

## AR 654 – Stakeholder Comments Summary - Division 87 Transportation Electrification Rulemaking Q1 2022

Staff provides this comment matrix as a reference to track stakeholder feedback and Staff's responses during the process of revising Division 87 TE planning rules. **Staff now encourages stakeholders to provide final comments on Staff's second revision of the rules by April 18, 2022.**

This matrix summarizes comments received on Staff's first revision to rules, and Staff's response. The matrix also captures additional stakeholder comments from the April 1, 2022 review workshop and Staff's response.

### Links

Staff Slides for April 1, 2022 Review Workshop:

[Power Point Template Two \(state.or.us\)](#)

Staff's first draft Division 87 rules, discussed at workshop:

<https://edocs.puc.state.or.us/efdocs/HAH/ar654hah17584.pdf>

Existing Division 87 rules:

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=4089>

[Staff Contacts](#)

### Staff Contacts

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No.	Rule Section	Party/Parties	Public Comments – First Revision	Staff Response – First Revision	April 1 Workshop Comments and Staff Response
1	Definitions (0010)	Joint Parties	Change definition for "communities experiencing lower incomes" to be 120% of state median incomes.	Term not referenced in the rule, will remove this definition.	Consensus, remove definition.
2	Definitions (0010)	Joint Parties	Change definition for "communities adversely harmed by environmental and health hazards" to include requirement for utilities to "use a Commission-approved tool" to identify those communities, and suggest EPA EJScreen tool.	Term not referenced in the rule, will remove this definition.	Consensus, remove definition.
3	Definitions (0010)	Joint Parties / PGE	Remove terms in definitions section that do not appear in Div. 87	Staff supports this change.	Consensus, remove definitions not referenced in the rule.
4	Definitions (0010)	Joint Parties	Reference statute whenever term defined in that statute is used for context. Example is "underserved communities."	Term not referenced in the rule, will remove this definition.	Consensus on "underserved communities."
5	Definitions (0010)	PAC	Add definitions for "Public Infrastructure", "Transportation Electrification Plan" and "Transportation Electrification Portfolio."	Staff supports this change.	Consensus to add definitions for these terms.
6	Definitions (0010)	PAC	Add language to definition of "communities experiencing lower incomes" to allow ability to connect with related state programming, like the Charge Ahead rebate program.	Term not referenced in the rule, will remove this definition.	Consensus, remove definition.

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7	TE Plan (0020(1))	Joint Parties / PGE	<p>Edits re: objective of the plan.                      Joint Parties: Change (1)(b) to state "The TE Plan shall address areas ....prioritize load management, and provide benefits for underserved communities."                       PGE: clarify that the Plan includes the TE Budget, including not limited to the Monthly Meter Charge budget and the utility's portfolio of investments and long-term strategy.</p>	Staff is supportive of these changes.	Consensus to apply these specific edits.
8	TE Plan (0020(2))	Joint Parties	Provide language about how stakeholders will be included prior to filing. Request utility make plan available for public review and comment before filing.	Staff supports this change.	<p>Consensus on concept. Workshop discussion included PGE asking for a waiver of required public engagement before filing a final draft TE Plan in the first year. NWECC is hesitant to waive that early circulation of the TE Plan but perhaps if the language Staff puts forward calls for sixty days, then it can be waived.</p> <p>Staff added the term “draft” to describe a pre-filing status of the TE Plan. Staff didn’t set a fixed period for review but supports robust review of draft TE plans through</p>

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					utility-led workshop and public comment period.
9	TE Plan (0020(2))	Joint Parties	Consider using the UCBIAG as forum to consult with stakeholders prior to filing to streamline existing processes.	Recommend for inclusion in guidance document, rather than rules. Utilities should determine forums for stakeholder review.	Staff will address in guidance document.
10	TE Plan (0020(2))	Joint Parties/PGE/PAC	All identified different ways to approach material changes language. Joint Parties: require update when material change PGE: Address in Report (0030) PAC: clarify language to read "new or significant changes in TE programs" instead of "material changes"	Discuss further with stakeholders. Staff suggests "material change" consist of: 1) spending on something new, 2) changes in eligibility, 3) exceeding a program or measure three-year budget for ratepayer funds by 5%.	Discussion at workshop, PGE recommended removing program eligibility. Staff will not include program eligibility in the revised draft and flag this for stakeholders to comment on in the next round of comments.
11	TE Plan (0020(3))	PAC	Move (3)(f) under (3)(a) as discussion on current conditions.	Staff supports this change.	Not covered in the workshop.
12	TE Plan (0020(3))	Joint Parties	Require discussion of state policies and programs.	Discuss further with stakeholders. Staff suggests limiting this content for brevity. Include changes since last TE Plan?	Discussed in workshop. Green Energy Institute commented on importance of establishing context for those readers new to TE or TE Plans.  Staff suggests requiring discussion of new policies or programs

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					introduced since the last accepted TE Plan.
13	TE Plan (0020(3))	Joint Parties	Incorporate reliability considerations in application, suggested language "existing data on the availability, <i>reliability</i> , and usage patterns of charging stations."	Staff supports this change.	Consensus, Staff to include in draft rules.
14	TE Plan (0020(3))	Joint Parties / PGE / Flo / Emerald Valley EV Association	<p>Refine and add to performance areas.</p> <p>Flo: Require Uptime guarantees in performance measures.</p> <p>Emerald Valley: enforceable standards for charger reliability and distribution, as well as charging costs.</p>	Discuss further with stakeholders. Portfolio performance areas have been established as general categories in draft rules. Staff hopes utilities and stakeholders will develop additional metrics associated with these performance areas. Stakeholders can request information that an electric company doesn't include in the TE Plan.	<p>Discussed at workshop, Flo spoke for an uptime metric to be tracked, even if the 97% uptime standard is adopted. Joint Parties want to remove EV adoption as a performance area, out of concerns around attribution. Joint Parties want to add accessibility and affordability as new performance areas.</p> <p>Staff continues to see value in EV adoption as a performance area, and emphasizes that utilities should make reasonable estimates using the best forecasting assumptions available. Attribution, however, will not be a focus of evaluation within this performance area.</p>

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					Staff sees “accessibility and affordability” as important aspects within the existing category of “infrastructure performance, including charging adequacy.” Staff added them to the language of that performance area to better reflect their importance. Uptime is a specific metric that would fall within the performance area of “Infrastructure performance.”
15	TE Plan (0020(3))	PGE	Define relationship between Plan acceptance, Budget, program and Infrastructure Measure approvals.	Staff supports this change. Staff will provide clarity in the rules that Commission acceptance of the Plan, or acceptance with modifications, results in the approval of the budget, programs and Infrastructure Measures that are proposed in the Plan.	Consensus on concept, Staff will reflect in draft rules.
16	TE Plan (0020(3))	PGE/ Idaho Power / ChargePoint	Adjust filing cadence to three year planning cycle, including annual report.	Staff generally supports change to three-year filing cadence, recognizing value of further time to develop, implement and evaluate programs and investments prior to subsequent Plans. This would included a three-year TE Budget. Staff	Consensus on extending the planning cycle to three years, and the characterization of the related planning elements.

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				<p>would like to discuss these points with utilities and stakeholders:</p> <ul style="list-style-type: none"> <li>a) Inputs: A three-year cadence would require new or updated EV adoption forecasts for TE Plans when they are not filed in the same year as Distribution System Plans (DSP). DSP is the source of EV adoption forecasts.</li> <li>b) TE Plan Report: Should be filed annually by May 1 for the prior calendar year. The annual Report should include prior-year expenditures and progress updates for TE portfolio.</li> <li>c) Utilities should propose an engagement mechanism to share the Report annually with stakeholders and Staff.</li> <li>d) The final TE Plan Report should present a fuller</li> </ul>	

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				<p>assessment including program evaluations, discussion of results across portfolio performance areas, benefit-cost analysis, and ratepayer impact. The final Report should be filed prior to subsequent TE Plans with time for review, and to inform subsequent TE Plans.</p> <p>e) Outputs: TE Plans are narrative descriptions, plans and budgets, not load forecasting for IRP or Clean Energy Plans. DSP will be the source for these through power flow analysis and other analytics.</p>	
17	TE Plan (0020(3))	PGE	Include clarification to include all needed charging infrastructure as well as public charging infrastructure.	Staff supports this change.	Consensus on concept, Staff will implement in revised draft rules.
18	TE Plan (0020(3))	PGE	Clarify use of data to read as data that is "reasonably accessible to the utility."	Staff supports this change.	Not discussed in workshop.



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19	TE Budget (0020(6))	Joint Parties / PGE / PAC	<p>Add clarity re: expectations for how budgets will be determined, suggesting mirroring the Commission-approved tool from 0020(3)(f). Add clarity on additional guidance re: BCA for 2022 filings.</p> <p>Clarify approval of TE Budget - do expenditures need to be approved also? Goes against portfolio-level approach. PAC recommended striking "expenditures" and replacing with "budget"</p>	Staff supports these changes.	<p>Not discussed further in workshop, this is addressed by linking TE Budget approval to TE Plan acceptance and deleting now redundant paragraph PGE mentions.</p> <p>Staff's guidance document will provide additional guidance on BCA.</p>
20	TE Budget (0020(6))	PGE / PAC	Change (6)(c) to reflect that utilities can't forecast future external funding sources with accuracy. Instead include requirement that PGE will communicate with Staff about status of funds during course of TE plan period. PAC suggested changing language to strike "forecast" so it is just a discussion.	Discuss with stakeholders. Staff recognizes the uncertainty of future funding and encourages provisional plans based on most current information available.	Staff supports clarification of "reasonable estimate," not discussed further at workshop.
21	TE Budget (0020(6))	PGE / PAC	Treat Clean Fuels Program (CFP) funds as distinct from other revenues, but ok with including in overall Plan. Both question significance of incorporating into approval process of TE plan because governed by different rules.	Staff supports inclusion of CFP Plan within TE Plan as part of the utility's overall portfolio of activities.	NWECC asked if Order No. 18-376 still needs to be rescinded. CUB stated that it wants the program design principle that residential CFP credit revenue mostly benefits residential customers be retained.

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				<p>Discuss with stakeholders. Do CFP funds need be governed differently? If so, how?</p>	<p>In the draft rules, Staff perceives expenditures of CFP credit revenue would be forecasted like other external funds, with actual expenditures reported.</p> <p>In the guidance document, Staff intends to recommend modification of the review process, and the requirement in Order No. 18-376 that programs and measures funded by CFP credit revenue be independent of ratepayer support.</p> <p>Staff sees general alignment between the TE investment framework and Order No. 18-376 except for different review processes and the restriction on mixing funds.</p>
22	TE Budget (0020(6))	PGE / PAC	Clarity around excluding PGE and PAC's own fleet electrification from TE Plan (not in rules but just to level-set with Staff). Learnings will be	Recommend for inclusion in guidance document, rather than rules. Staff supports discussion of fleet electrification within TE	Consensus on draft rules to include discussion of corporate fleet electrification activities, without inclusion in TE Budget.

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			integrated. Budget shouldn't be included in TE Budget.	Plan as part of company TE activities. Budget can be excluded.	
23	TE Budget (0020(6))	Joint Parties / PGE	<p>Joint Parties: Explicitly require update in event of material change.</p> <p>PGE: Material deviations be addressed in reporting process or through proactive informal communication with Staff rather than formal Plan or Budget Updates. Section (6)(e) be moved to be separate section, broaden to explicitly address material budget updates and off-cycle program or Infrastructure Measure (IM) applications. Also clarify that program and IM applications submitted as TE Plan updates meet same criteria and content requirements as program or IM applications that are appended to the plan.</p>	<p>Please see response to Comment No. 10 above.</p> <p>Staff supports the clarification that program and IM applications submitted in Updates are required to include the same criteria and content requirements as those submitted with the Plan.</p>	See No. 10
24	Programs and Infrastructure Measures (0020(8))	ChargePoint	Add subsection to (8)(a) requiring description of program requirements, including any proposed technical requirements, that will be imposed on participating technology or customers.	Discuss further with stakeholders.	No consensus, Staff supports this addition. PGE opposed arguing that it is already included in interoperability part of the program application and that this is a moving target. Staff finds this to have broader implications than interoperability.

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25	Programs and Infrastructure Measures (0020(8))	Joint Parties	Require payment method standards and language accessibility requirements at charging stations.	Discuss further with stakeholders. Staff thinks this could be discussed within performance area of Charging Adequacy.	No consensus, Staff recognizes the importance of standards and will look to credible third-party sources, such as forthcoming standards through NEVI. Staff also finds this to be a good topic for discussion during the planning cycle’s review of a specific program or measure design.
26	Programs and Infrastructure Measures (0020(8))	Joint Parties	Require more detail re: load management in guidelines (not necessarily the OARs)	Staff is supportive of this change.	Not discussed further in workshop.
27	Programs and Infrastructure Measures (0020(8))	Joint Parties	Require utilities to include: explanation of how IM will benefit underserved communities/LI customers and estimated net revenue attributed to the portfolio of programs/IMs.	Discuss further with stakeholders.	Consensus to include these, Staff notes that these already come with the draft rules’ application for infrastructure measures in 0020(4)(a) (G), because both are contained in Oregon Laws 2021, chapter 95 Section 4(b).
28	Programs and Infrastructure Measures (0020(8))	PGE	Reduce detail in application requirements, include detail in Commission order instead.	Discuss further with stakeholders. What can be cut?	No consensus, Staff finds the requirements sufficiently general to retain but can reconsider with more specific stakeholder feedback.

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29	Programs and Infrastructure Measures (0020(8))	PGE	Move (8) to directly follow (3), move budget and expenditures provision to follow section describing application content requirements.	Staff is supportive of this change.	Not discussed further in workshop.
30	Programs and Infrastructure Measures (0020(8))	PGE	Clarify process of program and IM approval and relationship with TE Plan acceptance.	Please see Comment No. 15. Staff will provide clarity in all relevant parts of the rules that Commission acceptance of the Plan, or acceptance with modifications, results in the approval of the budget, programs and Infrastructure Measures that are proposed in the Plan.	See topic 15
31	Report (0030)	PGE	Clarify purpose of Reports, consider including detailed requirements in Commission order.	Discuss further with stakeholders. Please see Comment No. 16.	See topic 16
32	Report (0030)	PAC	Clarify difference between spending and line-item expenditures.	Staff is supportive of this change.	Consensus to implement.
33	Report (0030)	Flo	Require Uptime reporting requirements to see whether utilities	Discuss further with stakeholders. This is a metric for	Discussed at workshop. Staff recommends uptime reporting as a

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			met uptime obligations required in performance measures.	infrastructure performance that could be included in Charging Adequacy.	metric within “infrastructure performance” performance area. Staff expanded that with “reliability, accessibility and affordability.” Staff thinks stakeholders should comment and/or request data regarding uptime performance during their review of TE Plans.
34	Report (0030)	ChargePoint	Add subsection to (1)(a) requiring analysis of how TE Plan has impacted innovation, competition, and customer choice in Oregon.	Staff is supportive of this change.	No consensus. Staff thinks the portfolio’s impact on innovation, competition, and customer choice in Oregon is appropriate for discussion in 0030(1)(a).
35	Report (0030)	ChargePoint	Modify (1)(a)(E) to reference the correct section in the rules.	Staff is supportive of this change.	Not discussed further in workshop.

Division 87

TRANSPORTATION ELECTRIFICATION ~~PROGRAMS~~ PLANS

**860-087-0001 - Scope and Applicability of Rules**

(1) The rules in this division prescribe the application and reporting requirements for utility activities that support transportation electrification as required by ORS 757.357. ~~to accelerate support transportation electrification filed by an electric company.~~

(2) Upon request or its own motion, the Commission may waive any of the rules in this division for good cause shown. A request for waiver must be made in writing, unless otherwise allowed by the Commission.

**860-087-0010 - Definitions**

For the purpose of this division:

(1) “Electric company” means an electric company as defined in ORS 757.600.

(2) “Transportation Electrification program” means ~~a program proposed by an electric company to accelerate transportation electrification.~~ programs as defined in Oregon Laws 2021, chapter 95 Section 4.

(3) “Infrastructure measures” means infrastructure measures as defined in Oregon Laws 2021, chapter 95 Section 4.

(3) “Monthly Meter Charge” means the funds collected by an electric company to support and integrate transportation electrification under Oregon Laws 2021, chapter 95 Section 2.

(4) “Underserved communities” means underserved communities as defined in Oregon Laws 2021, chapter 95 Section 2.

(5) “Residents of rental housing” means people, including a roomer, entitled under a rental agreement to occupy a dwelling unit to the exclusion of others, including a dwelling unit owned, operated or controlled by a public housing authority.

(6) “Residents of multifamily housing” means people that reside in a structure or facility established primarily to provide housing that provides more than one living unit, and may also provide facilities that are functionally related and subordinate to the living units for use by the occupants in social, health, educational or recreational activities. This definition also includes special care facilities as defined in ORS 443.400 – 445.

(7) “Communities of color” means communities of people who are not identified as White, emphasizing common experiences of racism.

(8) “Communities experiencing lower incomes” means residential customers of an electric company whose household income is less than or equal to 120 percent of the state median income, adjusted for household size.

(9) “Tribal communities” means Oregon’s nine recognized Native American tribes and groups who are not officially recognized by the federal or state government but who identify as historically, culturally, and/or genetically related to historic Native American tribes.

(10) “Rural communities” means people residing 30 or more miles by road from an urban community of 50,000 or more people.

(11) “Frontier communities” means people residing 75 miles by road from a community of less than 2,000 people.

(12) “Coastal communities” means people residing west of Oregon’s Coastal Mountains.

(13) “Communities adversely harmed by environmental and health hazards” means people residing in a part of Oregon that is adversely affected by criteria pollutants or climate change.

(14) “Transportation electrification investment framework” means a decision-making tool to be utilized by the Commission to provide bounds, desired outcomes and evaluation of electric company investments in transportation electrification.

(15) “Transportation Electrification Budget” means all the planned expenditures on transportation electrification in the first three years of TE Plan.

(6) “Public charging infrastructure” means charging infrastructure intended for public use.

(7) “Private charging infrastructure” means charging infrastructure not intended for public use.

(8) “Transportation Electrification Plan” means the description and analysis of all activities an electric company takes to support transportation electrification, and the funding of the TE Budget.

**Commented [SE\*P1]:** Comment #3 - removed because these terms are not referenced in this rule.

**Commented [SE\*P2]:** Comment #16. Specifying the length of the Budget. The TE Plan will include longer-term plans beyond the Budget.

**Commented [SE\*P3]:** Comment #5. Adds definitions for new terms.

#### 860-087-0020 - Transportation Electrification Plan

(1) This rule prescribes the required elements of an electric company’s Transportation Electrification Plan (TE Plan), which contains the electric company’s TE Portfolio of investments and long-term strategy to accelerate support transportation electrification in its Oregon service territory; and its the electric company’s TE Budget. The objective of the TE Plan is to:

**Commented [SE\*P4]:** Comment #15. Clarifies the link between the TE Plan and TE Budget.

(a) Integrate all of the electric company’s transportation electrification actions into one document. This The Plan shall include, but is not limited to, analyzing the electric company’s portfolio of near-term and long-term transportation electrification actions, including approved applications for program(s) and infrastructure measure(s), planning and expenditure of the Monthly Meter Charge, future transportation electrification actions, and other transportation electrification actions such as Clean Fuels programs.

(b) Identify Analyze Act as this document as a portfolio of the utility’s actions investments and activities, which may include investments and infrastructure for electric vehicles of various sizes, rate design, programs, and services, reasonably expected to achieve the objectives of ORS 757.357. The TE Plan shall should seek to address areas most affected by market barriers in the electric company’s service territory, prioritize load management, and to provide benefits for traditionally underserved communities.

**Commented [SE\*P5]:** Comment #7. Tightens the requirement.

**Commented [SE\*P6]:** Comment #26. Adds load management to plan objective.

(2) An electric company must file for Commission acceptance of a TE Plan.

(a) As used in this rule, “acceptance” means the Commission finds that the TE Plan meets the criteria and requirements of this rule and does not constitute a determination on the



prudence of the individual actions discussed in the TE Plan. The Commission may accept the TE Plan subject to conditions. Acceptance, or acceptance subject to conditions, shall constitute approval of the electric company's program applications and TE Budget as filed in the TE Plan and its appendices. Non-acceptance means that the TE Plan does not meet the criteria or requirements of ~~the~~ this rule.

**Commented [SE\*P7]:** Comment #15. Links approval of applications and the TE Budget.

(b) An electric company must file a draft TE Plan for Commission acceptance ~~of its TE Plan by May 1 within every threewe~~ years ~~of its after previous TE Plan acceptance order~~ or as otherwise directed by the Commission.

(c) ~~The~~ Commission staff will work with parties to propose a schedule for review of the TE Plan after a draft is filed. The schedule will ~~be adopted by an administrative law judge and will~~ provide an opportunity for workshops, and written comments by Commission staff and stakeholders, and reply comments by the electric company.

(d) After public review of the draft TE Plan, ~~(The~~ electric company must file a TE Plan with any revisions incorporated and present its TE Plan to the Commission at a public meeting ~~prior to the deadline for written public comment.~~

**Commented [SE\*P8]:** Comment #8. Distinguishes between filing a draft and filing a revised Plan.

(e) Commission staff will present its recommendation on the electric ~~c~~Company's TE plan at a public meeting. The Commission ~~will~~ shall also consider stakeholder and electric company comments and recommendations on ~~an electric company's~~ TE Plan at the public meeting before issuing an order of acceptance. The Commission may provide direction to an electric company regarding any additional analyses or actions that the electric company should undertake in its next TE Plan.

(f) An electric company ~~may propose is not prohibited from proposing~~ TE Plan updates transportation electrification programs at any time between scheduled TE Plan filings. TE Plan update filings are required can shall be limited for Commission approval to the material changes in the electric company's TE Plan. Material changes are considered to be new TE program or infrastructure measure applications that are funded by ratepayers with expenditures of ratepayer funds, and/or TE Budget changes increasing that increase the ratepayer expenditures of the approved TE Plan Budget. Commission staff will work with parties to propose a schedule for public review for TE Plan updates.

**Commented [SE\*P9]:** Comment #10, clarifying material changes requiring a TE Plan update.

(3) The TE Plan must include:

(a) ~~The c~~Current condition of the transportation electrification market in the electric company's Oregon service territory, including, but not limited to:

(A) A discussion of new existing state policies and programs since the last TE Plan filing;

**Commented [SE\*P10]:** Comment #12. Narrows the scope.

(B) Market barriers that the electric company can address and other barriers that are beyond the electric company's control, including any identified emerging challenges to transportation electrification; ~~(EE) c~~ Charging, and vehicle technology updates; and

**Commented [SE\*P11]:** Comment #29. Consolidates (F) with (B)

(C) Existing data reasonably accessible to the utility on the availability, reliability, and usage patterns of charging stations;

**Commented [SE\*P12]:** Comment #18, Excludes data that exists but not in the possession of the utility.

(D) Number of electric vehicles of various sizes in the utility service territory and projected number of vehicles in the next ~~ten~~ twenty years; and

**Commented [SE\*P13]:** Comment #13. Clarifies reliability.

(E) Other transportation electrification infrastructure, if applicable.;

(F) A forecast of public and private charging infrastructure needed in the company's service territory to support transportation electrification. The forecast should utilize a Commission-approved tool to estimate needed public charging infrastructure over the next ten years and include type, location and timing of needed infrastructure.

**Commented [SE\*P14]:** Comment #17. Clarifies scope.

~~(EF) Charging and vehicle technology updates; and~~

(b) A summary of the electric company's transportation electrification portfolio of program(s) and future transportation electrification concepts and actions in its Oregon service territory for the next ~~three~~ years. The summary should include the company's long-term vision for its TE portfolio and strategy to support transportation electrification in its service territory in an effective and efficient manner. The TE Plan must incorporate project learnings and any other relevant information gathered from other transportation electrification infrastructure investments, programs, and actions to ensure that lessons learned are carried forward to the next TE Plan;

**Commented [SE\*P15]:** Comment #16. Extends cadence.

~~(c) A discussion of how the electric company's investments, programs, and actions are expected to accelerate transportation electrification, address barriers to adoption, and extend access to traditionally underserved communities; A discussion of how programs and infrastructure measures in the TE Plan holistically advance performance area categories that include, but are not limited to:~~

(A) Environmental benefits including greenhouse gas emissions impacts;

(B) Electric vehicle adoption;

(C) Underserved community inclusion and engagement;

(D) Equity of program offerings to meet underserved communities;

(E) Distribution system impacts and grid integration benefits;

(F) Program participation and adoption;

(G) Infrastructure performance including charging adequacy which considers, but is not limited to reliability, affordability, and accessibility;

**Commented [SE\*P16]:** Comment #14. Adds important considerations of infrastructure performance.

(H) Learnings for readiness to advance innovation and efficiency.

(d) Supporting data and analysis used to develop the TE Plan, which may be derived from elements such as review of costs and benefits; rate design, energy use and consumption, overlap with other electric company programs, and customer and electric vehicle user engagement;

(e) A discussion of the electric company's potential impact on the competitive electric vehicle supply equipment market, including consideration of alternative infrastructure ownership and business models, and identification of a sustainable role for the electric company in the transportation electrification market.

~~(f) A discussion of current and anticipated electric company system impacts resulting from increased transportation electrification and the electric company's portfolio of actions, how transportation electrification can support the efficient integration of renewable energy, and how the TE Plan is designed to address these system impacts; and~~

~~(g) A discussion of how programs and concepts in the TE Plan relate to carbon reduction goals, requirements and other state programs, including expected greenhouse gas emission reductions based on publicly available metrics.~~

~~(f) A forecast of public and private charging infrastructure needed in the company's service territory to support transportation electrification. The forecast should utilize a Commission-approved tool to estimate needed public charging infrastructure over the next ten years and include type, location and timing of needed infrastructure.~~

~~(fg) Analysis of the estimated ratepayer impact of the TE Plan portfolio over the next threetwo calendar years.~~

~~(4) An electric company mustshall file TEmustshall file TEtransportation Electrification program and infrastructure measure applications as an appendix to the TE Plan. an application with the Commission for each program to accelerate transportation electrification. The applications mustshall cover all programs and infrastructure measures planned by the utility for the TE Plan cycle. The Commission acceptance of the TE Plan shall constitute approval ofe each program and infrastructure measure application included in the TE Plan. The electric company shall file a tariff in compliance with the acceptance order for each program and infrastructure measure application that is approved by the Commission. at the time it accepts the utility's TE Plan in accordance with the requirements set forth in this rule.~~

~~(a) Applications for a A Transportation Electrification program application or infrastructure measure must include:~~

~~(A) A description of the program/infrastructure measure that includes, but is not limited to, a description of:~~

~~(i A) Program/infrastructure measure elements, objectives, timelines, and expected outcomes;~~

~~(ii B) Market baseline assumptions;~~

~~(iii C) Major performance milestones;~~

~~(iv D) Where applicable, a description of program/infrastructure measure phases, including a proposal for when each subsequent program phase will be submitted for Comission review;~~

~~(v E) Expected utilization, participation eligibility, and any incentive structures;~~

Commented [SE\*P17]: Comment #11. Moved to market conditions.

~~(vi F)~~ Identification of market barriers, ~~program~~ implementation barriers, and program strategies to overcome the identified barriers;

~~(vii)~~ A discussion of how the application meets the performance area categories described in Section (3)(c)(A)-(HG) in this rule;

~~(viii G)~~ A ~~d~~Description of the electric company's role and, if applicable, a discussion of how the electric company proposes to own or support charging infrastructure, billing services, metering, or customer information;

~~(ix H)~~ Whether transportation electrification adoption attributed to the program/infrastructure measure will likely necessitate distribution system upgrades;

~~(x I)~~ Where applicable, a discussion of ownership structure;

~~(xi J)~~ Where applicable, a discussion addressing interoperability of invested equipment;

~~(xii K)~~ Where applicable, a discussion of any national standards for measurement and communication; and

~~(xiii L)~~ Any other information requested by the Commission.

~~(B b)~~ Data used to support the descriptions provided in paragraphs ~~(1)(a)(A)-(L)~~ Section ~~(48)~~(a)(A)(i)-(xiii) of this rule.

~~(C e)~~ A description of program/infrastructure measure coordination that includes a description of:

~~(i A)~~ Stakeholder involvement in program/infrastructure measure development;

~~(ii B)~~ Efforts to coordinate with related state programs;

~~(iii C)~~ Coordination, if any, of delivery with other market actors and activities, and how the market and other market actors can leverage the underlying program/infrastructure measure or projects within the program/infrastructure measure.

~~(D d)~~ A description of the electric company's long-term TE portfolio strategy to accelerate transportation electrification in its service territory in an effective and efficient manner and how the proposed program/infrastructure measure fits within the electric company's long-term strategy to support TE. To the extent possible, the strategy description shall include, but not be limited to, a discussion of the following:

~~(A)~~ The current condition of the transportation electrification market in the electric company's service territory and the outlook for development of the market in the absence of the proposed program;

~~(B) Near and long-term market barriers to the development of transportation electrification and how the electric company proposes specifically to address those barriers;~~

~~(C) Near and long-term opportunities for improving the operation and reliability of the electric company's power system through transportation electrification and how the electric company proposes specifically to take advantage of those opportunities; and~~

~~(D) Other factors pertinent to the electric company's plans for transportation electrification.~~

~~(E e) A description of program/infrastructure measure costs; that includes, but is not limited to:~~

~~(i A) Estimated total program costs, including incentives, program delivery, evaluation, marketing, and administration costs; and~~

~~(ii B) Estimated participant costs;~~

~~(iii C) How the electric company proposes to recover costs; and~~

~~(iv D) Any other information requested by the Commission.~~

~~(f) A description of the expected program benefits that includes, but is not limited to:~~

~~(i) Program benefits, including to whom and when benefits are accrued;~~

~~(ii) Electrical system benefits; and~~

~~(iii) A discussion of how a net benefit to ratepayers is attainable.~~

~~(F g) A description of learning objectives and how the electric company will evaluate the effectiveness of the program/infrastructure measure, including data collection methods. how the electric company will evaluate the program that includes, but is not limited to:~~

~~(i) Timeline of program evaluation and proposed evaluation reporting schedule;~~

~~(ii) Estimated cost of evaluation;~~

~~(iii) How the evaluation will be conducted and whether third-party evaluation is necessary;~~

~~(iv) How the evaluation will address identified barriers; and~~

~~(v) A discussion of the method of data collection that is consistent with subsection (1)(b) of this rule and how the data will be used to evaluate the effectiveness of the program.~~

~~(vi) Any other evaluative information requested by the Commission.~~

(G) For infrastructure measures, a description of how the measure addresses the requirements of Oregon Laws 2021, chapter 95 Section 4(b); and

(H) For ~~Transportation Electrification~~ programs, a description of how the program addresses the considerations in Oregon Laws 2016, chapter 028, section 20(4)(a)-(f).

(I) A description of technical requirements that will be imposed on participating technology or customers.

**Commented [SE\*P18]:** Comment #24. Clarifies coverage of product lists.

**Commented [SE\*P19]:** Comment # 11. Moved up to follow Plan requirements.

~~(54) New programs in the TE Budget must be based on program applications included in the appendix to the TE Plan described by Section 8 of this rule.~~

~~(5) Expenditures on Transportation Electrification programs or infrastructure measures must be approved by the Commission. The Commission may decide whether to approve the electric company's TE Budget at the same Public Meeting that the Commission decides whether to accept the company's TE Plan.~~

**Commented [SE\*P20]:** Comment #15. This paragraph was made redundant by linking TE Budget approval to TE Plan acceptance.

(56) An electric company must file a Transportation Electrification Budget with as a section of its TE Plan. The Transportation Electrification Budget must include:

(a) Annual budgets for the TE Portfolio for the first ~~three~~ two years of the TE Plan, ~~including a discussion of the~~ in context of anticipated long-term expenditures for the next ten years; including but not limited to benefit-cost analysis "cost tests";

**Commented [SE\*P21]:** Comment #16. Extends filing cadence to three years.

(b) A forecast of all expenditures to support transportation electrification grouped by program and/or infrastructure measure, and further divided into:

(A) Capital expenditures; and

(B) Expenses, separating administrative costs, O&M on investments, incentives paid to program participants, and any other unique category as ~~that may become~~ relevant.;

(c) A forecast of all funding sources to be utilized, including but not limited to, the Monthly Meter Charge, grants, Clean Fuels Program credits, base rates, and deferrals based on a reasonable estimate.;

**Commented [SE\*P22]:** Comment #20. Clarifies that this is an estimate.

(d) A forecast of all spending on underserved communities, grouped by program and/or infrastructure measure and further divided into:

(A) ~~Spending from the~~ Expenditures of funds collected through the Monthly Meter Charge ~~-as established by~~ required by Oregon Laws 2021, chapter 95 Section 2;

(B) Spending from ~~other~~ revenues other than the Monthly Meter Charge, including but not limited to grants, Clean Fuels Program credits, base rates, and deferrals.

(e) The Commission's acceptance of the electric company's TE Plan will constitute approval of the TE Budget, which includes the Monthly Meter Charge budget as required by Oregon Laws 2021, chapter 95 Section 2.

(f) An electric company may propose TE Budget updates at any time between TE Budget filings. TE Budget update filings can be limited to the material changes in the electric company's approved TE Budget. Commission staff will work with parties to propose a schedule for public review.

(67) The Commission may direct an electric company to incorporate the TE Plan into other electric company planning documents.

**860-087-0030 – Transportation Electrification Program Application Requirements**

(8) An electric company must file Transportation Electrification program and infrastructure measure applications as an appendix to the TE Plan, an application with the Commission for each program to accelerate transportation electrification. The applications must cover all programs and infrastructure measures planned by the utility for the TE Plan cycle. The Commission shall approve each program application at the time it accepts the utility's TE Plan in accordance with the requirements set forth in this rule.

(a) Applications for a Transportation Electrification program application or infrastructure measure must include, as appropriate:

(A) A description of the program/infrastructure measure that includes, but is not limited to, a description of:

(i) A) Program/infrastructure measure elements, objectives, timeline, and expected outcomes;

(ii) B) Market baseline assumptions;

(iii) C) Major performance milestones;

(iv) D) Where applicable, a description of program/infrastructure measure phases, including a proposal for when each subsequent program phase will be submitted for Commission review;

(v) E) Expected utilization, participation eligibility, and any incentive structures;

(vi) F) Identification of market barriers, program implementation barriers, and program strategies to overcome the identified barriers;

(vii) A discussion of how the application meets the performance area categories described in Section (3)(c)(A)-(G) in this rule;

(viii) G) Description of the electric company's role and, if applicable, a discussion of how the electric company proposes to own or support charging infrastructure, billing services, metering, or customer information;

~~(ix) H) Whether transportation electrification adoption attributed to the program/infrastructure measure will likely necessitate distribution system upgrades;~~

~~(x) I) Where applicable, a discussion of ownership structure;~~

~~(xi) J) Where applicable, a discussion addressing interoperability of invested equipment;~~

~~(xii) K) Where applicable, a discussion of any national standards for measurement and communication; and~~

~~(xiii) L) Any other information requested by the Commission.~~

~~(B) b) Data used to support the descriptions provided in paragraphs (1)(a)(A) (L) Section (8)(a)(A)(i) (xiii) of this rule.~~

~~(C) e) A description of program/infrastructure measure coordination that includes a description of:~~

~~(i) A) Stakeholder involvement in program/infrastructure measure development;~~

~~(ii) B) Efforts to coordinate with related state programs;~~

~~(iii) C) Coordination, if any, of delivery with other market actors and activities, and how the market and other market actors can leverage the underlying program/infrastructure measure or projects within the program/infrastructure measure.~~

~~(D) d) A description of the electric company's long term TE portfolio strategy to accelerate transportation electrification in its service territory in an effective and efficient manner and how the proposed program/infrastructure measure fits within the long term strategy. To the extent possible, the strategy description shall include, but not be limited to, a discussion of the following:~~

~~(A) The current condition of the transportation electrification market in the electric company's service territory and the outlook for development of the market in the absence of the proposed program;~~

~~(B) Near and long term market barriers to the development of transportation electrification and how the electric company proposes specifically to address those barriers;~~

~~(C) Near and long term opportunities for improving the operation and reliability of the electric company's power system through transportation electrification and how the electric company proposes specifically to take advantage of those opportunities; and~~

~~(D) Other factors pertinent to the electric company's plans for transportation electrification.~~



~~(E e) A description of program/infrastructure measure costs; that includes, but is not limited to:~~

~~(i A) Estimated total program costs, including incentives, program delivery, evaluation, marketing, and administration costs;~~

~~(ii B) Estimated participant costs;~~

~~(iii C) How the electric company proposes to recover costs; and~~

~~(iv D) Any other information requested by the Commission.~~

~~(f) A description of the expected program benefits that includes, but is not limited to:~~

~~(i) Program benefits, including to whom and when benefits are accrued;~~

~~(ii) Electrical system benefits; and~~

~~(iii) A discussion of how a net benefit to ratepayers is attainable.~~

~~(F g) A description of learning objectives and how the electric company will evaluate the effectiveness of the program/infrastructure measure, including data collection methods, how the electric company will evaluate the program that includes, but is not limited to:~~

~~(i) Timeline of program evaluation and proposed evaluation reporting schedule;~~

~~(ii) Estimated cost of evaluation;~~

~~(iii) How the evaluation will be conducted and whether third-party evaluation is necessary;~~

~~(iv) How the evaluation will address identified barriers; and~~

~~(v) A discussion of the method of data collection that is consistent with subsection (1)(b) of this rule and how the data will be used to evaluate the effectiveness of the program.~~

~~(vi) Any other evaluative information requested by the Commission.~~

~~(G) For infrastructure measures, a description of how the measure addresses the requirements of Oregon Laws 2021, chapter 95 Section 4(b); and~~

~~(H h) For Transportation Electrification programs, a description of how the program addresses the considerations in Oregon Laws 2016, chapter 028, section 20(4)(a) (f).~~

~~(I) A description of technical requirements that will be imposed on participating technology or customers.~~

**(2) An electric company must file applications for one or more Transportation Electrification Programs on or before December 31, 2016.**

**860-087-00304 Transportation Electrification ~~Program Reporting Requirements Plan~~ Report**

(1) ~~UTE Plan filings, utilities must file a preliminary~~ An electric company must report the results of its evaluation for each Transportation Electrification **Plan Report** annually with a final version ~~with prior to filings~~ its next TE Plan ~~and~~ that summarizes the performance of its last TE Plan. Program approved by the Commission. A program evaluation must include, but is not limited to:

(a) The Report must include:

~~(A) All spending in the previous threewe~~ (A) All spending in the previous ~~three~~two calendar years in the format of the approved TE Budget;

~~(B) All sources of funding for the TE Plan portfolio in the previous threewe~~ (B) All sources of funding for the TE Plan portfolio in the previous ~~three~~two calendar years.

~~(C) A spreadsheet listing all line item expenditures on the TE Plan portfolio in the previous threewe calendar years with each these transactions' funding source identified;~~

~~(CD)~~ (C) An evaluation of each Transportation Electrification program or infrastructure measure in the company's portfolio of existing programs;

~~(DE)~~ (D) A discussion of how the TE Plan portfolio met the performance area categories described in ~~Section 20 (3)(cd)(A)-(HG)~~ Section 20 (3)(A)-(HG) in this rule, and key lessons learned;

~~(EE)~~ (E) A benefit-cost analysis of the TE Plan ~~pP~~portfolio over the previous ~~threewe~~three calendar years in the form of "cost tests"; and

~~(FG)~~ (F) Analysis of the estimated ratepayer impact of the TE Plan portfolio over the past ~~threewe~~three calendar years.

~~(GH)~~ (G) Analysis of how TE Plan ~~pP~~Portfolio has impacted innovation, competition and customer choice in Oregon.

(a) The information required under OAR 860-087-0030(1)(g)(A)-(F);

(b) An assessment of program costs and benefits realized by ratepayers and the electric company;

(c) A tracking of program costs over the life of the program;

(d) Progress against identified market barriers and implementation barriers;

(e) Current risk that investment will result in stranded costs;

(f) Whether any program modifications are recommended to help meet expected outcomes;

(g) Updated market data, including a description of changes in the condition of the transportation electrification market within the electric company's service territory; and

(h) An evaluation of whether and how the program has:

Commented [SE\*P23]: Comment # 32, clarifies meaning of "line-item"

Commented [SE\*P24]: Comment #35. Fixes drafting error.

Commented [SE\*P25]: Comment #34. Provides a portfolio view discussion on these topics.

~~(A) Accelerated transportation electrification;~~

~~(B) Stimulated innovation, competition, and customer choice; and~~

~~(C) Supported system efficiency and operational flexibility, including the ability to integrate variable resources.~~

(2) The Commission may request additional ~~TE~~ Transportation Electrification Plan updates at any time, including milestones and progress against ~~success indicators~~ performance area categories, to assess whether to continue, discontinue, or modify approved ~~Transportation Electrification~~ Programs and infrastructure measures.

Division 87

TRANSPORTATION ELECTRIFICATION PROGRAMS PLANS

**860-087-0001 - Scope and Applicability of Rules**

(1) The rules in this division prescribe the application and reporting requirements for utility activities that support transportation electrification as required by ORS 757.357.

(2) Upon request or its own motion, the Commission may waive any of the rules in this division for good cause shown. A request for waiver must be made in writing, unless otherwise allowed by the Commission.

**860-087-0010 - Definitions**

For the purpose of this division:

(1) “Electric company” means an electric company as defined in ORS 757.600.

(2) “Transportation Electrification program” means a program proposed by an electric company to accelerate transportation electrification. programs as defined in Oregon Laws 2021, chapter 95 Section 4.

(3) “Infrastructure measures” means infrastructure measures as defined in Oregon Laws 2021, chapter 95 Section 4.

(3) “Monthly Meter Charge” means the funds collected by an electric company to support and integrate transportation electrification under Oregon Laws 2021, chapter 95 Section 2.

(4) “Underserved communities” means underserved communities as defined in Oregon Laws 2021, chapter 95 Section 2.

(5) “Transportation Electrification Budget” means all the planned expenditures on transportation electrification in the first three years of TE Plan.

(6) “Public charging infrastructure” means charging infrastructure intended for public use.

(7) “Private charging infrastructure” means charging infrastructure not intended for public use.

(8) “Transportation Electrification Plan” means the description and analysis of all activities an electric company takes to support transportation electrification and the funding of the TE Budget.

**860-087-0020 - Transportation Electrification Plan**

(1) This rule prescribes the required elements of an electric company’s Transportation Electrification Plan (TE Plan), which contains the electric company’s TE Portfolio of investments and long-term strategy to accelerate support transportation electrification in its Oregon service territory, and the electric company’s TE Budget. The objective of the TE Plan is to:

(a) Integrate all of the electric company’s transportation electrification actions into one document. The Plan shall include, but is not limited to, the electric company’s portfolio of near-term and long-term transportation electrification actions, including applications for program(s) and infrastructure measure(s), planning and expenditure of the Monthly

**Commented [SE\*P1]:** Comment #16. Specifying the length of the Budget. The TE Plan will include longer-term plans beyond the Budget.

**Commented [SE\*P2]:** Comment #5. Adds definitions for new terms.

**Commented [SE\*P3]:** Comment #15. Clarifies the link between the TE Plan and TE Budget.

Meter Charge, and other transportation electrification actions such as Clean Fuels programs.

(b) Identify Act as a portfolio of the utility's actions investments and activities, which may include investments and infrastructure for electric vehicles of various sizes, rate design, programs, and services, reasonably expected to achieve the objectives of ORS 757.357. The TE Plan shall seek to address areas most affected by market barriers in the electric company's service territory, prioritize load management, and to provide benefits for traditionally underserved communities.

**Commented [SE\*P4]:** Comment #7. Tightens the requirement.

**Commented [SE\*P5]:** Comment #26. Adds load management to plan objective.

(2) An electric company must file for Commission acceptance of a TE Plan.

(a) As used in this rule, "acceptance" means the Commission finds that the TE Plan meets the criteria and requirements of this rule and does not constitute a determination on the prudence of the individual actions discussed in the TE Plan. The Commission may accept the TE Plan subject to conditions. Acceptance, or acceptance subject to conditions, shall constitute approval of the electric company's program applications and TE Budget as filed in the TE Plan and its appendices. Non-acceptance means that the TE Plan does not meet the criteria or requirements of the this rule.

**Commented [SE\*P6]:** Comment #15. Links approval of applications and the TE Budget.

(b) An electric company must file a draft TE Plan for Commission acceptance by May 1 within every three years or as otherwise directed by the Commission.

(c) Commission staff will work with parties to propose a schedule for review of the TE Plan after a draft is filed. The schedule will be adopted by an administrative law judge and will provide an opportunity for workshops, written comments by Commission staff and stakeholders, and reply comments by the electric company.

(d) After public review of the draft TE Plan, the electric company must file a TE Plan with any revisions incorporated and present it to the Commission at a public meeting.

**Commented [SE\*P7]:** Comment #8. Distinguishes between filing a draft and filing a revised Plan.

(e) Commission staff will present its recommendation on the electric company's TE plan at a public meeting. The Commission shall also consider stakeholder and electric company comments and recommendations on a TE Plan at the public meeting before issuing an order of acceptance. The Commission may provide direction to an electric company regarding any additional analyses or actions that the electric company should undertake in its next TE Plan.

(f) An electric company may propose is not prohibited from proposing TE Plan updates transportation electrification programs at any time between scheduled TE Plan filings. TE Plan update filings are required for Commission approval to material changes in the electric company's TE Plan. Material changes are considered to be new TE program or infrastructure measure applications that are funded by ratepayers and TE Budget changes that increase the ratepayer expenditures of the approved TE Plan Budget. Commission staff will work with parties to propose a schedule for public review for TE Plan updates.

**Commented [SE\*P8]:** Comment #10, clarifying material changes requiring a TE Plan update.

(3) The TE Plan must include:

(a) The current condition of the transportation electrification market in the electric company's Oregon service territory, including, but not limited to:

(A) A discussion of new state policies and programs since the last TE Plan filing;

**Commented [SE\*P9]:** Comment #12. Narrows the scope.

(B) Market barriers that the electric company can address and other barriers that are beyond the electric company's control, including any identified emerging challenges to transportation electrification, charging, and vehicle technology updates;

**Commented [SE\*P10]:** Comment #29. Consolidates (F) with (B)

(C) Existing data reasonably accessible to the utility on the availability, reliability, and usage patterns of charging stations;

**Commented [SE\*P11]:** Comment #18, Excludes data that exists but not in the possession of the utility.

**Commented [SE\*P12]:** Comment #13. Clarifies reliability.

(D) Number of electric vehicles of various sizes in the utility service territory and projected number of vehicles in the next ten twenty years; and

(E) Other transportation electrification infrastructure, if applicable.

(F) A forecast of public and private charging infrastructure needed in the company's service territory to support transportation electrification. The forecast should utilize a Commission-approved tool to estimate needed public charging infrastructure over the next ten years and include type, location and timing of needed infrastructure.

**Commented [SE\*P13]:** Comment #17. Clarifies scope.

(b) A summary of the electric company's transportation electrification portfolio of program(s) and future transportation electrification concepts and actions in its Oregon service territory for the next three years. The summary should include the company's long-term vision for its TE portfolio and strategy to support transportation electrification in its service territory. The TE Plan must incorporate project learnings and any other relevant information gathered from other transportation electrification infrastructure investments, programs, and actions to ensure that lessons learned are carried forward to the next TE Plan;

**Commented [SE\*P14]:** Comment #16. Extends cadence.

(c) A discussion of how the electric company's investments, programs, and actions are expected to accelerate transportation electrification, address barriers to adoption, and extend access to traditionally underserved communities; A discussion of how programs and infrastructure measures in the TE Plan holistically advance performance area categories that include, but are not limited to:

(A) Environmental benefits including greenhouse gas emissions impacts;

(B) Electric vehicle adoption;

(C) Underserved community inclusion and engagement;

(D) Equity of program offerings to meet underserved communities;

(E) Distribution system impacts and grid integration benefits;

(F) Program participation and adoption;

(G) Infrastructure performance including charging adequacy which considers, but is not limited to reliability, affordability, and accessibility;

**Commented [SE\*P15]:** Comment #14. Adds important considerations of infrastructure performance.

(H) Learnings for readiness to advance innovation and efficiency.

(d) Supporting data and analysis used to develop the TE Plan, which may be derived from elements such as review of costs and benefits; rate design, energy use and consumption, overlap with other electric company programs, and customer and electric vehicle user engagement.

(e) A discussion of the electric company's potential impact on the competitive electric vehicle supply equipment market, including consideration of alternative infrastructure ownership and business models, and identification of a sustainable role for the electric company in the transportation electrification market.

(f) A discussion of current and anticipated electric company system impacts resulting from increased transportation electrification and the electric company's portfolio of actions, how transportation electrification can support the efficient integration of renewable energy, and how the TE Plan is designed to address these system impacts;

(g) A discussion of how programs and concepts in the TE Plan relate to carbon reduction goals, requirements and other state programs, including expected greenhouse gas emission reductions based on publicly available metrics.

(f)

(f) Analysis of the estimated ratepayer impact of the TE Plan portfolio over the next three calendar years.

**Commented [SE\*P16]:** Comment #11. Moved to market conditions.

(4) An electric company shall file TEprogram and infrastructure measure applications as an appendix to the TE Plan, an application with the Commission for each program to accelerate transportation electrification. The applications shall cover all programs and infrastructure measures planned by the utility for the TE Plan cycle. Commission acceptance of the TE Plan shall constitute approval of each program and infrastructure measure application included in the TE Plan. The electric company shall file a tariff in compliance with the acceptance order for each program and infrastructure measure application that is approved by the Commission. .

(a) Applications for a A Transportation Electrification program application or infrastructure measure must include:

(A) A description of the program/infrastructure measure that includes, but is not limited to, a description of:

(i) A) Program/infrastructure measure elements, objectives, timelines, and expected outcomes;

(ii) B) Market baseline assumptions;

(iii) C) Major performance milestones;

(iv) D) Where applicable, a description of program/infrastructure measure phases, including a proposal for when each subsequent program phase will be submitted for Commission review;

(v) E) Expected utilization, participation eligibility, and incentive structures;

(vi F) Identification of market barriers, program implementation barriers, and program strategies to overcome the identified barriers;

(vii) A discussion of how the application meets the performance area categories described in Section (3)(c)(A)-(H) in this rule;

(viii G) A description of the electric company's role and, if applicable, a discussion of how the electric company proposes to own or support charging infrastructure, billing services, metering, or customer information;

(ix H) Whether transportation electrification adoption attributed to the program/infrastructure measure will likely necessitate distribution system upgrades;

(x I) Where applicable, a discussion of ownership structure;

(xi J) Where applicable, a discussion addressing interoperability of invested equipment;

(xii K) Where applicable, a discussion of any national standards for measurement and communication; and

(xiii L) Any other information requested by the Commission.

(B b) Data used to support the descriptions provided in paragraphs (1)(a)(A)-(L) Section (4)(a)(A)(i)-(xiii) of this rule.

(C c) A description of program/infrastructure measure coordination that includes a description of:

(i A) Stakeholder involvement in program/infrastructure measure development;

(ii B) Efforts to coordinate with related state programs;

(iii C) Coordination, if any, of delivery with other market actors and activities, and how the market and other market actors can leverage the underlying program/infrastructure measure or projects within the program/infrastructure measure.

(D d) A description of the electric company's long term TE portfolio strategy to accelerate transportation electrification in its service territory in an effective and efficient manner and how the proposed program/infrastructure measure fits within the electric company's long-term strategy to support TE. To the extent possible, the strategy description shall include, but not be limited to, a discussion of the following:

(A) The current condition of the transportation electrification market in the electric company's service territory and the outlook for development of the market in the absence of the proposed program;



(B) Near and long-term market barriers to the development of transportation electrification and how the electric company proposes specifically to address those barriers;

(C) Near and long-term opportunities for improving the operation and reliability of the electric company's power system through transportation electrification and how the electric company proposes specifically to take advantage of those opportunities; and

(D) Other factors pertinent to the electric company's plans for transportation electrification.

(E e) A description of program/infrastructure measure costs; that includes, but is not limited to:

(i A) Estimated total program costs, including incentives, program delivery, evaluation, marketing, and administration costs; and

(ii B) Estimated participant costs;

(iii C) How the electric company proposes to recover costs; and

(iv D) Any other information requested by the Commission.

(f) A description of the expected program benefits that includes, but is not limited to:

(i) Program benefits, including to whom and when benefits are accrued;

(ii) Electrical system benefits; and

(iii) A discussion of how a net benefit to ratepayers is attainable.

(F g) A description of learning objectives and how the electric company will evaluate the effectiveness of the program/infrastructure measure, including data collection methods, how the electric company will evaluate the program that includes, but is not limited to:

(i) Timeline of program evaluation and proposed evaluation reporting schedule;

(ii) Estimated cost of evaluation;

(iii) How the evaluation will be conducted and whether third-party evaluation is necessary;

(iv) How the evaluation will address identified barriers; and

(v) A discussion of the method of data collection that is consistent with subsection (1)(b) of this rule and how the data will be used to evaluate the effectiveness of the program.

(vi) Any other evaluative information requested by the Commission.

(G) For infrastructure measures, a description of how the measure addresses the requirements of Oregon Laws 2021, chapter 95 Section 4(b); and

(H h) For programs, a description of how the program addresses the considerations in Oregon Laws 2016, chapter 028, section 20(4)(a)-(f).

(I) A description of technical requirements that will be imposed on participating technology or customers.

(5) An electric company must file a Transportation Electrification Budget as a section of its TE Plan. The Transportation Electrification Budget must include:

(a) Annual budgets for the TE Portfolio for the first **three** years of the TE Plan, including a discussion of the context of anticipated long-term expenditures for the next ten years; including but not limited to benefit-cost analysis “cost tests”;

(b) A forecast of all expenditures to support transportation electrification grouped by program and/or infrastructure measure, and further divided into:

(A) Capital expenditures; and

(B) Expenses, separating administrative costs, O&M on investments, incentives paid to program participants, and any other unique category as relevant.

(c) A forecast of all funding sources to be utilized, including but not limited to, the Monthly Meter Charge, grants, Clean Fuels Program credits, base rates, and deferrals based on a reasonable estimate;

(d) A forecast of all spending on underserved communities, grouped by program and/or infrastructure measure and further divided into:

(A) Expenditures of funds collected through the Monthly Meter Charge as required by Oregon Laws 2021, chapter 95 Section 2;

(B) Spending from revenues other than the Monthly Meter Charge, including but not limited to grants, Clean Fuels Program credits, base rates, and deferrals.

(e) The Commission’s acceptance of the electric company’s TE Plan will constitute approval of the TE Budget, which includes the Monthly Meter Charge budget as required by Oregon Laws 2021, chapter 95 Section 2.

(f) An electric company may propose TE Budget updates at any time between TE Budget filings. TE Budget update filings can be limited to the material changes in the electric company’s approved TE Budget. Commission staff will work with parties to propose a schedule for public review.

(6) The Commission may direct an electric company to incorporate the TE Plan into other electric company planning documents.

### **860-087-0030 - Transportation Electrification Program Application Requirements**

**Commented [SE\*P17]:** Comment #24. Clarifies coverage of product lists.

**Commented [SE\*P18]:** Comment # 11. Moved up to follow Plan requirements.

**Commented [SE\*P19]:** Comment #15. This paragraph was made redundant by linking TE Budget approval to TE Plan acceptance.

**Commented [SE\*P20]:** Comment #16. Extends filing cadence to three years.

**Commented [SE\*P21]:** Comment #20. Clarifies that this is an estimate.

(2) An electric company must file applications for one or more Transportation Electrification Programs on or before December 31, 2016.

**860-087-0030 Transportation Electrification Program Reporting Requirements Plan Report**

(1) Utilities must file a preliminary Transportation Electrification Plan Report annually with a final version with its next TE Plan that summarizes the performance of its last TE Plan. Program approved by the Commission. A program evaluation must include, but is not limited to:

(a) The Report must include:

(A) All spending in the previous three calendar years in the format of the approved TE Budget;

(B) All sources of funding for the TE Plan portfolio in the previous three calendar years.

(C) An evaluation of each Transportation Electrification program or infrastructure measure in the company's portfolio of existing programs;

(D) A discussion of how the TE Plan portfolio met the performance area categories described in Section (3)(c)(A)-(H) in this rule, and key lessons learned;

(E) A benefit-cost analysis of the TE Plan portfolio over the previous three calendar years in the form of "cost tests"; and

(F) Analysis of the estimated ratepayer impact of the TE Plan portfolio over the past three calendar years.

(G) Analysis of how TE Plan portfolio has impacted innovation, competition and customer choice in Oregon.

(a) The information required under OAR 860-087-0030(1)(g)(A)-(F);

(b) An assessment of program costs and benefits realized by ratepayers and the electric company;

(c) A tracking of program costs over the life of the program;

(d) Progress against identified market barriers and implementation barriers;

(e) Current risk that investment will result in stranded costs;

(f) Whether any program modifications are recommended to help meet expected outcomes;

(g) Updated market data, including a description of changes in the condition of the transportation electrification market within the electric company's service territory; and

(h) An evaluation of whether and how the program has:

(A) Accelerated transportation electrification;

(B) Stimulated innovation, competition, and customer choice; and

**Commented [SE\*P22]:** Comment #35. Fixes drafting error.

**Commented [SE\*P23]:** Comment #34. Provides a portfolio view discussion on these topics.

(C) Supported system efficiency and operational flexibility, including the ability to integrate variable resources.

(2) The Commission may request additional TE Plan updates at any time, including milestones and progress against success indicators performance area categories, to assess whether to continue, discontinue, or modify approved programs and infrastructure measures.