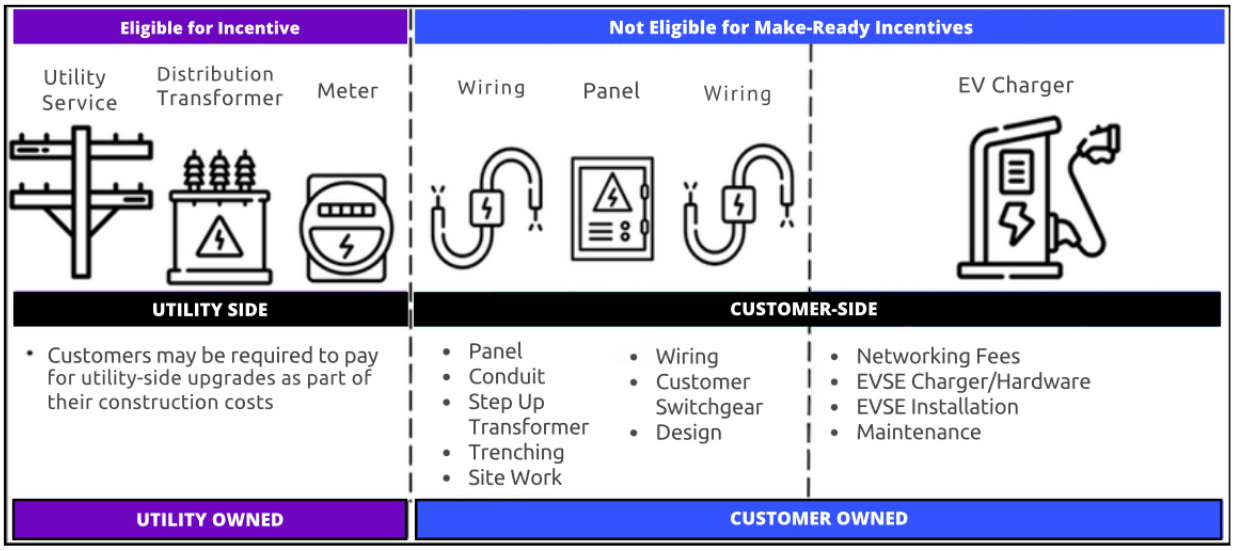
Source: BGE Phase II Proposal, Appendix A; PHI Utilities Phase II Proposal, pg. 9.

OPC previously recommended that the Commission develop a uniform definition of make-ready for all utilities, including a distinction between the work the utilities define as "line-side" make-ready (i.e., utility side, up-to and including the customer's meter[27]) and "load-side" make-ready work (i.e., work on the customer side of the meter). The utilities propose to construct and own only line-side make-ready infrastructure, with customers relying on vendors to install the 'load-side' make-ready infrastructure that they will own. However, a number of proposed Phase II programs would provide customers with rebates both for the costs of completed customer-side make-ready work and for contributions that customers would otherwise be required to make to the cost of completed utility side make-ready costs.[28]

[27] *See* Case No. 9478, OPC Comments on Semi-Annual and Final EV Pilot Reports at 11-12, ML# 309415 (May 1, 2024).
[28] BGE Response to OPC 1-12(h); PE Response to OPC 1-8(i); PHI Utilities Response to OPC 1-2(a).

OPC recommends that the Commission generally reject the utilities' proposals to provide customers with rebates for the costs of customer-side-of-the meter make-ready work. OPC's support of utility investment in make-ready infrastructure is limited to *utility-side* make ready investments, except for customer-side make-ready investments in new and existing multifamily dwellings in underserved communities.[29] Accordingly, OPC recommends that the Commission adopt two definitions for make-ready work: one for "utility-side make-ready" to represent utility line-side investments that are eligible for incentives (e.g., rebates for required customer contributions), and a second for "customer-side make-ready" to account for load-side investments on the customer side of the meter that are not eligible for incentives. Figure 2 below reflects OPC's revised recommendation for a make-ready definition framework.

Figure 2. OPC's Proposed Make-Ready Definition Framework



[29] Case No. 9478, OPC Comments on Baltimore Gas and Electric Company's Electric Vehicle Program Phase II Proposal, at 2, ML# 305425, (October 3, 2023), referencing House Bill 834, codified at PUA § 7-903(a)(1). *See* Md. Code Ann., Env't § 1-701 for the definition of "underserved" communities.

Throughout this document, when OPC discusses its "make-ready" recommendations, we use the term "make-ready" to exclude customer-side make-ready costs, with the exception of customer-side-of-the-meter make-ready work at multifamily sites in underserved communities. The utilities, in contrast, use the term "make-ready" in their proposals to encompass make-ready work on both sides of the customer meter.

C. The Commission should require the utilities to adopt a common incentive-tier framework for make-ready work in Phase II.

OPC recommends that the utilities adopt common incentive tiers for make-ready programs in Phase II. As shown in Table 1 below, the utilities currently propose a variety of make-ready programs targeting different market sectors, including fleets and multifamily properties. For each program, the utilities propose to cover a percentage of the make-ready costs, with the specific percentages varying based on eligibility requirements. We refer to these percentages as incentive tiers. For example, customers seeking to develop EV charging infrastructure at locations within underserved or environmental justice communities are eligible to receive incentives covering a higher percentage of their make-ready costs. As Table 1 shows, there is a wide variety of proposed incentive tiers across the utilities' proposed make-ready programs.

Table 1. Make-Ready Program Incentives Proposed by Utilities[30]

Program	Incentive Tiers	Incentive Caps
BGE		
Community Make-Ready[31]	50% of make-ready costs 75% of make-ready costs for underserved and overburdened communities (UOC)	$50,000 per site
Fleet Make-Ready[32]	50% of make-ready costs 75% of make-ready costs for UOCs	Light-duty: $40,000 per site Medium and heavy-duty: $150,000 per site
PHI		
Destination Make-Ready[33]	80% of make-ready costs	$24,000 per L2 site $75,000 per DCFC site
	100% of make-ready costs for environmental justice communities (EJC) and small businesses	$30,000 per L2 site $100,000 per DCFC site
Public Transportation Make-Ready[34]	100% of make-ready costs	$300,000 per site
Multifamily Make-Ready[35]	80% of make-ready costs	$16,000 per port, max 20 ports
	100% of make-ready costs for EJCs	$20,000 per port, plus $4,000 port for other site-specific costs, max 20 ports
EJ Fleet Make-Ready[36]	100% of make-ready costs	$70,000 per site
PE		
Fleet Make-Ready and EVSE Incentive[37]	$15,000 per port $22,500 per port for UOC	N/A
Multifamily Incentive[38]	50% of make-ready and EVSE costs	$5,000 per port; $20,000 per site
SMECO		
No make-ready incentives	N/A	N/A

[30] This table uses the utility definition of make-ready which includes customer side costs.
[31] BGE Phase II Proposal at 16.
[32] BGE Phase II Proposal at 21.
[33] PHI Phase II Proposal at 13.
[34] PHI Phase II Proposal at 15-16.
[35] PHI Phase II Proposal at18.
[36] PHI Phase II Proposal at 21.
[37] PE Phase II Proposal at 19.
[38] PE Phase II Proposal at14.

The Commission should direct the utilities to revise their Phase II proposals to create standardized incentive tiers and eligibility requirements. Uniform incentive structures across the state can help reduce confusion for customers seeking to install EVSE and simplify the financial planning necessary for charging infrastructure deployment. For example, an EV charging provider looking to deploy projects across the state would be able to more easily calculate the costs and revenues from potential projects if incentive levels are the same for all utilities. Uniform incentive tiers can also enable utilities to coordinate marketing and customer education efforts, enhancing the success of those activities. While OPC recommends consistency across incentive tiers and definitions, we understand there may be differences in make-ready costs across service territories. For these reasons, the Commission should permit utilities to maintain unique incentive caps (expressed in dollars) for their programs.

OPC's recommendation mirrors make-ready offerings in other jurisdictions. For example, New York's EV Make-Ready Program has three incentive tiers (100 percent of make-ready costs, 90 percent of make-ready costs, and 50 percent of make-ready costs) that apply to all six investor-owned utilities.[39] Similarly, Massachusetts has consistent program design and incentive levels between National Grid and Eversource. For the Massachusetts programs, make-ready incentives cover 100 percent of utility make-ready costs and 100 percent of the average customer-side make-ready costs for all non-residential segments, while EVSE incentives are divided into three consistent tiers (100

[39] Joint Utilities of New York. EV Make-Ready Program. https://jointutilitiesofny.org/ev/make-ready

percent for low-income communities, 75 percent for other types of environmental justice communities, or EJCs, and 50 percent for projects not in EJCs).[40]

OPC recommends the following incentive tiers for make-ready[41] programs in Phase II:

Table 2. OPC's Recommended Uniform Incentive Tiers

Incentive Level	**Eligible Projects**
100% of make-ready costs	• Publicly accessible sites in UOCs and EJCs • Publicly owned fleets (including public transportation) • Multifamily sites in OUCs/EJCs • Low-income/affordable multifamily buildings outside of OUCs/EJCs
75% of make-ready costs	• Publicly accessible sites outside of OUCs/EJCs • Multifamily sites outside of OUCs/EJCs • Private fleets in OUCs/EJCs
50% of make-ready costs	• All other charging sites

OPC's recommended incentive tiers maintain the general structure proposed by BGE and PHI and reflect the different levels of public benefit provided by the different types of charging sites. Publicly accessible charging sites and those serving public transportation fleets help extend the benefits of clean transportation to a wide segment of the population, while charging sites serving private fleets or workplaces only provide

[40] Eversource. 2024. Massachusetts Electric Vehicle Charging Rebate – Commercial Program. https://www.eversource.com/content/docs/default-source/about/ma-ev-commercial-rebates-table.pdf?sfvrsn=a0262c0d_6; National Grid. Commercial and Fleet EV Charging Programs. https://www.nationalgridus.com/ma-business/Energy-Alternatives/Commercial-and-Fleet-EV-Charging-Programs.aspx

[41] OPC's incentive tiers for make-ready work utilize *OPC's Proposed Make-Ready Definition Framework* in Figure 2, above.

access to EV charging to individual companies and their employees. Another factor to consider is the financial disparity between commercial sectors. Municipal fleets tend to have funding constraints that limit their ability to invest in EVs, while larger private companies and fleets can access private capital and may be motivated to install EV charging as part of a corporate strategy or to provide employee benefits. Additionally, OPC's proposal reflects the fact that UOCs/EJCs are less likely to be served by the competitive market in the near term.

OPC is not recommending that all utilities completely restructure their programs to reflect the three tiers proposed above. Rather, utilities can maintain their current program structures and simply modify the incentive levels. For example, PHI can still offer the Public Transportation Make-Ready Program and EJ Fleet Make-Ready Program separately. The company's proposed incentive level for the Public Transportation Make-Ready Program (100 percent of make-ready costs) is already consistent with OPC's recommendations; therefore, no changes are necessary. The EJ Fleet Make-Ready program, however, should be modified to provide 100 percent of make-ready costs for public fleets and 75 percent of make-ready costs for private fleets.

Finally, OPC recommends some changes in the utilities' proposed make-ready budgets to implement this recommendation. OPC's proposed changes in the incentive tiers and eligibility requirements are intended to allocate the proposed budgets to those sectors with the greatest need and that provide the most benefit.

D. The utilities' proposed administrative costs are excessive and should be reduced.

OPC requests that the Commission develop a cap on the level of administrative costs in Phase II. The utilities' proposed Phase II program budgets include significant administrative budgets that exceed those of utility EV programs in other jurisdictions as a percentage of total expenditures. Table 3 and Table 4 below provide a breakdown of each utility's administrative budgets:

Table 3. Breakdown of Administrative Costs by Utility ($)

Utility	Total Budget	Program Admin	Utility Admin/ Utility FTE	Education & Outreach	EM&V
BGE[42]	$153,533,946	$67,427,407	$13,687,500	$15,680,833	$2,577,808
Pepco[43]	$61,235,000	$23,170,000	$5,543,000	$5,056,000	--
Delmarva[44]	$22,494,000	$7,736,000	$3,033,000	$1,828,000	--
PE[45]	$10,298,999	$4,012,000	$1,500,000	$500,400	$150,100

Table 4. Breakdown of Administrative Costs by Utility (%)

Utility	Total Budget	Program Admin	Utility Admin/ Utility FTE	Education & Outreach	EM&V
BGE	100%	44%	9%	10%	2%
Pepco	100%	38%	9%	8%	--
Delmarva	100%	34%	13%	8%	--
PE	100%	39%	15%	5%	1%

[42] OPC DR 01-17a Attachment 1.
[43] OPC DR 1-1a Attachment.
[44] OPC DR 1-1a Attachment.
[45] Staff DR 1-5 Attachment A.

Table 5 provides each utility's administrative costs compared to the total budget for infrastructure programs only (including make-ready and charging-as-a-service incentive programs):

Table 5. Administrative Costs of Infrastructure Programs

Utility	Total infrastructure program budget	Administrative costs for infrastructure programs	Administrative costs as a percentage of infrastructure programs
BGE[46]	$54,646,490	$29,186,490	53%
Pepco[47]	$28,070,000	9,170,000	33%
Delmarva[48]	$12,703,500	$4,091,500	32%
PE[49]	$3,071,441	$961,241	31%

Other states with similar EV make-ready programs have significantly lower administrative costs as a percentage of the total program budget. Administrative costs for the New York EV Make-Ready Program account for 12 percent of each utility's budget and cover both utility staffing and vendor costs for education and outreach, IT, data collection and management, fleet assessments, program evaluation, and general implementation activities.[50] National Grid's EV Program in Massachusetts also has an

[46] Includes Charging-as-a-Service, Community Make-Ready, and Fleet Make-Ready.
[47] Includes Destination Make-Ready, Public Transportation Make-Ready, Multifamily Make-Ready, and EJ Fleet Make-Ready.
[48] Includes Destination Make-Ready, Public Transportation Make-Ready, Multifamily Make-Ready, and EJ Fleet Make-Ready.
[49] Includes Underserved MFH L2 Incentive, MFH Incentive, Charging-as-a-Service, and Fleet Make-Ready & EVSE Incentive.
[50] EV Infrastructure Make-Ready Program Implementation Plans. Case 18-E-0138. Filed January 10, 2025.
ConEd: https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={A09D5094-0000-CE21-9895-6241252CA1D1};

administrative budget of approximately 12 percent of the total program budget, including utility staffing, IT and back-office systems, program evaluation, plus marketing and vendor-based administration costs for specific programs.[51] In Illinois, ComEd's Beneficial Electrification Plan includes an administrative budget of 25 percent of the budget for each sub-program (Residential Program, C&I and Public Sector Program, Customer Education & Awareness, and BE Pilot Program).[52]

While administrative costs can be expected to be greater for new program offerings in the first year, this does not fully explain the discrepancy in costs between the Maryland utilities compared to those in other jurisdictions. The majority of EV program budgets should go towards customer incentives. For these reasons, OPC requests that the Commission direct the utilities to lower their administrative costs and consider developing and imposing a cap on recoverable Phase II administrative costs that is consistent with utility administrative costs in other jurisdictions.

National Grid: https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={A0824694-0000-C81B-87DB-BBBD0D8E6D67};
Orange & Rockland: https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={A0E76094-0000-CA16-9656-F435F1256016};
Central Hudson: https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={B0FD5194-0000-C235-98EF-BDC6CF1B1483};
NYSEG: https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={B0FD5194-0000-C235-98EF-BDC6CF1B1483};
RG&E: https://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={B0FD5194-0000-C235-98EF-BDC6CF1B1483}

[51] Using data from D.P.U. 24-196, Exh. NG-EV-MTM-4 and D.P.U. 21-91, Exh. NG-EVPP-5 to NG-EVPP-10.

[52] ComEd. 2023. Beneficial Electrification Plan at 44. https://icc.illinois.gov/docket/P2022-0432/documents/338224/files/589765.pdf

E. The Commission should require utilities to track the time it takes to energize charging stations being installed by customers and report these times as part of the Phase II semi-annual reports.

The various incentives proposed by the utilities in their Phase II proposals seek to encourage the installation of additional charging infrastructure to support EV growth across the state. However, the utilities have another unique—and indispensable—role to play in supporting EV growth and the development of EV infrastructure, namely, energizing[53] charging stations installed by utility customers in a timely manner.[54]

Customers in jurisdictions with rapid growth in electrification, such as California, have experienced significant delays in utilities' energization of customers' charging stations. Such delays led the California Public Utilities Commission ("CPUC") to implement the first energization targets and reporting requirements for investor-owned utilities in the U.S.[55] The goals of the targets and reporting are to: (1) accelerate energization ; (2) increase transparency into the steps in the energization process that are

[53] "Energized assets are those that only receive electricity from the grid (such as unidirectional EV charging), whereas interconnected assets are those that have the ability to discharge to the grid (such as rooftop solar and stationary battery storage)." Brittany Blair, *The X in V2X Matters: Energization versus interconnection of bidirectional charging systems*, Smart Electric Power Alliance (SEPA) (October 19, 2023), https://sepapower.org/knowledge/the-x-in-v2x-matters-energization-versus-interconnection-of-bidirectional-charging-systems/#:~:text=Utilities%20often%20characterize%20grid%2Dtied,such%20as%20rooftop%20solar%20and

[54] Cal. Pub. Util. Code § 931 defines "Energization" and "energize" as "connecting customers to the electrical distribution grid and establishing adequate electrical distribution capacity or upgrading electrical distribution or transmission capacity to provide electrical service to an existing customer." *See also* Beth Hammon and Max Baumhefner*, California Adopts Nation's First Deadlines for Utilities to Connect EV Chargers to the Grid*,Natural Resources Defense Council (September 24, 2024), https://www.nrdc.org/bio/beth-hammon/california-adopts-nations-first-deadlines-utilities-connect-ev-chargers-grid .

[55] *See* Public Utilities Commission of the State of California, Rulemaking 24-01-018, Decision 24-09-020 (Sept. 12, 2024).

in the utilities' control and the time necessary for the utilities to complete the steps in customers' energization project request(s); and, (3) clarify the process for customers to report energization delays to the CPUC.[56]

OPC does not propose energization targets in Maryland at this time, but does recommend that the Commission direct the utilities to begin tracking and reporting on energization to provide more transparency and set the foundation for any future targets. Specific metrics tracked and reported on in California pursuant to CPUC Decision 24-09-020 are included as Appendix A.[57]

F. The Commission should exclude retail electricity customers already enrolled in a smart charge management program from auto enrollment in time-of-use rates.

In Order No. 91297, the Commission directed utilities with EV-only time-of-use ("TOU") programs to default-enroll in the utilities' respective TOU rates all new enrollees in active managed charging program, with the option to opt out of the EV-TOU rates.[58]

In previous Commission proceedings, OPC has expressed concerns about the auto-enrollment of new active managed charging customers in TOU rates. Specifically, OPC is concerned that placing new active managed charging customers on TOU rates will reduce

[56] *Id*. at 3.
[57] OPC notes, certain "energization" metrics specific to EV charging stations are not included under Public Utilities Art. § 7-802 and are not currently defined within the scope of the Commission's Distribution System Planning docket. *See,* Case No. 9665, Order No. 91490, *Order on Recommendations of Distribution System Planning Work Group*, ML #311252 (July 30, 2024).
[58] Case No. 9478, Order No. 91297*, Order on Electric Vehicle Pilot Phase I Evaluation and Next Steps* at 11, ML# 311881 (Aug. 23, 2024).

utility charging revenues—and thereby blunt the downward pressure that increased revenues from transportation electrification could put on electricity rates, generally—without creating any incremental grid benefits, since under active managed charging programs customers' charging is (if the programs are being managed successfully) already being managed to minimize grid impacts, taking into account both system peaks and local distribution system constraints.

In a counterfactual situation where significant numbers of customers are first enrolled in TOU rates and then charge off-peak at levels such that localized, distribution-level peaks begin to form and tax feeders or other infrastructure, enrolling TOU customers in active managed charging programs to smooth those localized peaks is reasonable and would likely prove cost-effective. But when customers are enrolled in an active managed charging program without first having been on TOU rates, the only effect of enrollment in TOU rates will be to reduce the charging costs of customers whose costs are already being lowered by active managed charging incentives, in the process reducing utility charging revenues that would otherwise put downward pressure on rates. For this reason, OPC urges the Commission to revisit its decision on auto-enrollment as more data becomes available from the effects of auto-enrollment.

However, even if the Commission chooses not to revisit its auto-enrollment decision, it should exempt customers who shop for and buy their electric supply from a third-party retail supplier from the requirement for default-enrollment in TOU rates. This requirement has the unintended consequence of limiting the ability of such customers to

participate in managed charging programs. While shopping customers are eligible for the utilities' managed charging programs, they are not eligible to participate in the utilities' EV-TOU rates. The EV-only TOU rates are only available to customers on Standard Offer Service. Thus, the practical effect of the requirement for default enrollment in EV-TOU rates is to make shopping customers ineligible for managed charging programs. For these reasons, OPC respectfully requests that the Commission allow an exemption from default enrollment in TOU rates those active managed charging customers who have chosen a third-party retail supplier.

G. The Commission should decide in its Phase II order that the return utilities earn on their Phase II regulatory assets may not exceed the utilities' cost of debt.

In Order No. 91297, the Commission authorized the EV pilot utilities to use regulatory assets to track their Phase II O&M expenditures but deferred a decision on the appropriate recovery of those regulatory assets. Specifically, the Commission stated:

> The Commission notes the concerns raised by OPC regarding capitalization versus expensing of EV investments. The Commission finds; however, that at this early stage in EV expansion, it is necessary to incentivize utilities to develop the programs needed to prudently meet the State's EV goals. The Commission will therefore continue to track Pilot expenses for Phase II in the same manner that Phase I costs were tracked. The Commission makes no determination or guarantee regarding how it will authorize cost recovery following the conclusion of Phase II of this Pilot program.[59]

To date, the Commission has permitted the pilot utilities to move their Phase I EV regulatory assets into rate base in their respective rate cases, subject to demonstrations

[59] Order No. 91297 at 20-21. (Emphasis added).

that the costs deferred to those regulatory assets were prudently incurred. As a result, the utilities have been earning profits on their EV pilot O&M costs at their full authorized rates of return, based on their weighted average cost of capital.

Assuming that the Commission issues an order in this case approving a Phase II EV pilot plan in some form for each pilot utility, the Commission should also decide that the utilities may earn no more than their cost of debt on the non-capital expenditures they defer to their regulatory assets. The Commission's stated basis for allowing the continued use of regulatory assets to recover O&M expenses is that utilities will not be sufficiently incentivized to develop and implement EV programs unless they have the opportunity to earn a return on non-capital expenditures. But enabling utilities to earn on their non-capital expenditures—which would otherwise have to be expensed without any return—should be a more than adequate motivation for utility investment. In fact, because the electrification of transportation creates new opportunities for capital investment (in the form of make-ready infrastructure and any other distribution system upgrades that may be necessary to serve EV load) utilities should be motivated to make EV-related investments without any return on non-capital expenditures.

Moreover, although the Commission has continued to characterize Phase II of its EV program as a pilot—which implicitly suggests that EV pilot costs are extraordinary and non-recurring, two criteria that the Commission has historically found can support regulatory asset treatment—the reality is that as the utilities' EV programs increasingly

focus on load management and the development of make-ready infrastructure, they are becoming more ordinary and permanent.

Finally—and most importantly—limiting utility recovery on Phase II regulatory assets to the utilities' cost of debt is necessary to ensure affordable electricity for customers whose distribution rates have risen significantly in recent years, and will continue to driven upward by PJM wholesale market dynamics, costs associated with the Commission's energy storage program, and the utilities' forthcoming DRIVE Act programs, among other things.

II. UTILITY SPECIFIC ANALYSIS AND RECOMMENDATIONS.

A. Baltimore Gas and Electric Company

1. Introduction

BGE proposes a five-year Phase II EV plan for the years 2025 through 2029 with a total proposed budget of $153.5 million and with an overall benefit-cost ratio ("BCR") of 1.76.[60] The company proposes a suite of programs across the following four portfolios: Managed Charging, Community Charging, Commercial Charging, and Innovation.

Table 6 below provides the Phase II EV programs by portfolio and the associated annual budgets and BCR. The annual budgets for each program are inclusive of their associated share of program administration, utility administration, education and outreach, and EM&V. The utility budgets do not yet include costs associated with an independent evaluation as conducted by Guidehouse in Phase I.

[60] Case No. 9478, BGE Electric Vehicle Program Phase II Proposal, ML# 314420 (December 20, 2024) ("BGE Phase II Proposal") and Case No. 9478, BGE Errata to Benefit Cost Analysis of Electric Vehicle Program Phase II Proposal, ML# 316350 (Feb. 28, 2025).

Table 6. BGE EV Phase II Proposal Budget[61] ($ Millions) and BCA Results[62]

Portfolio	Program	2025	2026	2027	2028	2029	Total	BCR
Managed Charging	Charge Anywhere	$4.27	$6.21	$9.63	$8.02	$10.71	**$38.84**	**4.27**
Community Charging	Community Make-Ready	$2.93	$4.22	$5.47	$5.79	$5.61	**$24.01**	**2.06**
	Charging-as-a-Service	$1.83	$1.96	$1.96	$1.90	$2.20	**$9.85**	**2.41**
	Multifamily Utility Owned Chargers	$5.04	$2.50	$2.61	$2.93	$2.86	**$15.93**	**1.93**
	Charger Maintenance	$1.86	$2.44	$3.27	$3.00	$3.73	**$14.31**	**N/A**
Commercial Charging	Fleet Make-Ready	$3.16	$4.21	$5.16	$4.02	$4.23	**$20.78**	**0.52**
	Advisory	$2.28	$2.54	$2.61	$2.52	$2.73	**$12.66**	**N/A**
Innovation	Fleet Charging Management	$1.66	$1.76	$1.71	$1.66	$1.61	**$8.40**	**N/A**
	Energy Management	$0.33	$0.33	$0.00	$0.00	$0.00	**$0.65**	**N/A**
	Bring-Your-Own-Cable	$0.00	$0.00	$0.05	$0.00	$0.00	**$0.05**	**N/A**
	TEI Budget	$1.43	$1.43	$1.70	$1.75	$1.75	**$8.05**	**--**
Total		**$24.77**	**$27.57**	**$34.17**	**$31.58**	**$35.44**	**$153.53**	**1.76**

In addition to the proposed Phase II programs, BGE has Commission approval to continue its EV TOU rate and Smart Charge Management (SCM) program.[63] It is OPC's

[61] Modified from OPCDR01-17 Attachment 1.
[62] Case No. 9478, BGE Errata to Benefit Cost Analysis of Electric Vehicle Program Phase II Proposal, ML# 316350 (Feb. 28, 2025).
[63] Case No. 9478, *Order Regarding BGE's Electric Vehicle Program Phase II Proposal*, ML# 306926 (Dec. 29, 2023).

understanding that the costs associated with those programs are not included within the $153.5 million Phase II budget.

2. Managed Charging Portfolio

i. *Charge Anywhere*

Summary

BGE proposes a new passive managed charging program called Charge Anywhere to encourage multifamily residents without a dedicated home charger to charge during off-peak periods since such customers are not able to participate in the EV TOU rate or SCM program. While the program is intended to support multifamily residents, it is also open to residents of single-family homes without home charging capability.[64] The program would encourage off-peak charging by providing participants with a $5 incentive for every 100-kWh of off-peak charging in the BGE service territory, up to $20 per month.[65] BGE indicates that the incentive levels were designed to "roughly mirror" the savings a customer would receive through participation in the EV-TOU program.[66] The off-peak/on-peak periods for the program align with BGE's EV TOU rate schedule with summer off-peak occurring from 8 PM to 10 AM and non-summer off-peak occurring from 9 PM to 7 AM. The company seeks to enroll 30,000 EVs (10 percent of current EVs in its service territory) by 2029.[67]

[64] BGE Phase II Proposal, at 11.
[65] *Id*. at 12.
[66] BGE Response to OPC 1-4.
[67] BGE Phase II Proposal, at 12.

To be eligible for participation, customers must have an EV with vehicle telematics. The company indicates that the program will be able to support telematics from Tesla, Toyota, Lexus, Hyundai, Kia, Genesis, RAM, Dodge, Jeep, and Chrysler that by the third quarter of 2025.[68] The EV charging will be monitored through telematics combined with geocoordinates to determine the time of the charge and the location.[69]

The company proposes a five-year budget of $38.84 million, inclusive of the administrative, education and outreach, IT, and evaluation costs associated with the program, making it the most expensive program in the Phase II plan. The two largest cost components of this program are $17.8 million in customers incentives and $16.7 million in program administration (systems and IT).[70] This program has an overall BCR of 4.27.[71]

Recommendation

While OPC commends BGE for seeking alternative mechanisms to encourage off-peak charging for customers that do not have access to dedicated parking with an EV charger, OPC does not support this program due to several concerns.

OPC is concerned with the overall cost of the program compared to the potential benefits, especially when compared to other Phase II programs. For instance, the proposed $16.7 million five-year budget for program administration costs (systems and

[68] BGE Response to Staff 1-4.
[69] BGE Response to Staff 1-6.
[70] OPCDR01-17 Attachment 1.
[71] Case No. 9478, BGE Errata to Benefit Cost Analysis of Electric Vehicle Program Phase II Proposal, at 36, ML# 316350 (Feb. 28, 2025).

IT) is larger than the entire five-year budget for make-ready customer incentives in the proposed Community Make-Ready program, which is $15 million.[72]

In addition, the program implementation and administration costs are significantly larger than a similar program offered by Con Edison called SmartCharge New York. The SmartCharge program provides light-duty vehicles and light-duty fleets with incentives for charging off-peak within the Con Edison service territory utilizing telematics and geocoordinates.[73] However, we find that Con Edison's program has a significantly lower share of program implementation and administration costs to total cost than BGE's proposed budget.

Table 7 below contains the authorized budget for years 2023-2025 for Con Edison's SmartCharge program. The implementation and enrollment budget consists of vendor costs, IT/billing integration costs, enrollment incentives, company staffing, evaluation costs, and marketing costs. These costs make up 29 to 33 percent of the total program costs each year.

[72] OPCDR01-17 Attachment 1.
[73] Con Edison SmartCharge New York Program website, available at: https://www.coned.com/en/save-money/rebates-incentives-tax-credits/rebates-incentives-tax-credits-for-residential-customers/electric-vehicle-rewards.

Table 7. Con Edison SmartCharge New York Authorized Budget[74] ($ Millions)

Program Cost Category	2023	2024	2025	Total
Implementation and enrollment	$7.34	$10.17	$13.44	$30.95
Incentives	$15.09	$23.92	$32.75	$71.76
Total	**$22.43**	**$34.09**	**$46.19**	**$102.71**
Implementation % of Total	**33%**	**30%**	**29%**	**30%**

Table 8 shows BGE's proposed budget for Charge Anywhere. We add together BGE's proposed program admin (systems & IT), utility admin, education and outreach, and EM&V to compare to Con Edison's implementation and enrollment costs and label it as such. This category of costs for BGE ranges from 83 percent down to 33 percent in 2029.

Table 8. BGE Proposed Charge Anywhere Budget[75] ($ Millions)

Program Cost Category	2025	2026	2027	2028	2029	Totals
Implementation and enrollment[76]	$3.55	$4.29	$6.51	$3.22	$3.51	$21.08
Customer Incentives	$0.72	$1.92	$3.12	$4.80	$7.20	$17.76
Total	**$4.27**	**$6.21**	**$9.63**	**$8.02**	**$10.71**	**$38.84**
Implementation % of Total	**83%**	**69%**	**68%**	**40%**	**33%**	**54%**

BGE's implementation costs are higher in the first year, which is to be expected due to program start-up costs. However, the implementation and administration costs across all subcategories remain relatively constant each year except for an increase in

[74] New York Public Service Commission Case 18-E-0138, Consolidated Edison Company of New York, Inc. Managed Charging Implementation Plan, Pg. 12 (Jan. 30, 2025). Available at: https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterSeq=56005#.
[75] OPCDR01-17 Attachment 1.
[76] Consists of program admin (systems & IT), utility admin, education and outreach, and EM&V costs for Charge Anywhere as included in OPCDR01-17 Attachment 1.

2027. This indicates that the program becomes more cost-efficient when participation increases; however, as explained below, OPC is not convinced that BGE will achieve its target level of participation.

BGE's enrollment target of 30,000 customers in 2029 for the Charge Anywhere program is excessively ambitious compared to the EV TOU program's enrollment target of 65,000 customers in 2029[77] and the SCM enrollment target of 30,000 customers in 2027,[78] considering the pool of eligible customers. In addition, based on a recent national survey, 86 percent of EV drivers have access to home chargers.[79] Assuming a similar statistic in BGE's service territory that indicates that the majority of customers have access to home charging and thus are eligible for EV TOU and SCM but ineligible for Charge Anywhere. It is unrealistic to expect that Charge Anywhere would be able to enroll half as many customers as EV TOU with only about 14 percent of the number of eligible customers.

The projected benefits of this program are highly speculative. It is unlikely that customers enrolled in Charge Anywhere would be able to consistently shift their charging load to the off-peak hours proposed by BGE. For Charge Anywhere, BGE proposed the same on-peak and off-peak periods as those under the EV TOU program.[80] However,

[77] BGE Phase II Proposal, at 10.
[78] Case No. 9478, BGE Semi-Annual Report Q3-Q4 Electric Vehicle Semi-Annual Report at 3, ML# 315286 (January 31, 2025).
[79] ChargeLab, *86% of EV drivers can charge at home, but over half still rely on public chargers*, *ChargeLab survey finds*, PR Newswire (Feb. 29, 2024) https://www.prnewswire.com/news-releases/86-of-ev-drivers-can-charge-at-home-but-over-half-still-rely-on-public-chargers-chargelab-survey-finds-302074045.html
[80] BGE Phase II Proposal, at 12.

customers participating in Charge Anywhere do not have access to a dedicated charger like those participating in EV TOU, and therefore their charging load is inherently less flexible. Under BGE's proposed off-peak hours, which are 8 PM to 10 AM during summer months and 9 PM to 7 AM during non-summer months, Charge Anywhere participants would need to have access to overnight L2 charging away from home or leave home in the evening to charge at a public DCFC. Both scenarios are unlikely to be the case for most customers without a home charger. If participants are not able to shift load as BGE forecasted, the program will not deliver the amount of benefits quantified in the BCA.

For these reasons, OPC recommends the Commission deny BGE's proposal in full.

3. Community Charging Portfolio

i. *Multifamily Utility-Owned Chargers*

Summary

BGE requests approval to install, own, and operate an additional 200 Level 2 ("L2") EV chargers during Phase II, with a goal of siting at least 20 percent of the chargers in underserved and overburdened communities (UOC).[81] If the proposal is approved, BGE will be authorized to construct, own, and operate a total of 300 chargers.[82] In addition to owning and operating L2 chargers, BGE proposes to include Level 1 ("L1") chargers within this program.

[81] BGE Phase II Proposal at 14.
[82] BGE Response to Staff 1-9.

The company proposes this program to address barriers to the adoption of EV charging infrastructure by multifamily properties, indicating that there was strong interest in this offering during Phase I. BGE also explains that the proposed program aligns with Maryland House Bill 834, which directs the Commission to "[e]xpand the EV pilot program to allow participating electric companies to install EV charging stations in new and existing multifamily dwellings in underserved communities."[83]

The company proposes a five-year budget of $15.9 million, inclusive of the administrative, education and outreach, IT, and evaluation costs associated with the program.[84] The five-year budget doesn't account for the ongoing costs for BGE to own and operate the chargers after 2029. The company's BCA model provides an estimate of ongoing equipment networking fees and maintenance costs of $341,136 annually until 2043 at a total cost of $4.6 million.[85] The program has an overall BCR of 1.93.[86]

Recommendations

Expanding the use of utility-owned and operated charging stations would burden ratepayers with investment costs for the useful life of the charging stations and impede private, competitive charging companies from entering the market. OPC recommends denying in full BGE's proposal to install, own, and operate an additional 200 L2 chargers at multifamily properties, given its poor performance in managing the uptime and

[83] BGE Phase II Proposal at 14.
[84] OPCDR01-17 Attachment 1.
[85] OPCDR01-01 Attachment 1, "Smart_2.1_BCA_Model_cleaned_updated.xlsx" at tab "BGE Owned MUD Program" Row 14.
[86] Case No. 9478, BGE Errata to Benefit Cost Analysis of Electric Vehicle Program Phase II Proposal at 36, ML# 316350 (Feb. 28, 2025).

reliability of its existing charger network. BGE has had significant obstacles maintaining its existing EV charger network in accordance with the 97 percent uptime requirement in PUA § 7-904.[87] In its Q3-Q4 Semi-Annual report BGE notes, it placed 92 chargers in Environmental Justice communities to date, including in Johnston Square, Randallstown Community Center, and Northeast Market.[88] Yet, BGE reported its chargers in the Randallstown Community Center had 56 percent[89], 67 percent[90], 68 percent[91], 94 percent[92], and 98 percent[93] uptime, and its Northeast Market stations had 61 percent[94], 61 percent[95], 80 percent[96], 94 percent[97] uptime. BGE did not report the uptime for any charger with the site name "Johnston Square" in its semi-annual report.[98] BGE's report also notes its overall network uptime for Q3-Q4 of 2024 was 90 percent, below the 97 percent uptime requirement, and had at least 60 station ports reporting below 70 percent uptime.[99] BGE should demonstrate it can maintain its existing charger network in

[87] Md. Code Ann., Pub. Util. § 7-904. *See* Case No. 9478, BGE Semi-Annual Report Q3-Q4 Electric Vehicle Semi-Annual Report, ML# 315286 (January 31, 2025) Appendix L – BGE EV Public Charging – Network and Station Level Uptime.
[88] *Id.* at 11.
[89] *Id.* Appendix L at 1.
[90] *Id.* Appendix L at 3.
[91] *Id.* Appendix L at 3.
[92] *Id.* Appendix L at 10.
[93] *Id.* Appendix L at 18.
[94] *Id.* Appendix L at 2.
[95] *Id.* Appendix L at 2.
[96] *Id.* Appendix L at 3.
[97] *Id.* Appendix L at 10.
[98] OPC notes this charger may be listed under a different site name or may not yet be reporting uptime data.
[99] *Id.* Appendix L.

compliance with statutory uptime requirements before it adds double the amount of existing charging stations to its network.

If the Commission does permit BGE to expand its owned and operated chargers at multifamily properties, then it should limit the installation of those chargers to multifamily properties located in underserved communities. In Order No. 91297 the Commission stated that it is, "persuaded that utility ownership of MUD charging stations should be limited to only those locations with a demonstrated market gap" and directed utilities to "work with MDOT and ZEEVIC to identify underserved areas where a market gap is preventing needed charger development."[100] BGE's proposal does not limit this program to multifamily charging locations in areas with a demonstrated market gap. OPC therefore finds that this program should not be approved as proposed.

It is also not clear if BGE has finalized its assessment of market gaps. BGE indicates that it "has discussed with MDOT the opportunities for multifamily chargers to fill market gaps and these discussions are ongoing."[101] At the same time BGE states it "has identified relevant zip codes and has leveraged ZEEVIC data on EV registrations to pinpoint overlapping underserved communities."[102] If BGE has identified the areas where specific market gaps exist, OPC recommends that this program only be made available to multifamily properties located within such designated areas and for low-income multifamily dwellings.

[100] Case No. 9478, Order No. 91297 on Electric Vehicle Pilot Phase I Evaluation and Next Steps at 16, ML# 311881 (Aug. 23, 2024).
[101] BGE Response to OPC 1-8(a).
[102] *Id.*

Furthermore, while BGE indicates that this proposal aligns with Maryland House Bill 834, that bill is limited in scope, providing that the utilities may "install EV charging stations in new and existing multifamily dwellings *in underserved communities*[.]"[103]

For these reasons, OPC recommends the Commission adopt the following modifications:

1. Deny BGE's proposal in full, or in the alternative:
    a. Approve 25 BGE owned L2 charging stations or fewer.
    b. Approve BGE's proposal only for underserved communities. This will better align the program with PUA § 7-903 and the Commission Order No. 91297.
    c. Deny BGE's proposal for additional multifamily BGE-owned L2 charging stations located at non-underserved communities.
    d. Direct BGE to include in its first Phase II semi-annual report the results of its efforts to identify locations with demonstrated market gaps.

ii**.** *Community Make-Ready*

Summary

BGE proposes a Community Make-Ready program to reduce the cost for electric infrastructure and equipment necessary to accommodate the installation of EV chargers at multifamily properties and commercial properties. Eligible participants include publicly available parking locations (shopping centers, hotels, garages, and other high traffic

[103] House Bill 834, codified as PUA Sec. 7-903(a)(1) (effective Oct. 1, 2023) (emphasis added).

destinations), multifamily residences (property managers, housing operators, HOAs), and workplaces.[104]

The company proposes incentives up to 50 percent of the make-ready costs, up to $50,000 per location, and an enhanced incentive of 75 percent of make-ready costs, up to $50,000 per location, for locations in UOCs. The make-ready incentives are intended to cover both utility-side- and customer-side make-ready costs.[105] BGE provides the same incentive level regardless of whether the chargers are made publicly available.[106] To establish the incentive value, BGE relied on make-ready costs its publicly owned EV charger sites as previously reported in its Phase I semi-annual reports.[107] The company specifies that it will require selected participants to disclose any state or federal incentives for the project to ensure cumulative incentives do not exceed total cost of work."[108] BGE proposes to offer 300 Community Make-Ready Incentives over the five-year Phase II plan, which it estimates will result in an estimated 1,800 L2 ports and 300 DCFC ports.[109]

[104] BGE Phase II Proposal at 15.
[105] BGE Phase II Proposal at 16.
[106] BGE Response to OPC 1-9(b).
[107] BGE Response to Staff 1-20.
[108] BGE Response to OPC 1-9(i).
[109] BGE Response to OPC 2-14(c).

The company proposes a five-year budget of $24 million, inclusive of the administrative, education and outreach, IT, and evaluation costs associated with the program.[110] The program is cost-effective with an overall BCR of 2.06.[111]

Recommendations

OPC has general concerns with the Community Make-Ready proposal and offers several modifications to this program to reduce overall costs to ratepayers and ensure equitable distribution.

First, BGE's proposal includes incentives for customer-side make-ready work. As summarized in Part I of these comments, OPC does not support utility incentives for customer-side make-ready work except for new and existing multifamily properties in underserved communities.

In addition, BGE's proposal does not provide larger incentives to publicly available charging sites. Incentive levels should match the level of benefits they can provide. Publicly accessible charging sites ensure that the benefits of electrified transportation extend to a wider segment of the population, while charging sites serving workplaces only provide access to EV charging for those companies and employees. OPC recommends that BGE revise its incentive tiers to match our recommendations for consistent tiers in Part I of these comments.

[110] OPCDR01-17 Attachment 1.
[111] Case No. 9478, BGE Errata to Benefit Cost Analysis of Electric Vehicle Program Phase II Proposal, R 36, ML# 316350 (Feb. 28, 2025).

While BGE does offer higher incentives for UOCs, it does not propose any budgetary carveout for these areas. OPC recommends that BGE allocate at least 20 percent of program funds to UOCs. For example, the utility make-ready programs in New York are required to earmark 20 percent of the incentive budget to support additional incentives for certain charging infrastructure located in or near environmental justice or low-or-moderate income communities.[112]

Lastly, BGE indicates it may require that charging stations resulting from the Community Make-Ready program remain operational for a minimum period of time but has not yet done so.[113] OPC recommends that participants be required to operate resulting charging stations for a minimum number of years (i.e., five years). Should the resulting charging stations cease to operate, the ratepayer funds used to provide the make-ready incentives will be wasted and the purported benefits of this program as included in the BCA will not be realized.

For these reasons, OPC recommends the Commission adopt the following modifications:

1. Direct BGE to adopt OPC's proposed Make Ready Incentive Definition Framework.
2. Direct BGE to submit a compliance filing with an updated budget for its Make Ready program that removes costs originally intended to cover customer-side

[112] State of New York Public Service Commission, Case 18-E-0138, Order Establishing Electric Vehicle Infrastructure Make-Ready Program and Other Programs, at 75 (July 16, 2020).
[113] BGE Response to Staff 1-18.

make ready costs as defined in OPC's proposed Make-Ready Incentive Definition Framework.

3. Direct BGE to increase the incentive tier for publicly accessible chargers and align incentive tiers with those included in Table 2 in Part I of these comments.
4. Direct BGE to earmark 20 percent of the incentive budget for UOCs.
5. Direct BGE to require that charging stations resulting from the program's make-ready incentives remain operational for a minimum number of years that is not less than five years.

iii. *Charging-as-a-Service*

Summary

BGE proposes a Charging-as-a-Service (CaaS) program to property managers and owners of multifamily properties, workplaces, and publicly accessible parking locations, such as shopping centers, garages, and hotels.[114] BGE would connect program participants with qualified third-party charging network developers that "offer turn-key charging design, construction, ownership, operation, management and maintenance services to property managers and workplace operators for a service or subscription fee" and provide an incentive to help offset the cost of those fees.[115]he company proposes providing participants with an incentive to cover 50 percent of the operational fee (i.e., the service or subscription fee), up to $100 per port per month and up to 75 percent of operational fees, up to $100 per port per month, for locations in to help offset the cost of

[114] BGE Phase II Proposal at 15.
[115] BGE Phase II Proposal at 17.

vendor or subscription fee. Participants must have a minimum of at least four ports per community during the five-year Phase II plan cycle.[116] BGE states that the $100 maximum incentive per port, is based on "research of existing CaaS operators as well as national publications and industry resources related to this business model to determine the incentive levels."[117]

The company proposes a five-year budget of $9.9 million, inclusive of the administrative, education and outreach, IT, and evaluation costs associated with the program,[118] that is estimated to cover incentives for 200 stations over five years.[119] The program is cost-effective with an overall BCR of 2.41.[120]

Recommendations

While OPC is supportive of facilitating third-party ownership and operation of turnkey EV charging solutions, we do not support incentives to offset the costs of CaaS service or subscription fees. OPC's understanding is that the structure of CaaS lease agreements already provides for a financial benefit to customers by allowing them to pay for EV chargers over time instead of all upfront and by covering operation and maintenance costs.

[116] BGE Phase II Proposal at 17.
[117] BGE Response to Staff 1-26.
[118] OPCDR01-17 Attachment 1.
[119] BGE Phase II Proposal at 17.
[120] Case No. 9478, BGE Errata to Benefit Cost Analysis of Electric Vehicle Program Phase II Proposal, at 36, ML# 316350 (Feb. 28, 2025).

In addition, the only industry research BGE provided to justify the incentive levels was a link to an industry webpage with a cursory summary of CaaS.[121] The industry website indicates that "CaaS customers typically pay up to $200 per month for a L2 (dual-port) station. Prices ultimately depend on the characteristics of the desired station — its manufacturer, network capabilities, amperage, etc."[122] BGE also states that "third-party CaaS operator costs are not publicly available. In BGE's research, operational fees vary based on type, quantity, and ancillary services for the chargers the community chooses."[123] For these reasons it is difficult to assess whether the incentive levels are reasonable.

Furthermore, under BGE's proposal, property managers and owners eligible for the CaaS program could also receive significant make-ready incentives under the proposed Community Make-Ready Program. BGE has not provided justification for why customers require make-ready incentives in addition to CaaS incentives.

Given the uncertainties around typical CaaS costs and whether incentives are needed at all the Commission should deny this proposal in full.

For these reasons, OPC recommends the Commission deny BGE's CaaS proposal in full.

[121] BGE Response to Staff 1-26 includes a link for Advanced Energy website: https://www.advancedenergy.org/news/what-is-charging-as-a-service
[122] Link provided in BGE Response to Staff 1-20 for Advanced Energy website: https://www.advancedenergy.org/news/what-is-charging-as-a-service.
[123] BGE Response to Staff 1-22.

4. Commercial Charging Portfolio

i. *Fleet Make-Ready*

Summary

BGE proposes a new Fleet Make-Ready program for Phase II, which would replace the company's current fleet programs as approved by the Commission in 2022.[124] While the current fleet programs are not set to sunset until September 30, 2025, BGE will discontinue those programs if the Phase II proposal is approved.[125]

Through the Fleet Make-Ready program, BGE would provide participants with incentives for line- and load-side make-ready infrastructure, including grid capacity upgrades if required. The program is divided into two tiers: light duty and medium-heavy duty. According to the company, a customer will not be eligible to combine light duty and medium-heavy duty make-ready incentives. Should a customer have a proposed fleet vehicle count that is comprised of 50 percent or more from MHD, that customer will automatically qualify for the MHD incentive level.[126] Table 9 below provides a summary of the incentives by tier.

Table 9. BGE Proposed Fleet Make-Ready Incentive Tiers[127]

	Light Duty		Medium-Heavy Duty	
Incentive	Non-UOC	UOC	Non-UOC	UOC
% of make-ready costs covered	50%	75%	50%	75%
Incentive cap per site	$40,000	$40,000	$150,000	$150,000

[124] Case No. 9478, PC44 EV Workgroup, Fleet Subgroup Summary Report, ML# 241277 (June 30, 2022).
[125] BGE Response to Staff 1-27.
[126] BGE Response to Staff 1-37.
[127] BGE Phase II Proposal at 21.

BGE indicates that the incentive level for light duty fleets was based on an assumption that most participants would install L2 chargers. BGE also states that the incentive limit is not intended to cover 100 percent of the project costs yet is high enough to move forward with a project.[128]

For load-side make-ready work, BGE will rebate the customer for completed work. For line-side make-ready work BGE will rebate the customer for its share of the cost of completed work; however, the company is investigating the feasibility of instead deducting available incentives from the customer's extension relocation contract (ERC) bill before the customer pays BGE.[129] In addition, BGE will not conduct customer-side make-ready work.[130] BGE estimates that 700 chargers will be installed through this program.[131]

The program is open to registered businesses, charitable or non-profit organizations, private education institutions, district or government entities that operate a school system, public universities, and government-owned transit agencies or transportation services that have at least one BGE electric account and own or lease and operate at least two vehicles.[132] To be eligible for the fleet make-ready incentive, a customer must install at least one EV charger.[133]

[128] BGE Response to Staff 1-30.
[129] BGE Response to OPC 1-12(h).
[130] BGE Response to OPC 1-12(i).
[131] BGE Response to Staff 1-35.
[132] BGE Phase II Proposal at 20.
[133] BGE Response to Staff 1-30.

The company proposes a five-year budget of $20.8 million, inclusive of the administrative, education and outreach, IT, and evaluation costs associated with the program,[134] that is estimated to cover incentives for 200 stations over five years.[135] The program is not cost-effective with an overall BCR of 0.52.[136]

Recommendations

While OPC is generally supportive of incentives for utility-side make-ready programs, OPC does not support customer-side incentives for outside of new and existing multifamily properties located in underserved communities.

OPC is also concerned that the Fleet Make-Ready program as proposed is not cost-effective with a low BCR of 0.52. This may be driven by the high costs of program admin (Systems & IT), utility admin, education & outreach, and EM&V. Over the five-year Phase II period, these cost categories make up 54 percent of the program costs, whereas customer incentives are 46 percent of the program costs.[137]

OPC notes the fact that BGE was not able to provide information on the average customer-side and utility-side make-ready costs for light duty fleets by charger type in its service territory. When OPC requested this information, BGE stated "the cost for EV work varies too greatly based on the number and type of chargers as well as the existing infrastructure to provide an overall average for make-ready costs."[138] Due to this fact,

[134] OPCDR01-17 Attachment 1.
[135] BGE Phase II Proposal at 17.
[136] Case No. 9478, BGE Errata to Benefit Cost Analysis of Electric Vehicle Program Phase II Proposal at 36, ML# 316350 (Feb. 28, 2025).
[137] Calculated from OPCDR01-17 Attachment 1.
[138] BGE Response to OPC 1-12(b)(c).

BGE used costs associated with make-ready work for its publicly owned sites to develop incentives.

Lastly, OPC recommends that participants be required to operate resulting charging stations for a minimum number of years (i.e., five years) to reduce the risk of creating stranded costs.

For these reasons, OPC recommends the Commission adopt the following modifications:

1. Direct BGE to revise and refile a proposal for a fleet make-ready program that is cost-effective and adopts OPC's Make-Ready Definition Framework. Within the filing BGE should describe what changes were made to program design and which costs were reduced to increase cost-effectiveness.
2. Direct BGE to align its incentive tiers to align with those included in Table 2 in Part I of these comments.
3. Direct BGE to collect utility-side and customer-side make-ready costs from participants applications during Phase II to aid in the refinement and development of future incentives.
4. Direct BGE to require that charging stations resulting from the program's make-ready incentives remain operational for a minimum number of years that is not less than five years.

5. Transportation Electrification Innovation Portfolio

i. *Fleet Charging Management*

Summary

BGE proposes a Fleet Charging Management (FCM) research and development opportunity, which will support fleet customers installing Charging Management Software (CMS) at sites with capacity constraints, targeting 25 customers throughout the five-year term. According to BGE, CMS "will enable a customer to set charging load limits, ensuring that charging demand does not exceed a site's capacity," reducing the need for costly infrastructure upgrades and minimizing project delays.[139] Additionally, CMS can "optimize charging schedules thereby reducing demand charges and helping customers lower electricity costs by charging during off-peak hours."[140]

BGE will offer incentives covering up to 50 percent of the upfront CMS setup costs and one-time failsafe device installation costs, with a cap of $80,000 per site.[141] For customers in UOCs, BGE will offer incentives covering up to 75 percent of the above costs, capped at $100,000 per site. The total costs for the demonstration is $8.4 million, inclusive of the administrative, education and outreach, IT, and evaluation costs associated with the program.[142] The company did not conduct a BCA for this offering.

[139] BGE Phase II Proposal at 25.
[140] *Id.*
[141] *Id.*
[142] OPCDR01-17 Attachment 1.

BGE proposes to monitor the following metrics to evaluate the success of the program:[143]

- Number of fleet customers enrolled in the CMS program;
- Successful installation and implementation of CMS at customer sites;
- Reduction in project delays and infrastructure upgrade costs;
- Savings in electricity costs due to optimized charging schedules;
- Effectiveness of CMS in preventing charger overloading and ensuring grid reliability;
- Customer satisfaction and feedback regarding implementation and outcomes.

Recommendations

OPC generally supports BGE's proposed FCM pilot. Several states have utilized CMS – also referred to as EV Energy Management Systems (EV EMS), Automated Load Management (ALM), or Demand Management Technologies (DMT) – to enable charging sites to lower site capacity requirements and save both the time and money associated with infrastructure upgrades, which can benefit ratepayers if those infrastructure costs would otherwise be covered by utility incentives. For example, charging stations deployed in Southern California Edison territory using CMS had a cost of $3,000 per port, while comparable deployments without CMS had a cost of $10,000-$15,000 per

[143] BGE Phase II Proposal at 25.

port.[144] The New York utilities also currently offer a Load Management Technology Incentive Program (LMTIP), which provides incentives for customer-owned demand management technologies capable of reliably balancing, curtailing, or deferring a customer's net EV charging demand on the grid.[145] The LMTIP supports a wide range of technologies, including on-site energy storage, energy storage-integrated EVSE, load management software, and other load management hardware. In Massachusetts, the Department of Public Utilities required National Grid and Eversource to perform CMS suitability evaluations for large charging sites participating in the utilities' EV programs and provide financial incentives for CMS if deemed cost-effective.[146] BGE should learn from these other utilities' experience with CMS to inform its implementation of the proposed pilot.

While OPC supports this program, it is important for BGE to consider other load management strategies for fleets, like TOU rates, that could be implemented more broadly. TOU rates are also important to maximize the value of load flexibility from fleets. Without a TOU rate or other managed charging program, fleets will not have a financial incentive to charge off-peak even if CMS provides the technical capability for fleets to do so.

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[144] EPIC Policy + Innovation Coordination Group. 2021. Transportation Electrification Workstream Report. https://epicpartnership.org/resources/Transportation_Electrification_Workstream_Report_Final.pdf.
[145] Joint Utilities of New York. Load Management Technology Incentive Program. https://jointutilitiesofny.org/ev/lmtip
[146] Massachusetts Department of Public Utilities. December 30, 2022. D.P.U. 21-90, 21-91, 21-92 Order, p. 103-104. https://fileservice.eea.comacloud.net/FileService.Api/file/fileroom//16827694

There are several examples of the use of TOU rates in the fleet sector. For example, National Grid in Massachusetts offers a Fleet Off-Peak Charging Program that provides customers with a per kWh incentive when charging with a networked EV charging station during off-peak hours from 9:00 to 1:00 p.m.[147] Con Edison in New York also offers an off-peak charging program for industrial, light-duty, medium-heavy-duty, and heavy-duty fleets. Similar to National Grid, Con Edison provides a $0.03 per kWh incentive for charging during off-peak hours from midnight to 8:00 a.m. In addition, Con Edison offers an additional incentive for not charging during the network peak period. During the summer the peak avoidance incentive is $10 per kW and all other months is $2 per kW.[148]

For these reasons, OPC recommends the Commission adopt the following modifications:

1. Direct BGE to develop a TOU rate for fleets.
2. Direct BGE to track additional metrics for the FCM pilot to ensure a complete understanding of CMS costs and benefits. These metrics include: avoided site capacity requirements (the total capacity of all chargers at the site compared to the maximum site demand set by CMS); avoided make-ready costs (total make-ready costs with CMS compared to counterfactual what total make-ready

[147] National Grid Massachusetts Fleet Webpage, available at: https://www.nationalgridus.com/MA-Business/Commercial-and-Fleet-EV-Programs/Fleet-Programs.
[148] Con Edison SmartCharge Commercial Program website, available at: https://www.coned.com/en/our-energy-future/electric-vehicles/commercial-electric-vehicle-charging-station-rewards.

costs would be at the same site without CMS); and CMS costs (including upfront, ongoing costs, and vendor costs).

ii. *Energy Management System*

Summary

BGE proposes an Energy Management System (EMS) research and demonstration opportunity to help 250 residential customers avoid the high cost of upgrading electric service panels to support EV charging. According to BGE, EMS can "monitor the real-time load at the main panel and automatically modulate charging power to ensure the main breaker is not overloaded."[149] Participants in this pilot would then be enrolled in SCM and/or EV TOU. The total cost for the demonstration for the two-year duration is estimated at $650,000, which covers the incremental cost of EMS hardware and installation, up to $1,000.[150] The company states that the $1,000 cost is lower than the potential cost of service upgrades to support a L2 charger that range from $6,000-$8,000.[151] BGE did not conduct a BCA for this offering.

Recommendations

It is unclear how BGE considers "EMS" to be different from the "CMS" utilized in the FCM Pilot discussed above. In response to discovery, BGE explains that EMS is "a system of tools, typically combining software and hardware, that monitors, analyzes, and controls energy usage within a building, aiming to optimize energy consumption, reduce

[149] BGE Phase II Proposal at 26.
[150] BGE Phase II Proposal at 27.
[151] BGE Response to OPC 2-10(a).

costs, and improve energy efficiency," while a CMS is a software platform that "communicates with the charging stations to view and manage the status and data across numerous stations simultaneously."[152] However, a quick survey of educational and promotional materials from CMS and EMS providers show that these terms are often used interchangeably (along with other terms like "Automated Load Management") and refer to software and hardware solutions that can optimize energy usage for a whole site, including both EV charging load and site load – be it a single charger at a single-family home or several shared chargers at a multifamily building, public charging station, or fleet depot.[153]

In addition, when asked whether BGE is aware of other utilities offering incentives for EMS or using EMS, the Company points to ComEd's EV EMS Pilot under its Beneficial Electrification (BE) Plan in Illinois.[154] ComEd's Request for Information (RFI) soliciting ideas from stakeholders to help develop this pilot cites testimony submitted by the Natural Resources Defense Council (NRDC) in the BE Plan docket.[155] NRDC's testimony, however, discusses EV EMS as a solution targeted to commercial

[152] BGE Response to OPC DR 02-10b.
[153] RVE. 2023. What is an EVEMS and why do I need one? https://rve.ca/en/blog/what-is-an-electric-vehicle-energy-management-system-evems/;
bppulse. 2024. Reducing grid strain with automated load management for EV charging. https://bppulsefleet.com/blog/reducing-grid-strain-with-automated-energy-management/;
Dorleco. 2024. EV Energy Management Systems (EVEMS). https://dorleco.com/ev-energy-management-system-evems/;
FLO. Energy management for EV charging. https://www.flo.com/en-ca/products/software/energy-management/
[154] OPC DR 01-15(c).
[155] ComEd. 2023. BEP – EV Energy Management System. https://innovate.comed.com/wp-content/uploads/2023/11/BEP-EV-EMS-RFI.pdf

charging sites, such as multifamily charging sites or other sites with several chargers, not for residential customers.[156] The EV EMS that the Illinois Commerce Commission directed ComEd to implement, therefore, is more similar to what BGE calls "CMS" in the FCM Pilot. Technologies that allow for dynamic, real-time monitoring and control of EV charging load to limit charging demand can deliver the most benefits when implemented at larger charging sites that would otherwise require significant, costly infrastructure upgrades such as fleet, public, workplace, and multifamily charging sites.

Additionally, an L2 charger is not required for residential customers to charge their vehicle. As noted by BGE, "studies show that L1 access can meet the daily charging needs of many EV drivers."[157] L2 chargers are an optional investment that should not warrant ratepayer-funded incentives.

This demonstration could create stranded costs. The company states that while EMS is designed to help customers avoid any need for panel upgrades as a result of L2 charging, "if a customer who participates in the pilot needs a panel upgrade because of additional load they are adding to their home from another device or additional appliance, this will not be considered a failure on the part of the EMS as this was outside of the technology's control when the program was launched."[158] This answer indicates that the EMS will no longer serve its intended purpose should a customer choose to install

[156] NRDC Exhibit 1.0, p. 28-29. Illinois Commerce Commission Docket No. 22-0432. https://icc.illinois.gov/docket/P2022-0432/documents/328407/files/571653.pdf
[157] BGE Phase II Proposal at 14.
[158] BGE Response to OPC 2-11(c).

additional load sources that result in the need for a panel upgrade, and this customer decision is out of BGE's control.

For these reasons, OPC recommends that the Commission reject BGE's proposed EMS pilot.

iii. *Bring-Your-Own-Cable*

Summary

BGE proposes a Bring-Your-Own-Cable (BYOC) demonstration at four of its utility-owned public charging stations that will require EV owners to bring their own charging cable, rather than having cables tethered to the charger. The company states that during Phase I it experienced damaged cables at its public charging sites and the BYOC model could help avoid these issues an improve reliability. As part of the demonstration, BGE would replace and/or install BYOC stations at four sites within its public charging network. The BYOC model is common in Europe to avoid issues of cable cutting at charging stations, but BGE does not provide examples of BYOC chargers or programs in the U.S.[159]

The company will choose the lowest-performing sites, which have experienced significant reliability and cable maintenance issues, and two newly selected locations within the same network to broaden the scope of the demonstration.[160] BGE indicates that the anticipated cost of a rip and replacement of the old charger with the new BYOC chargers will range from $5,000 - $20,000, depending on the type of equipment and the

[159] BGE Phase II Proposal at 27.
[160] *Id*. at 28.

selected outlet and ancillary services.[161] The budget for the demonstration is $50,000. BGE did not conduct a BCA for this demonstration.

Recommendation

OPC is concerned that the costs of replacing the charger equipment to enable this program may be more than the potential usage by customers that are not accustomed to having cables in their cars. To the extent the chargers are used by drivers outside of BGE's service territory there is even greater risk that drivers show up to charge and lack the necessary equipment.

For these reasons, OPC recommends the Commission deny BGE's proposal in full, or in the alternative direct BGE to track a series of metrics during Phase II to evaluate this demonstration. Metrics should include the number of customers using BYOC, the cost of rip and replacement with a new BYOC and how that cost would have compared with alternatives such as ongoing maintenance and repair of the charger or replacement with an in-kind station.

[161] BGE Response to Staff 1-61.

6. Education and Outreach

i. *Electric Vehicle Advisory*

Summary

For Phase II, BGE proposes transitioning its current Fleet Technical Assessment program to an enhanced Electric Vehicle Advisory program, stating that the existing service does not provide for the evaluation of electric grid-related project details, such as service request costs and timelines. BGE plans to continue offering Fleet Technical Assessment reports as a Phase I assessment but will also offer Phase II reports, providing additional grid-related project details. In addition to supporting fleets, this service will now provide analysis and guidance to support EVSE installation for commercial multifamily owners, workplaces, commercial property managers, and HOAs. Specifically, all customers eligible for the Phase II programs within the Commercial Portfolio or Community Portfolio qualify for the EV Advisory service.[162]

Under the proposal, customers would be able to choose whether to complete either a Phase I or Phase II study, or both. BGE proposes a total program budget of $3.5 million over five years to support 100 advisory studies at a cost of $25,000 per Phase I study and $10,000 per Phase 2 study.[163] Customers are required to make a 10 percent refundable deposit for each phase that will be refunded if a customer moves forward with installing EV infrastructure within one year. The deposit would be waived for locations in census tracts at or above the 75th percentile on the MDE EJ Screening tool.[164] The total budget

[162] *Id*. at 33.
[163] BGE Response to Staff 1-65.
[164] BGE Phase II Proposal at 33.

for this program is $12.7 million, inclusive of the administrative, education and outreach, IT, and evaluation costs associated with the program.[165]

Recommendation

It is unclear whether this program is necessary or an efficient use of ratepayer funds, given that third-party EV charging site assessment services are available. For example, the PHI Utilities indicate there is "a range of consultants, engineering firms, and other private companies that provide some type of site assessment support to customers" and that "charging station providers/developers like ChargePoint and EVgo will provide site assessment as part of their business model and focus on identifying station placement, evaluating existing electrical capacity, and estimating installation costs."[166] These services are also available to BGE's customers. Therefore, the proposed program's primary value is simply offsetting the costs site hosts would incur to procure these services from third-party providers.

For these reasons, OPC recommends the Commission adopt the following modifications: Deny BGE's Electric Vehicle Advisory proposal in full, or in the alternative. if the Commission wishes to approve this program, the assessments should be limited to charging sites that provide the most public benefit and/or face the greatest market barriers, such as public transportation fleets, publicly accessible charging sites in

[165] OPCDR01-17 Attachment *1*.
[166] OPC DR 1-7a.

UOCs, and low-income multifamily buildings and multifamily buildings located in UOCs.

B. Potomac Edison Company

1. Introduction

Potomac Edison Company (PE) proposes a five-year Phase II EV plan for the years 2025 through 2029 with a total proposed budget of $10.3 million and with an overall BCR of 1.42.[167] The company proposes a suite of offerings across five program elements: Residential, Company Owned & Operated, Multifamily & Public, Fleet, and Grants.

Table 10 below provides the Phase II EV programs by portfolio and the associated annual budgets and BCR. As noted earlier in these comments the utility budgets do not yet include costs associated with an independent evaluation as conducted by Guidehouse in Phase I.

[167] Case No. 9478, PE Electric Vehicle Program Phase II Proposal at 23, ML# 314457 ("PE Phase II Proposal") (December 20, 2024).

Table 10. PE EV Phase II Proposal Budget[168] ($ Thousands) and BCA Results[169]

Portfolio	Program	Total	BCR
Residential	EV Charger TOU Rider	$2,082	0.83
	Managed Charging	$1,250	0.74
Company Owned & Operated	Company Owned & Operated	$1,607	1.66
	New L2 Multifamily Maintenance[170]	$120	N/A
Multifamily & Public	Multifamily Incentive	$250	1.41
	Charging-as-a-Service	$1,000	1.30
	Residential Rate Comparability	--[171]	N/A
Fleet	Site Assessments	$600	1.40
	Make Ready & EVSE Incentive	$750	1.44
Innovation	Grants	$490	1.47
Incremental Labor		$1,500	N/A
Outreach & Education		$500	N/A
EM&V		$150	N/A
Total		**$10,299**	**1.42**

2. Residential Programs

i. *EV Charger TOU Rider*

Summary

PE plans to continue its EV Charger TOU Rider as currently described in its existing tariff. The company indicates that it plans to maintain the existing credit of two cents per kWh but plans to review the rate in 2025.[172] The company proposes a total

[168] PE Response to Staff 1-5.
[169] PE Phase II Proposal at 23-24. PE did not provide a breakout of program costs by year.
[170] Maintenance, networking, and net energy costs for new L2 chargers resulting from remaining Phase I budget for underserved communities.
[171] PE indicates that this program has already been approved by the Commission and is currently being implemented, there is no budget included for residential rate comparability in this filing.
[172] PE Phase II Proposal at 7.

budget of $2.1 million over the Phase II plan period that is based on 4,600 participating accounts over the five-years, at an assumed cost of $90 per vehicle per year based on the current costs for administering the program adjusted for inflation.[173] The EV Charger TOU Rider is not cost-effective with a BCR of 0.83.[174]

In response to the Commission's Phase I Order, PE is proposing to expand the EV Charger TOU Rider to include customers currently enrolled in the Net Energy Metering Rider, Net Energy Metering Virtual Meter Aggregation Service and/or the Community Solar Energy Generation Systems (CSEG) Pilot Program.[175]

Recommendations

OPC supports the continuation of the EV Charger TOU rates and the improvements to include net-metering and the CSEG pilot. PE indicates that as of the end of January 2025 there were 8,372 net-metering customers and 3,457 customers in the CSEG pilot.[176] While it is not known how many of these customers own EVs, increasing the eligible participants should lead to improved overall enrollment rates.

While OPC supports the continuation and expansion of this program, we are concerned that it is currently not cost-effective with a BCR of 0.83. It is also not clear that this program will become more cost-effective as enrollment increases. PE states that the average cost per vehicle of $90 per year is not expected to decrease as more

[173] PE Phase II Proposal at 8.
[174] PE Phase II Proposal at 24.
[175] PE Phase II Proposal at 7.
[176] PE Response to Staff 1-3.

customers are enrolled in the EV Charger TOU Rider.[177] OPC is currently working with the utilities and other members of the EV Work Group to develop a data template to provide a better understanding of the costs and benefits of the different load management programs that may prove useful in developing strategies to increase cost-effectiveness. These concerns about the cost-effectiveness of PE's TOU rate reinforce the need for a comprehensive and transparent data reporting template to better understand the costs and benefits of different load management programs for each utility.

3. Managed Charging

Summary

PE proposes a new managed charging pilot to residential customers with an approved L2 charger or approved vehicles with telematics. The company indicates that it does not yet know what Original Equipment Manufacturers (OEM) will be eligible because it has not yet issued an RFP for these programs in Phase II and OEM eligibility can vary by vendor.[178]

The company proposes offering customers a ten dollar credit per month for each billing cycle a customer charges in alignment with the specific pilot charging schedule. The customer will have the ability to override the preset charging schedule, however if a customer overrides their schedule more than four times within a billing schedule they will be ineligible for the incentive. The company proposes a total budget of $1.3 million over

[177] PE Response to Staff 1-7.
[178] PE Response to Staff 1-9.

the Phase II plan period that is based on 1,000 participants, at an assumed cost of $130 per vehicle per year based on third-party pricing.[179]

As prescribed in Commission Order No. 91297, PE will enable new customers enrolling in the Managed Charging program to default into the EV TOU Rider. While customers that purchase their generation supply through a third-party retail supplier are eligible for the Managed Charging program, they are not eligible for the EV Charger TOU Rider. Therefore, once autoenrollment begins, retail shopping customers will not be able to participate in the Managed Charging program.

Recommendations

OPC supports PE's proposal for a managed charging pilot to align with BGE's current SCM pilot. However, OPC is concerned that the program is currently not cost-effective with a BCR of 0.83. OPC expects that cost-effectiveness will improve as participation increases; however, PE states that it cannot "definitively say whether or not the average cost per participant in the Managed Charging Pilot would decrease as more customers are enrolled in the program as that was out of the scope of the RFP. Furthermore, the program cannot go above 1,000 participants without PE's request and PSC approval.[180]

Another reason for a low BCR could be the impact of TOU load shifting. In the BCA for this program, PE correctly "backs out the duplicate benefits that would

[179] PE Phase II Proposal at 10.
[180] PE Response to Staff 1-14.

otherwise be counted if a customer participates in both the EV Charger TOU Rate and Managed Charging pilot."[181] OPC looks forward to the results of the Argonne National Laboratory evaluation of the SCM pilot to provide more information of the benefits and costs of the program.

4. Company-Owned and Operated

i. *DCFC Connector Upgrade*

Summary

PE proposes to remove both CHAdeMO connectors at each of its DCFC stations installed during Phase I and replace them with two J3400 connectors (informally known as NACS or Tesla plugs). so that each location will be configured with two J3400 connectors and two CCS connectors. The company states that the reason for this work is due to the fact that "nearly every" OEM has announced plans to abandon both CCS and CHAdeMO in favor of the J3400.[182] The company states that adapters are available but "native connectors work more consistently on DCFC and improves the customer experience."[183] The total cost of this program is $70,000, based on a cost of $3,500 to replace each connector.[184]

Recommendations

[181] PE Response to OPC 1-3(a).
[182] PE Phase II Proposal at 11.
[183] *Id.*
[184] *Id.* at 12.

OPC recommends the Commission deny this program in full. PE has not justified the need to replace connectors and the other Maryland utilities have not identified this problem, nor do they propose similar investments in their Phase II programs.

ii. *Level 2 EVSE at Underserved MFH Communities*

PE is proposing to continue to install, maintain, and operate its remaining four previously approved dual-port Level 2 chargers at multifamily properties in underserved communities in accordance with the Commission's Letter Order dated October 11, 2023.[185] The total budget for the eight ports is $120,000 for eight ports and the costs for networking and maintenance for these eight ports are included in the "Maintenance, Networking, and Electricity" budget.

OPC takes no position on this program as it was previously approved.

5. Multifamily and Public Charging

i**.** *Multifamily Incentive*

Summary

PE proposes to continue its incentive program to multifamily properties in Phase II. The company will continue to offer incentives of 50 percent of the cost to purchase or lease equipment and installation, up to $5,000 per port, to install an eligible "smart" Level 2 charger for a total of 50 ports.[186] The company proposes a total budget of $250,000 for this program, which is cost-effective with a BCR of 1.41.[187]

[185] PE Phase II Proposal at 12.
[186] PE Phase II Proposal at 14.
[187] PE Phase II Proposal at 23-24.

The company proposes one change to the program for Phase II, which is to add in a "clawback" provision. In the event the chargers are removed, fall into disrepair, or stop providing data with in the first five years from the incentive payment, the "clawback" provision will require a pro-rata portion of the incentive be returned to PE, which will add the funds back to the program budget.

Recommendations

While OPC supports certain incentive programs for multifamily customers, OPC recommends that PE develop a multifamily make-ready program instead of providing a charger incentive to lower total costs and create alignment with other utilities. In addition, OPC supports the new "clawback" provision as a means to prevent stranded costs and provide an incentive for site hosts to maintain the chargers in good standing. However, PE does not define what will be considered "disrepair" nor does it identify how long a charger can fail to provide data before a "clawback" is initiated. In addition, PE does not indicate how it will report on the funds that are "clawed-back".

For these reasons, OPC recommends the Commission adopt the following modifications:

1. The Commission should reject PE's proposal in full;
2. The Commission should direct PE to refile with the Commission a make-ready program proposal that adopts OPC's Make-Ready Definition Framework, is specifically targeted to multifamily housing, and does not exceed the combined

budget for PE's CaaS program, grant assistance program, and multifamily incentive program, as originally proposed.[188]

3. Direct PE to collect utility-side and customer-side make ready costs from participants applications during Phse II to aid in the refinement and development of future incentives.
4. Direct PE to report on the amount of "clawed-back" funds within each semi-annual, mid-term, and final report to the Commission and identify the EV charger site locations where the money is recovered from.
5. Direct PE to define "disrepair" and a timeline for "clawback". OPC recommends that PE shall claw back funds if: (1) PE is notified from the charging operator that the charger has been removed or otherwise is made aware that the charger has been removed; or (2) the charger provides no data to PE or its associated EV charging vendor for 12 consecutive months.

ii. *Charger-as-a-Service*

Summary

PE proposes a CaaS program to support businesses, landlords, and HOAs to overcome the financial and operational barriers to installing EV charging infrastructure. This program is similar to BGE's CaaS program discussed earlier in these comments. Specific to PE's proposal, the company plans to offer CaaS to customers seeking to

[188] OPC also recommends the Commission deny in full PE's CaaS proposal and grant assistance proposal, as explained in further detail below. Adopting OPC's recommendation here would provide PE with a maximum total budget for a make-ready incentive program of $1.74 million.

install EV charging at publicly available commercial properties (i.e., shopping centers, restaurants, and hotels), or which serve multifamily communities.[189]

PE will require the site-host to be responsible for the cost of construction and installation of the charging infrastructure, which PE estimates to be approximately 50 percent of the total project cost over five years. Upon entering into a contract with a CaaS provider and after the charger is installed, energized, and reporting data, the Company will begin issuing quarterly incentive payments of up to $500 to the customer. PE's incentive is similar to BGE's proposed CaaS incentive which is up to $100 per port per month and up to 75 percent of operational fees, up to $100 per port per month, assuming the contract is for five years. To ensure continued operation of the chargers, PE will end incentive payments to customers should the charger not report data for three consecutive months.[190]

The total proposed cost for this program is $1.0 million, which is based on an assumption of $10,000 per port over five years for up to 100 L2 chargers. This program is cost-effective with a BCR of 1.30.[191]

Recommendations

OPC provides the same recommendations as made for BGE's proposed CaaS program. The structure of CaaS lease agreements already provides for a financial benefit to customers. CaaS lease agreements provided by third parties already allows customers

[189] PE Phase II Proposal at 15.
[190] PE Response to Staff 1-31.
[191] PE Phase II Proposal at 23-24.

to pay for EV chargers over time by covering upfront operation and maintenance costs. In addition, while PE indicates this incentive is designed to be equivalent to the market cost of existing CaaS lease agreements, the company does not provide any citations. When asked in discovery, how it developed the incentive payment cap, PE points to its response to Staff DR 1-5, which does not provide any information on assumed market costs.[192] For these reasons it is difficult to assess whether the incentive levels align with the costs of actual CaaS lease agreements.

Given the uncertainties around typical CaaS costs, and whether incentives are needed at all, OPC does not support this program.

For these reasons, OPC recommend the Commission deny PE's CaaS proposal in full.

6. Fleet

PE proposes two fleet programs, Fleet Assessments and Fleet Make-Ready and EVSE Incentive for customers that: own and operate two or more vehicles for business use; have a depot location for at least two or more fleet vehicles that has already installed EV chargers or has the potential to install chargers; and are located within PE's service territory and served by the Company through a non-residential rate schedule.[193]

[192] PE Response to Staff 1-33 and 1-5.
[193] PE Phase II Proposal at 18.

i. *Fleet Assessments*

Summary

PE proposes a program to offer site-specific assessments to inform the customers about options related to electrifying their fleets and deploying infrastructure for EV charging. PE proposes to provide up to 30 assessments that will include "an analysis of existing fleet, potential vehicle options for electrification, financial assessments that include applicable incentives and total cost of ownership, estimated emission reductions, quantity and throughput of EVSE needed, and charging strategy recommendations that take into consideration the planned number of EVs, EVSE, business needs of the vehicles, and cost of electricity among other factors."[194]

The company proposes to charge customers an upfront fee of $2,500 for the assessment. If the customer decides to move forward with fleet electrification within one year of the site assessment completion, the fee will be returned to the customer.[195]

The total cost of this program is $600,000 based on an assumed coat of $20,000 per assessment. This program is cost-effective with a BCR of 1.40.[196]

Recommendations

This program is neither necessary nor an efficient use of ratepayer funds, given that third-party EV charging site assessment services are available. For example, the PHI Utilities indicate there is "a range of consultants, engineering firms, and other private

[194] *Id.*
[195] *Id.*
[196] PE Phase II Proposal at 23-24.

companies that provide some type of site assessment support to customers" and that "charging station providers/developers like ChargePoint and EVgo will provide site assessment as part of their business model and focus on identifying station placement, evaluating existing electrical capacity, and estimating installation costs."[197] These services are also available to PE's customers. Therefore, the proposed program's primary value is simply offsetting the costs site hosts would incur to procure these services from third-party providers. Ratepayer funds should not be used to cover the costs of consultants and engineering firms for fleet owners looking to electrify.

If the Commission wishes to approve this program, the assessments should be limited to charging sites that provide the most public benefit and/or face the greatest market barriers, such as public transportation fleets, publicly accessible charging sites in underserved communities, and low-income multifamily buildings and multifamily buildings located in underserved communities.

Therefore, OPC recommends the Commission deny PE's proposal in full.

ii. *Fleet Make Ready and EVSE Incentive*

Summary

PE proposes a make-ready program where it would provide incentives for up to $15,000 per port up to 100 percent of the actual cost of utility-side make-ready and customer-side make-ready work and EV charging supply equipment (EVSE), both L2 and DCFC). For locations in underserved communities, participants may receive up to

[197] OPC DR 1-7(a).

150 percent of the per port incentive ($22,500) but not to exceed actual costs. Participants are required to install a minimum of four EV charging ports per site.[198] The proposed incentive levels are based on the cost per port for PE's company-owned and operated L2 chargers, which is then increased by 50 percent for underserved community incentives.[199]

The company proposes a total budget of $750,000. The program is cost-effective with a BCR of 1.44.[200]

Recommendations

The incentive package is too high. PE's proposal to provide up to 100 percent of the costs of make-ready work and EV charging supply equipment is higher than other utility Phase II proposals and incentives in other jurisdictions for fleets not located in underserved communities. While OPC supports higher incentives for fleets in underserved communities, up to 150 percent is more than is typically seen with make-ready programs. In addition, OPC does not support customer-side incentives except for new or existing multifamily properties located in underserved communities.

Similar to the concerns OPC raises with BGE's fleet make-ready proposal earlier in these comments, OPC also has concerns with the fact that PE did not provide the make-ready cost data that was requested in discovery. When asked to provide workpapers

[198] PE Phase II Proposal at 19.
[199] PE Response to OPC 1-8(b).
[200] PE Phase II Proposal at 23-24.

in Excel format for how PE determined the incentive levels, the company stated to review its response to Staff 1-5, which does not provide average L2 cost data.[201]

Lastly, OPC recommends that participants be required to operate resulting charging stations for a minimum number of years (i.e., five years). Should the resulting charging stations cease to operate, the ratepayer funds used to provide the make-ready incentives will be wasted and the purported benefits of this program as included in the BCA will not be realized.

For these reasons, OPC recommends the Commission adopt the following modifications:

1. Direct PE to eliminate incentives for EVSE and reduce the incentive caps to reflect the removal of EVSE incentives.
2. Direct PE to adopt OPC's proposed Make Ready Incentive Definition Framework.
3. Direct PE to submit a compliance filing with an updated budget for its Make Ready program that removes costs originally intended to cover customer-side make ready costs as defined in OPC's proposed Make-Ready Incentive Definition Framework.
4. Modify incentive tiers to align with those included in Table 2 in Part I of these comments.

[201] PE Response to OPC 1-8(b) and Response to Staff 1-5.

5. Direct PE to collect utility- and customer-side make-ready costs from participants applications during Phase II to aid in the refinement and development of future incentives.
6. Direct PE to require that charging stations resulting from the program's make-ready incentives remain operational for a minimum number of years that is not less than five years.

iii. *Recommendations for additional Fleet Programs*

OPC recommends the Commission direct PE to develop a load management program for fleets. As indicated in our comments on BGE's Phase II proposal above, there are several examples of TOU rates that PE could model a program after. For example, National Grid in Massachusetts offers a Fleet Off-Peak Charging Program that provides customers with a per kWh incentive when charging with a networked EV charging station during off-peak hours from 9:00 to 1:00 p.m.[202] Con Edison in New York also offers an off-peak charging program for industrial, light-duty, medium-heavy-duty, and heavy-duty fleets. Similar to National Grid, Con Edison provides a $0.03 per kWh incentive for charging during off-peak hours from midnight to 8:00 a.m. In addition, Con Edison offers an additional incentive for not charging during the network peak period. During the summer the peak avoidance incentive is $10 per kW and all other months is $2 per kW.[203]

[202] National Grid Massachusetts Fleet Webpage, available at: https://www.nationalgridus.com/MA-Business/Commercial-and-Fleet-EV-Programs/Fleet-Programs.
[203] Con Edison SmartCharge Commercial Program website, available at: https://www.coned.com/en/our-energy-future/electric-vehicles/commercial-electric-vehicle-charging-station-rewards.

7. Grant Assistance

Summary

PE proposes to provide seven county governments with grant writing support services such as writing, reviewing, and submitting applications as well as post award reporting and monitoring for fleet conversion and charging. PE proposes a budget of $490,000, which is based on an assumed cost of $70,000 per grant.[204] The company indicates this program is cost-effective with a BCR of 1.47.

Recommendation

The company has not sufficiently justified why it should provide this service. PE states that it "will provide value by engaging with a grant writing service provider that will enable the counties to submit high quality grant applications." However, there is no indication that county governments are not able to write "high quality" proposals or seek to find grant writing support from the private market. PE indicates that the expected FTE labor requirement for administering the grant program alone is estimated at $60,000 annually.[205] OPC does not believe this is an appropriate use of ratepayer dollars. OPC also does not find the BCA results to be credible. There is no guarantee that a grant will be rewarded that will result in EV charging infrastructure to support more EV adoption. Furthermore, PE has no insight into the scope of a future grant application.

Therefore, OPC recommends the Commission deny PE's proposal in full.

[204] PE Phase II Proposal at 20-21.
[205] PE Response to Staff 1-44.

C. PHI Utilities

1. Introduction

Delmarva Power & Light Company (Delmarva Power) and Potomac Electric Power Company (Pepco) – collectively the "PHI Utilities" – jointly filed a proposed Phase II EV Portfolio for Commission approval.[206] The PHI Utilities propose a suite of programs across three main categories: 1) Make-Ready and Support Program, 2) Load Management Programs, and 3) EVsmart Public Charging Station Operations and Maintenance Programs, with total budgets of $61.2 million for Pepco and $22.5 million for Delmarva Power over four years, and benefit-cost ratios of 1.62 and 1.67, respectively. Table 11 and Table 12 below provide an overview of the proposed budget, inclusive of administrative costs, and BCA ratio for each program.[207]

[206] Case No. 9478, Potomac Electric Power Company and Delmarva Power & Light Company ("PHI Utilities") Electric Vehicle Phase II Portfolio Proposal, pg. 33, ML# 314356 ("PHI Phase II Proposal") (December 20, 2024).
[207] PHI Phase II Proposal, Table 2 and Table 3; Pepco BCA Model; Delmarva BCA Model.

Table 11. Summary of Pepco Program Budget ($ Millions) and BCA Results

Category	Program	Year 1	Year 2	Year 3	Year 4	Total	BCR
Make-Ready and Support Programs	Destination Make-Ready	$1.69	$2.19	$2.29	$2.59	**$8.75**	**2.00**
	Public Transportation Make-Ready	$1.01	$1.37	$1.79	$2.15	**$6.32**	**1.47**
	Multifamily Charging Make-Ready	$2.05	$2.17	$2.17	$2.29	**$8.68**	**1.91**
	Environmental Justice Fleet Make-Ready	$0.88	$1.08	$1.22	$1.14	**$4.32**	**1.54**
	EV Make-Ready Site Assessment Services	$0.41	$0.62	$0.72	$0.71	**$2.46**	**N/A**
Load Management Programs	Smart Charge Management	$3.70	$3.81	$4.50	$6.85	**$18.86**	**0.60**
	EV TOU	$2.21	$1.09	$0.40	$0.41	**$4.01**	**0.72**
EVsmart Public Charging Station Operations and Maintenance Programs		$1.88	$1.93	$1.98	$2.03	**$7.83**	**N/A**
Total		**$13.83**	**$14.26**	**$15.07**	**$18.17**	**$61.24**	**1.62**

Table 12. Summary of Delmarva Power Program Budget ($ Millions) and BCA Results

Category	Program	Year 1	Year 2	Year 3	Year 4	Total	BCR
Make-Ready and Support Programs	Destination Make-Ready	$0.95	$0.97	$0.97	$0.99	**$3.88**	**2.03**
	Public Transportation Make-Ready	$0.43	$0.59	$0.77	$0.92	**$2.71**	**1.52**
	Multifamily Charging Make-Ready	$1.01	$1.07	$1.07	$1.11	**$4.28**	**1.93**
	Environmental Justice Fleet Make-Ready	$0.31	$0.46	0.54	0.54	**$1.84**	**1.53**
	EV Make-Ready Site Assessment Services	$0.17	$0.26	$0.30	$0.30	**$1.03**	**N/A**
Load Management Programs	Smart Charge Management	$1.09	$0.69	$0.56	$0.74	**$3.07**	**0.26**
	EV TOU	$1.00	$0.51	$0.25	$0.24	**$2.00**	**0.10**
EVsmart Public Charging Station Operations and Maintenance Programs		$0.89	$0.91	$0.93	$0.95	**$3.70**	**N/A**
Total		**$5.85**	**$5.46**	**$5.39**	**$5.79**	**$22.49**	**1.67**

As a preliminary matter, OPC recommends that the Commission require the PHI Utilities to propose a five-year Phase II plan and clearly identify the corresponding years of its program to provide consistency with the other utility Phase II proposals so there can be alignment on evaluation and reporting. Additionally, OPC recommends the Commission adopt the following recommendations for each of PHI's make-ready programs:

1. Direct PHI to adopt OPC's proposed Make Ready Incentive Definition Framework;

2. Direct PHI to submit a compliance filing with an updated budget for each of its Make Ready programs that removes costs originally intended to cover customer-side make-ready costs as defined in OPC's proposed Make-Ready Incentive Definition Framework;

3. Direct PHI to collect utility-side and customer-side make-ready costs from participants applications during Phase II to aid in the refinement and development of future incentives.

4. Direct PHI to align incentive tiers with those included in Table 2 in Part I of these comments.

5. Direct PHI to require that charging stations resulting from the program's make-ready incentives remain operational for a minimum number of years that is not less than five years.

2. Make-Ready and Support Programs

i. *Destination Make-Ready Program*

Summary

The PHI Utilities propose to provide incentives in the form of rebates to support the deployment of L2 and DCFC charging locations at destinations such as retail centers, workplaces, places of worship, and municipal parking garages, with a goal of 174 sites

(approximately 400 chargers) within Pepco territory and 66 sites (approximately 175 chargers) within Delmarva Power territory.[208]

The standard incentive level is 80 percent of eligible utility-side and customer-side make-ready costs, capped at $24,000 per L2 site and $75,000 per DCFC site.[209] Charging sites in environmental justice (EJ) communities or at small businesses can receive an increased incentive of 100 percent of eligible make-ready costs, capped at $30,000 per L2 site and $100,000 per DCFC site. DCFC sites can also qualify for the increased incentives if located within one mile of a multifamily property.[210] To establish the incentive value, PHI relied on average project cost assumptions informed by multiple sources, including from the Companies' active programs.[211] Projects must install at least two L2 ports or four DCFC ports (with a minimum 150-kW output) per site, with a maximum of 20 ports for publicly available sites and 10 ports for non-public sites.[212] Incentive levels are determined net of other state and federal funding sources.[213]

The total proposed budget is $8.8 million for Pepco and $3.9 million for Delmarva Power, inclusive of program administration costs. The programs are cost-effective with a BCR of 2.00 for Pepco and 2.03 for Delmarva Power.[214] The following table summarizes the program budget and number of participants for each year:[215]

[208] PHI Phase II Proposal at 13; OPC DR 1-3c.
[209] PHI Phase II Proposal at 13.
[210] PHI Phase II Proposal at 13-14.
[211] OPC DR 1-3c.
[212] PHI Phase II Proposal at 13.
[213] PHI Phase II Proposal at 15.
[214] Pepco BCA Model; Delmarva Power BCA Model.
[215] PHI Phase II Proposal, Table 4.

Table 13. Destination Make-Ready Program Targets and Costs ($ Millions)

		Year 1	Year 2	Year 3	Year 4	**Total**
Pepco	**Participants (sites)**	26	44	44	60	**174**
	Costs	$1.69	$2.19	$2.29	$2.59	**$8.75**
Delmarva Power	**Participants (sites)**	10	17	17	22	**66**
	Costs	$0.95	$0.97	$0.97	$0.99	**$3.88**

Recommendation

As a general matter, OPC does not support utility incentives for customer-side make-ready work except for new and existing multifamily properties located in underserved communities.

In addition, the program does not differentiate incentive levels for publicly accessible charging sites and those not available to the public. As discussed previously in Part I of our comments, publicly accessible charging sites extend charging access and the benefits of electrified transportation to a wide segment of EV owners and drivers, while non-public charging stations (such as workplace charging sites) only serve individual company's employees. The PHI Utilities correctly identified the benefits of publicly accessible charging sites when proposing a higher port limit for these sites (20 ports) compared to non-public sites (10 ports). This prioritization should be reflected in the incentive levels provided to charging sites. Specifically, the Commission should adopt the incentive tiers and levels discussed in Part I of our comments.

For these reasons, OPC recommends the Commission direct the PHI Utilities to submit a subsequent filing that complies with OPC's recommendations for all PHI make-ready programs as stated above.

ii. *Public Transportation Make-Ready Program*

Summary

The proposed Public Transportation Make-Ready Program provides incentives to support the deployment of charging infrastructure for public transportation providers, targeting 14 sites (approximately 56 chargers) for Pepco and 6 sites (approximately 24 chargers) for Delmarva Power.[216] Incentives cover up to 100 percent of utility-side and customer-side make-ready costs, capped at $300,000 per site, and are determined net of other state and federal funding sources.[217] To establish the incentive value, the PHI Utilities relied on average project cost assumptions informed by multiple sources, including from the Companies' active programs.[218] The total proposed budget is $6.3 million for Pepco and $2.7 million for Delmarva Power, inclusive of program administration costs. The programs are cost-effective with a BCR of 1.47 for Pepco and 1.52 for Delmarva Power.[219] The following table summarizes the program budget and number of participants for each year:[220]

[216] PHI Phase II Proposal at 15; OPC DR 1-4a.
[217] PHI Phase II Proposal at 15-16.
[218] OPC DR 1-4b.
[219] Pepco BCA Model; Delmarva Power BCA Model.
[220] PHI Phase II Proposal, Table 5.

Table 14. Public Transportation Make-Ready Program Targets and Costs ($ Millions)

		Year 1	Year 2	Year 3	Year 4	**Total**
Pepco	**Participants (sites)**	1	3	4	6	**14**
	Costs	$1.01	$1.37	$1.79	$2.15	**$6.32**
Delmarva Power	**Participants (sites)**	1	1	2	2	**6**
	Costs	$0.43	$0.59	$0.77	$0.92	**$2.71**

Recommendation

OPC raises the same issues as those for the Destination Make-Ready Program. The proposal includes incentives for customer-side make-ready work. As summarized in Part I of these comments, OPC does not support utility incentives for customer-side make-ready work except for new and existing multifamily properties located in underserved communities. Public transportation fleets provide the benefits of clean transportation to a wide segment of the population, including those who do not own EVs. Additionally, school districts and public transit agencies often have funding constraints that limit their ability to invest in EVs. For these reasons, public transportation fleets should be eligible for the highest incentive level, which is reflected in PHI's proposal as well as OPC's recommended incentive tiers as included in Table 2 in Part I of these comments.

OPC also recommends that participants be required to operate resulting charging stations for a minimum number of years. Should the resulting charging stations cease to operate, the ratepayer funds used to provide the make-ready incentives will be wasted and the purported benefits of this program as included in the BCA will not be realized.

For these reasons, OPC recommends the Commission direct the PHI Utilities to submit a filing that complies with OPC's recommendations for PHI make-ready programs as stated above.

iii. *Multifamily Charging Make-Ready Program*

Summary

The PHI Utilities propose to provide financial incentives to support the installation of 300 L2 charging ports in Pepco territory and 150 L2 charging ports in Delmarva Power territory, with 50 percent of these ports located in EJ communities.[221] The standard incentive covers 80 percent of eligible utility-side and customer-side make-ready costs, capped at $16,000 per port. For charging sites located in EJ communities, the increased incentive covers 100 percent of eligible make-ready costs, capped at $20,000 per port, plus a supplementary amount of up to $4,000 per port to cover site-specific costs such as networking and telecommunication fees, maintenance plans, and signage. The incentives can be applied to a maximum of 20 ports per site.[222] To establish the incentive value, the PHI Utilities relied on average project cost assumptions informed by multiple sources, including from the Companies' active programs.[223]

The total proposed budget is $8.7 million for Pepco and $4.3 million for Delmarva Power, inclusive of program administration costs. The programs are cost-effective with a

[221] PHI Phase II Proposal at 18.
[222] PHI Phase II Proposal at 18.
[223] OPC DR 1-5b.

BCR of 1.91 for Pepco and 1.93 for Delmarva Power.[224] The following table summarizes the program budget and number of participants for each year:[225]

Table 15. Multifamily Make-Ready Program Targets and Costs ($ Millions)

		Year 1	Year 2	Year 3	Year 4	**Total**
Pepco	**Participants (ports)**	52	68	82	98	**300**
	Costs	$2.05	$2.17	$2.17	$2.29	**$8.68**
Delmarva Power	**Participants (ports)**	30	38	38	45	**150**
	Costs	$1.01	$1.07	$1.07	$1.11	**$4.28**

Recommendation

OPC generally supports the proposed Multifamily Make-Ready Program. PHI's proposed incentive levels under this program are close to consistent with OPC's recommended incentive tiers and appropriately reflect the prioritization of multifamily sites given the challenges associated with charging infrastructure deployment at these sites. To ensure that program incentives reach the targeted population, OPC recommends that affordable housing facilities and other multifamily buildings serving low-income households be eligible for the increased incentive of up to 100 percent of eligible make-ready costs. The New York Utilities' EV Make-Ready Program includes the same provision to ensure that affordable housing facilities receive the highest incentive level, regardless of whether they are located in an EJ community.[226]

[224] Pepco BCA Model; Delmarva Power BCA Model.
[225] PHI Phase II Proposal, Table 5.
[226] Joint Utilities of New York. EV Make-Ready Program. https://jointutilitiesofny.org/ev/make-ready

It is unclear how the PHI Utilities determined the incentive cap, which appears to be significantly higher than incentive caps in equivalent programs in other states and higher than PHI's Phase I incentive caps for multifamily chargers. For example, incentives under the New York EV Make-Ready Program also provide up to 100 percent of utility-side and customer-side make-ready costs for multifamily housing; however, the incentive cap for this incentive tier is $10,000 per port for Con Edison[227] and $7,200 per port for Central Hudson.[228] The incentive cap should be determined based on the average make-ready costs for L2 chargers under PHI's Phase I Program. Under PHI's Phase I program, the Commercial Offering 1 provides 100 percent coverage for L2 EVSE and installation costs for multifamily charging stations with a cap of $15,000 per charging station.[229] PHI has not explained why an increased incentive cap is necessary for the Multifamily Make-Ready program, which only covers make-ready costs and not EVSE costs. Further, the $15,000 incentive cap under Phase I Commercial Offering 1 is per charging station, which can include one or more ports.

Lastly, as with the previous make-ready programs, OPC recommends that participants be required to operate resulting charging stations for a minimum number of years (i.e., five years. Should the resulting charging stations cease to operate, the

[227] ConEdison. 2025. PowerReady Incentive Dashboard. https://www.coned.com/en/our-energy-future/electric-vehicles/power-ready-program/contractor-resources/powerready-incentive-dashboard
[228] Central Hudson. 2025. Light-Duty Make-Ready Program. https://www.cenhud.com/en/my-energy/electric-vehicles/EV-make-ready-program/light-duty-make-ready-program/
[229] Case No. 9478, PHI Electric Vehicle Semi-Annual Report Q3-Q4 at 6. ML# 315382 (Feb. 3, 2025).

ratepayer funds used to provide the make-ready incentives will be wasted and the purported benefits of this program as included in the BCA will not be realized.

For these reasons, OPC recommends the Commission adopt the following modifications:

1. Direct the PHI Utilities to submit a subsequent filing that complies with OPC's recommendations for all PHI make-ready programs as stated above.
2. Direct the PHI Utilities to include affordable housing facilities and other multifamily buildings serving low-income households in the increased incentive cap of up to 100 percent of eligible make-ready costs.
3. Direct the PHI Utilities to implement a $8,000 per port incentive cap and adjust the program budget accordingly.

iv. *Environmental Justice (EJ) Fleet Make-Ready Program*

Summary

The PHI Utilities propose to support the deployment of L2 and DCFC charging sites used by public and private fleets operating in or serving EJ communities, targeting 40 sites (approximately 160 chargers) in Pepco territory and 17 sites (approximately 68 chargers) in Delmarva Power territory.[230] The proposed incentives cover up to 100 percent of customer-side and utility-side make-ready costs, capped at $70,000 per site. To establish the incentive value, PHI relied on average project cost assumptions informed by multiple sources, including from the Companies' active programs.[231]

[230] PHI Phase II Proposal at 21; OPC DR 1-6a.
[231] OPC DR 1-6b.

The total proposed budget is $4.3 million for Pepco and $1.8 million for Delmarva Power, inclusive of program administration costs. The programs are cost-effective with a BCR of 1.54 for Pepco and 1.53 for Delmarva Power.[232] The following table summarizes the program budget and number of participants for each year:[233]

Table 16. EJ Fleet Make-Ready Program Targets and Costs ($ Millions)

		Year 1	Year 2	Year 3	Year 4	**Total**
Pepco	**Participants (sites)**	6	10	12	12	**40**
	Costs	$0.88	$1.08	$1.22	$1.14	**$4.32**
Delmarva Power	**Participants (sites)**	3	4	5	5	**17**
	Costs	$0.31	$0.46	0.54	0.54	**$1.84**

Recommendation

OPC's position on the proposed EJ Fleet Make-Ready Program is consistent with our discussion on PHI's other make-ready programs. First, incentive levels should be adjusted to match OPC's recommended incentive tiers for all utilities, which appropriately reflects the benefits of different charging site types as included in Table 2 in Part I of these comments. Under OPC's recommended tiers, non-public transportation fleets in EJCs are eligible for 80 percent of the make-ready incentives, instead of the 100 percent proposed by the Companies.

In addition, as with the previous make-ready programs, OPC recommends that participants be required to operate resulting charging stations for a minimum number of

[232] Pepco BCA Model; Delmarva Power BCA Model.
[233] PHI Phase II Proposal, Table 7.

years. Should the resulting charging stations cease to operate, the ratepayer funds used to provide the make-ready incentives will be wasted and the purported benefits of this program as included in the BCA will not be realized.

For these reasons, OPC recommends the Commission direct the PHI Utilities to submit a filing that complies with OPC's recommendations for all PHI make-ready programs as stated above.

v. *EV Make-Ready Site Assessment Services*

Summary

The PHI Utilities propose to provide technical assessment services for proposed EV charging sites, including evaluating site suitability, grid impacts, and costs for utility-side and customer-side infrastructure.[234] The program aims to provide 120 assessments in Pepco territory and 50 assessments in Delmarva Power territory and is targeted at public and private fleets, multifamily buildings, and high-capacity DCFC sites.[235]

The total proposed budget is $2.5 million for Pepco and $1.0 million for Delmarva Power, inclusive of program administration costs. The following table summarizes the program budget and number of assessments provided each year:[236]

[234] PHI Phase II Proposal at 23.
[235] PHI Phase II Proposal at 23-24.
[236] PHI Phase II Proposal, Table 8.

Table 17. EV Make-Ready Site Assessment Services Program Targets and Costs ($ Millions)

		Year 1	Year 2	Year 3	Year 4	**Total**
Pepco	**Assessments (sites)**	18	30	36	36	**120**
	Costs	$0.41	$0.62	$0.72	$0.71	**$2.46**
Delmarva Power	**Assessments (sites)**	8	12	15	15	**50**
	Costs	$0.17	$0.26	$0.30	$0.30	**$1.0**

Recommendation

It is unclear whether this program is necessary or an efficient use of ratepayer funds, given that third-party EV charging site assessment services are available. The PHI Utilities acknowledge that there is "a range of consultants, engineering firms, and other private companies that provide some type of site assessment support to customers" and that "charging station providers/developers like ChargePoint and EVgo will provide site assessment as part of their business model and focus on identifying station placement, evaluating existing electrical capacity, and estimating installation costs."[237] Given that the PHI Utilities "may contract third-party resources to offer customer support" under this program, the PHI Utilities have not established that they would be providing a unique service to potential EV charging site hosts.[238] Therefore, the proposed program's primary value is simply offsetting the costs site hosts would incur to procure these services from third-party providers. PHI's proposal can also interfere with the competitive market by

[237] OPC DR 1-7a.
[238] PHI Phase II Proposal at 23.

offering a ratepayer-funded service that would otherwise be provided by competitive providers.

For these reasons, OPC recommends the Commission deny PHI's proposal in full, or in the alternative, limit the assessments to charging sites that provide the most public benefit and/or face the greatest market barriers, specifically those in the highest incentive tier as proposed by OPC: public transportation fleets, publicly accessible charging sites in EJCs, and affordable multifamily buildings and multifamily buildings located in EJCs.

3. Load Management and Support Programs

i. *Smart Charge Management Program*

Summary

The PHI Utilities propose to expand the existing Smart Charge Management (SCM) Pilot to a full Program, which will include additional original equipment manufacturers (OEMs) beyond Tesla and increased participation targets of 27,000 customers in Pepco territory and 2,150 customers in Delmarva Power territory.[239] The program will continue to optimize participant's charging schedule to shift load off-peak as well as time charging sessions to avoid distribution overloads. Customers with L2 charging can participate via the charger or EV telematics and receive $10 per month per enrolled device, while customers with L1 charging can only participate using EV telematics and receive $5 per month per enrolled device. Customers who enroll in SCM will be automatically enrolled in the EV TOU Program with the ability to opt out.[240]

[239] PHI Phase II Proposal at 28.
[240] PHI Phase II Proposal at 26.

The PHI Utilities also propose to conduct IT upgrades to facilitate on-bill credits for both the SCM and EV TOU programs to enhance customer experience and allow for the inclusion of net energy metering customers.[241] The costs for IT upgrades are as follows:[242]

Table 18. IT Upgrade Costs for SCM and EV TOU On-Bill Credits

Category	**Year 1**	**Year 2**	**Total**
Capital	$3,489,600	$1,401,000	$4,890,600
O&M	$1,186,000	$281,500	$1,467,500
Total	**$4,675,600**	**$1,682,500**	**$6,358,100**

The total proposed budget for SCM is $18.9 million for Pepco and $3.1 million for Delmarva Power, inclusive of IT upgrade costs. The following table summarizes the program budget and number of enrollments each year:[243]

Table 19. SCM Program Targets and Costs ($ Millions)

		Year 1	**Year 2**	**Year 3**	**Year 4**	**Total**
Pepco	**Enrollments (cumulative)**	4,700	9,300	16,500	27,000	**27,000**
	Costs	$3.70	$3.81	$4.50	$6.85	**$18.9**
Delmarva Power	**Enrollments (cumulative)**	375	740	1,300	2,150	**2,150**
	Costs	$1.09	$0.69	$0.56	$0.74	**$3.1**

Recommendation

OPC opposes the expansion of PHI's managed charging program. In December 2024 the Commission approved PHI's request to expand its SCM program to allow a

[241] PHI Phase II Proposal at 27-28
[242] Staff DR 1-48.
[243] PHI Phase II Proposal, Table 9.

total of 3,500 participants to enroll in the program.[244] The Commission also granted PHI's request to re-allocate unspent funds from its Phase I EVsmart portfolio to cover the incremental costs of this expansion.[245] PHI has not demonstrated a need to justify an additional expansion and added costs only three months later. Additionally, it is important to note that the Companies' SCM programs are not cost-effective at the expected enrollment levels, with BC ratios of 0.60 for Pepco and 0.26 for Delmarva Power.[246] Pepco would need approximately 45,700 participants in SCM to reach a BC ratio of 1.0, and Delmarva Power would need approximately 8,300 participants.[247] Therefore, consideration of PHI's SCM expansion should be conducted after the Argonne National Laboratory Report on the Exelon utilities SCM program is filed with the Commission. To ensure that the program is in ratepayers' interest in the long term, the PHI Utilities should continue to prioritize marketing and customer outreach activities to maximize customer enrollment.

ii. *EV TOU Program*

Summary

The PHI Utilities propose a new EV TOU Program to encourage EV owners to charge during off-peak hours. Customers can participate through a L2 charger or EV telematics and will receive reminders to charge off-peak through email, text, or other channels. Weekday off-peak hours are defined as 9pm to 6am during summer months

[244] Case No. 9478, Letter Order to Pepco and DP&L Approving Alterations to EV Programs, ML# 314367 (December 18, 2024).
[245] *Id.*
[246] Pepco BCA Model; Delmarva Power BCA Model.
[247] Staff DR 1-68.

(June through September), and 9pm to 6am during winter months (October through May).[248] Weekends and holidays are also considered off-peak. Initially, participants can earn $0.03 per kWh for net off peak charging (total off-peak charging kWh minus total on-peak charging kWh). Once IT upgrades are complete, the program will transition to an EV TOU rider tariff, which will mirror the current whole-house TOU rate (R-TOU-P).[249]

The total proposed budget is $4.0 million for Pepco and $2.0 million for Delmarva Power, inclusive of IT upgrade costs. The following table summarizes the program budget and number of enrollments each year:[250]

Table 20. EV TOU Program Targets and Costs ($ Millions)

		Year 1	Year 2	Year 3	Year 4	**Total**
Pepco	**Enrollments (cumulative)**	475	935	1650	2,720	**2,720**
	Costs	$2.21	$1.09	$0.40	$0.41	**$4.0**
Delmarva Power	**Enrollments (cumulative)**	37	74	130	215	**215**
	Costs	$1.00	$0.51	$0.25	$0.24	**$2.0**

Recommendation

Similar to the SCM program, the PHI Utilities' proposed EV TOU programs are not cost-effective at the expected enrollment levels, with BCA ratios of 0.72 for Pepco and 0.10 for Delmarva Power.[251] Pepco would need approximately 3,800 participants to reach a BCR of 1.0, and Delmarva Power would need approximately 2,100

[248] PHI Phase II Proposal at 32.
[249] PHI Phase II Proposal at 33; Staff DR 1-57.
[250] PHI Phase II Proposal, Table 9.
[251] Pepco BCA Model; Delmarva Power BCA Model.

participants.[252] It is similarly crucial for the PHI Utilities to prioritize marketing and customer education efforts to maximize enrollment in order to ensure that the program delivers benefits to ratepayers.

D. Southern Maryland Electric Cooperative

1. Introduction

Southern Maryland Electric Cooperative, Inc. (SMECO) currently has a suite of offerings under its Phase I EV programs, which include: 1) 40 public EV charging stations, including 36 L2 chargers and 4 DCFCs; 2) 35 L2 multi-unit dwelling (MUD) EV charging stations; 3) residential programs for EV TOU, data access and sharing, and managed charging.[253] In Phase II, SMECO proposes to build upon the Phase I programs as follows:[254]

[252] Staff DR 1-68.
[253] Case No. 9478, SMECO Electric Vehicle Program Phase II Proposal at 2, ML# 314463 ("SMECO Phase II Proposal") (Dec. 20, 2024).
[254] SMECO Phase II Proposal, Table 1.

Table 21. Summary of SMECO's Phase I Programs and Phase II Proposal

Sector	Phase I Program	Phase II Proposal	Phase II Budget
Residential	Data sharing incentive	N/A	N/A
	EV TOU rate	• Increase education and outreach • Allow participation for net-metered customers, with associated IT upgrade	$1,306,138
	Managed charging	• Extend program through 2030 • Increase enrollments by 2000	$3,506,402
Public	Install, own, and operate 40 public stations	• Ongoing operation and maintenance to ensure reliability	$439,482
MUD	Install, own, and operate up to 35 L2 MUD stations	• Continue installation of up to 35 L2 stations through 2030 (no new costs) • Plans to develop and file new MUD-GSS and MUD-GSS_TOU rates	$439,482
Fleet and Workplace	N/A	• Survey development and deployment to gather input from commercial customers about plans and priorities • Commercial Toolkit creation	$10,000 (2026 only)

2. Residential Programs

i. *EV TOU Rate*

Summary

SMECO proposes additional marketing budget to drive greater levels of participation and proposes to perform IT upgrades to enable net-metered customer-members to participate in the EV TOU rate (the costs for the IT upgrades will be

determined after a current IT system upgrade is complete).[255] The table below provides the number of participants and program budget for each year:[256]

Table 22. SMECO Phase II EV TOU Targets and Budget

	2026	**2027**	**2028**	**2029**	**2030**	**Total**
New Participants	0	200	200	200	200	800
Cumulative Participants	750	950	1150	1350	1550	1550
Education & Outreach	$52,290	$53,849	$55,485	$57,204	$59,009	$277,837
Program Support	$180,758	$184,063	$195,375	$207,165	$220,940	$988,301
EM&V	$8,000	$8,000	$8,000	$8,000	$8,000	$40,000
Total	$241,048	$245,912	$258,860	$272,369	$287,949	**$1,306,138**

Recommendations

OPC supports SMECO's efforts to increase enrollment in the EV TOU rate, including the increased marketing efforts as well as IT upgrades to enable participation from customer-members with net metering.

i**.** *Managed Charging*

Summary

SMECO requests Commission approval to expand the Managed Charging Pilot to a program for a five-year period (2026-2030) and to extend the initial Phase I participation goal of 1,000 devices, which SMECO did not meet due to the later than

[255] SMECO Phase II Proposal at 6.
[256] SMECO Phase II Proposal, Table 2.

expected launch of the EV Recharge program, into 2026.[257] The proposed participation targets and budget are as follows:[258]

Table 23. SMECO Phase II Managed Charging Targets and Budget

	2026	**2027**	**2028**	**2029**	**2030**	**Total**
New Participants	0	400	500	500	600	**2000**
Cumulative Participants	1,000	1400	1900	2400	3000	**3000**
Incentives	$165,000	$231,000	$313,500	$396,000	$495,000	**$1,600,500**
Education & Outreach	$52,290	$53,849	$55,485	$57,204	$59,009	**$277,837**
Program Support	$256,121	$277,383	$327,145	$344,357	$383,059	**$1,588,065**
EM&V	$8,000	$8,000	$8,000	$8,000	$8,000	**$40,000**
Total	**$481,411**	**$570,232**	**$704,130**	**$805,561**	**$945,068**	**$3,506,402**

Recommendations

OPC supports the expansion of SMECO's managed charging program, which will enable more customers to participate and lower charging costs while reducing peak demand.

3. Public Programs

Summary

SMECO does not seek approval to install additional public charging stations. Instead, SMECO requests additional funding to support the maintenance of SMECO-owned public chargers installed under the Phase I program, including to meet the 97

[257] SMECO Phase II Proposal at 8.
[258] SMECO Phase II Proposal, Table 3.

percent uptime reliability standard.[259] The table below provides the proposed budget for the five-year period, with Year 1 costs already covered by the Phase I pilot:[260]

Table 24. SMECO Phase II Public Charger Maintenance Proposed Budget

	2026	**2027**	**2028**	**2029**	**2030**	**Total**
Ongoing Maintenance	$64,586	$102,733	$103,834	$104,991	$106,241	$439,482

Recommendations

OPC supports SMECO's proposed budget to support the maintenance of its public chargers and reach the 97 percent uptime reliability standard, which will provide charging access and support EV adoption for SMECO's customer-members.

4. MUD Programs

Summary

Due to challenges with SMECO's network service provider, SMECO requests Commission approval of an extension of its MUD SMECO-owned charging program through 2030 to complete the installation of the 35 L2 chargers in MUDs approved under Phase I. The extension does not require any additional costs beyond what was approved for the Phase I program.[261] Additionally, SMECO will seek to develop a new EV MUD rate without a demand charge by adopting the current General Service Small (GSS) and General Service Small – TOU (GSS-TOU).[262]

Recommendations

[259] SMECO Phase II Proposal at 9.
[260] SMECO Phase II Proposal, Table 4.
[261] SMECO Phase II Proposal at 9.
[262] SMECO Phase II Proposal at 10.

OPC supports SMECO's proposals related to its MUD programs. An extension of the SMECO-owned MUD charging program will enable SMECO to complete the installation of charging stations approved previously, without requiring additional budget. The new EV MUD rates will also allow for a similar structure to residential EV rates and provide price signals for EV owners to charge off-peak under the TOU rate.

5. Fleet and Workplace Programs

Summary

SMECO proposes to develop a fleet and workplace registry with a survey to gather insight into customers' future electrification plans.[263] SMECO will then leverage the information obtained through the survey and other communications with customers to develop a resource web page for EV fleet and workplace charging. SMECO only proposes a $10,000 budget for 2026 and will file modifications to the Phase II plan with updated budgets for later years using insights gained from the survey and outreach activities.[264]

Recommendations

Since commercial customers in SMECO service territory are still in the exploration stages of their electrification journey, SMECO's proposals are appropriate to the customer needs and will inform future program design to better serve those customers. Visibility into customers' future electrification plans can enable SMECO to effectively plan for the additional load on its system. In addition, the resource web page provides an opportunity to educate customers about managed charging, which can benefit

[263] SMECO Phase II Proposal at 10-11.
[264] SMECO Phase II Proposal at 11.

ratepayers. For these reasons, OPC supports SMECO's proposed budget and activities to support the fleet and workplace segment.

APPENDIX A
Energization Target Reporting Template Requirements

BEFORE THE
PUBLIC SERVICE COMMISSION
OF MARYLAND

General Requirements: The large electric investor-owned utilities should retain all reported underlying application-related information to support CPUC led evaluation, provide all data through Excel spreadsheets that include the associated formulas, and clearly provide all assumptions applied to generate the data requested below.

Data Required by AB 50 / SB 410

1. **The average, median, and standard deviation time (in business days and calendar days) between receiving an application and energizing the electrical service.**
2. **The average, median, and standard deviation time (in business days and calendar days) for each step of the energization process, both within and outside of the utility's direct control.**
    1. **If applicable, identify the steps and the total timing of the energization process that were performed concurrently.**
3. **The average, median, and standard deviation time (in business days and calendar days) for each project within the following capacity request categories: <1MW, 1MW-2MW, >2MW.**
4. **The percentage of energization projects deemed complete annually (Jan. 1 – Dec. 31).**
5. **The percentage of energization projects meeting the adopted average and maximum energization targets, annually (Jan. 1- Dec. 31)**

6. **Explanations for energization time periods that exceed the average and maximum energization targets.**
7. **Constraints and obstacles to each type of energization, including funding limitations, qualified staffing availability, or equipment availability.**
8. **The total number of different end-use project types requesting service.**
9. **If the energization project is located within a Disadvantaged Community, Underserved Community, and/or Tribal Community.**

General Data

10. **The total number of energization service requests received (annually), broken down by requested end-use (i.e., single-family residential, multi-unit dwelling, small commercial, electric vehicle charging, etc.).**

The total number of energization service requests that were approved to start the energization process (annually), broken down by requested end-use (i.e., single-family residential, multi-unit dwelling, small commercial, electric vehicle charging, etc.).

11. **The total number of energization projects that were completed (annually), broken down by requested end-use (i.e., single-family residential, multi-unit dwelling, small commercial, electric vehicle charging, etc.).**
12. **Total number of applications that did not result in viable utility-side energization infrastructure deployments and why (description of why does not need to be per application, but a list of all reasons why in a given year).**

13. **On a per site/project basis, the total number of days (business and calendar) between a customer's service request and when the facility is energized, and the total number of days (business and calendar) for each step of the energization process as adopted in R.24-01-018, including description of the days in which the IOU is waiting for the AHJ, customer, or other non-utility responsibility.**
    1. **Where applicable, identify the steps that were performed concurrently, and total time to complete the step.**
14. **On a per site/project basis, whether it is located in a disadvantaged community (DAC), another designated underserved community location (if so, which), or neither.**
15. **Identification of any constraints to infrastructure deployment including, but not limited to, materials, staffing, permitting, need for upstream distribution capacity upgrade, etc.**
16. **Project specific data reflecting the timing for the utility to complete the eight steps of the energization process that are deemed to be within the utilities' direct control.**
17. **Project specific data reflecting the timing for the customer/third party, to complete each of the eight steps of the energization process that are deemed to be outside of the utilities' direct control.**

18. **An aggregated summary of the average, standard deviation, and maximum for the utility to complete each of the eight steps of the energization process that are deemed to be within the utilities' direct control.**
19. **An aggregated summary of the average, standard deviation, and maximum for the customer/third party to complete each of the eight steps of the energization process that are deemed to be outside of the utilities' control.**
20. **On a per site/project basis, the customer's requested energization date at the time of the application's approval.**
21. **Explain any time the customer's requested energization date changed throughout the energization process, the difference between the customer's requested energization date and the final energization date, and when available, an explanation for why the date was changed.**
22. **On a per site/project basis, the total site capacity (kW) at the time of the customer's application for service and the total site capacity (kW) requested as new or upgraded service.**
23. **On a per-site/project basis, how much, if any, additional capacity (kW) was installed for future electric load deployment.**
24. **On a per site/project basis, whether customers chose to install additional capacity to support the applicant's anticipated future load growth. When feasible, provide the timing for when the customer(s) anticipate the**

additional capacity to be necessary, and the total additional kW capacity of any necessary future upgrade, as listed on the customer's application.

25. **If full energization of the applicant's site was not feasible in a timely manner, explain whether any load management or flexible service options were installed or utilized to provide the applicant with timely service.**
26. **On a per site/project basis, the amount of load (kW) that was provided to the applicant using flexible service options, the remaining (or total) load requested by the applicant, and an estimate for when full service will be provided to the applicant.**
27. **On a per site/project basis, for the 5% (or less) of projects that exceed the maximum energization target within a 12-month period (Jan. 1 – Dec. 31), provide the requested end-use, capacity requested, location (to the circuit level), application target date versus actual completion date, an explanation of the delay (permitting challenges, etc.), and alternate approach and/or remedial actions which can be implemented in future projects.**

Tariff Project Data

28. **Total number of sites requesting energization service through Electric Rule 16 (only).**
29. **Total number of sites requesting energization service through Electric Rule 29/45 (only).**

30. **Total number of sites requesting energization service through Electric Rule 15 (only).**
31. **Total number of sites requesting energization service through both Electric Rule 15 and 16.**
32. **Total number of sites requesting energization service through both Electric Rule 15 and 29/45.**
33. **On a per site/project basis, the timing between identifying the need for an Electric Rule 15 upgrade and an Electric Rule 16/29/45 upgrade.**
34. **On a per site/project basis, the timing between when planning and construction work for an Electric Rule 15 upgrade started and when planning and construction work for an Electric Rule 16/29/45 upgrade started.**
35. **On a per site/project basis, for both Rule 15 and 16, provide whether the customer elected to take on any typically IOU-completed scope and vice versa.**
36. **Please provide separate responses for Questions 28 through 35 for overhead and underground projects.**
37. **On a per site/project basis, whether any steps in the energization process were performed concurrently.**
    1. **If so, identify which steps occurred concurrently and the time necessary to complete the concurrent work.**

38. **On a per site/project basis, whether the project was delayed due to a customer requested site design or change in project scope.**
    1. **Identify when in the energization process the customer requested a change in the design or scope of the project.**
39. **On a per site/project basis, whether the project triggered the need for an upstream capacity project.**
    1. **Note if the project was delayed or cancelled by the customer after the upstream capacity upgrade need was identified.**
40. **On a per site/project basis for all tariff projects, whether the site/project is located in a disadvantaged community (DAC), underserved community, and/or tribal community.**
41. **Customer Desired Energization date broken down by customer type.**

Non-Tariff Project Data

42. **Total number of main panel upgrades completed.**
43. **On a per site/project basis, the size of the installed main panel upgrade (Amps).**
44. **On a per site/project basis, the timing (business days and calendar days) to complete a main panel upgrade.**
45. **On a per site/project basis, whether the scheduled installation of a main panel upgrade was canceled and/or rescheduled.**

1. **Provide a reason for why the upgrade was canceled and/or rescheduled.**

46. **On a per site/project basis, the additional amount of time (business days and calendar days) between the initial schedule to install a main panel upgrade and the rescheduled date.**
47. **On a per site/project basis, whether the site/project is located in a disadvantage community (DAC), underserved community, and/or tribal community.**

Upstream Capacity Project Data

48. **Whether the site triggered an upstream capacity upgrade necessary to meet the new or upgraded customer energization request.**
49. **Customer Desired Energization date broken down by customer type.**

Cost Data

50. **Total staffing, labor, and material costs (capital and expense) on a per site/project basis, as defined by energization request type defined in Section 7, Table 1 of this decision, Average Energization Targets effective September 2024.**
51. **Site/project specific costs (capital and expense) broken out by all equipment the large electric IOU is responsible for covering for each type of upstream capacity projects, Electric Rule 15, Electric Rule 16, and Electric Rule 29/45, and main panel upgrade.**

52. **Site-specific/project-specific costs (capital and expense) for anything else the large electric IOU covers.**
    1. **List out the specific items that are not explicitly scoped as the large electric IOU-responsibility for Electric Rule 15/16/29/45.**
53. **Total construction and overhead costs for each site/project.**
54. **Total customer allowance cost for each site/project.**
    1. **Total cost exceeding customer allowance for each site/project.**
55. **Difference between the forecasted construction and overhead costs for each site/project and the actual costs at the time of energization.**
56. **Total cost associated with completing all energization requests (Electric Rules and upstream distribution capacity projects) annually (Jan. 1 – Dec. 31).**

(END OF APPENDIX A)

Respectfully submitted,

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March 28, 2025
ERRATA FILING OF APRIL 1, 2025

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of April, 2025, this errata to the Comments of the Office of People's Counsel was sent via electronic mail to all parties of record to this proceeding.

Respectfully submitted,

/electronic signature/
Isaak Lindenbaum
Assistant People's Counsel